

CRIMINAL CONVICTIONS - DECLARATION FORM

Private & Confidential

The post that you have applied for requires a basic, standard or enhanced disclosure or is one where your normal duties include regulated work and requires a PVG disclosure in accordance with at least one of the following pieces of legislation:

- o Rehabilitation of Offenders Act 1974 (as amended)
- o Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 (as amended)
- o Protection of Vulnerable Groups (Scotland) Act 2007 (as amended)
- o Police Act 1997 (as amended)

You are therefore required to disclose certain convictions below, but you should not tell us about any convictions which were gained before the age of 12. Having a criminal record will not necessarily be a bar to working or volunteering with us. We will consider any information disclosed fairly and in accordance with the requirements of Rehabilitation of Offenders Act 1974.

Unspent Convictions

You must complete this section.

Do you have any unspent convictions?

Yes	
No	

If you have crossed yes, please provide details below.

All unspent convictions must be disclosed. Please provide details of any unspent convictions here:-

Date	Court	Offence	Disposal

Spent Convictions

This section should only be completed following the guidance below, if you will be applying for a standard, enhanced or PVG disclosure but you should not tell us about any convictions which were gained before the age of 12.

The 2020 amendment order gives 2 lists of offences that may be disclosed for an extended period.

Convictions detailed in Appendix 3 should only be detailed if 15 years (if 18 or over at the time of conviction) or 7½ years (if under 18 at the time of conviction) from the date of conviction have not passed, unless you received a custodial sentence exceeding 48 months in which case you must always disclose this information. Those in appendix 4 should only be disclosed above if they are unspent.

If you have any convictions for offences detailed in these lists which are now considered to be spent in normal circumstances, you should not disclose these on this form, however, please be aware that if you are applying for a Standard, Enhanced or PVG disclosure, this information can be released on your certificate for longer than the normal rehabilitation period.

Disclosure Scotland will notify you if you have any convictions which fall under this extended disclosure period as you can (if you wish) apply to have this information removed from your disclosure. Where such information is released, we will discuss this with you when we receive our copy of your disclosure. Please note that applying to have this information removed does not guarantee its removal, the final decision on this will be made by a Sheriff or using the review mechanism when it becomes available.

Data Protection Act 2018 and GDPR

The information given in this form will be treated in strict confidence. When completed, the document contains sensitive personal data as defined by the Data Protection Act and GDPR which will be used only for the purpose it was requested and handled in accordance with the Act.

If you have any convictions detailed in Appendix 3 and the extended disclosure period has not passed, please provide the information here:

Date	Court	Offence	Disposal

Conviction Disclosure Guidelines

Minor conviction	Conviction detailed in Appendix 3	Conviction detailed in Appendix 4	A custodial sentence of more than 48 months
Will be detailed for the rehabilitation period as detailed in Appendix 2 and Appendix 5. The conviction will not be detailed after it becomes spent.	Will be detailed for a minimum of 15 years (7½ years if under 18 at the time of conviction) and then, if spent, the individual can apply to have the information removed.	Will be detailed for a minimum of the rehabilitation period and then potentially for up to 15 (or 7½ years if under 18 at the time of conviction) from the date of conviction. After the initial rehabilitation period and if spent, the individual can apply to have the information removed. The conviction will not be detailed after this period.	Never spent

Barred Lists

This section should only be completed if you will be applying for PVG disclosure or enhanced disclosure with list checks. Do not complete this section if you are applying for a basic, standard or enhanced disclosure without list checks.

I understand that my role involves regulated work and confirm that I am not barred from the relevant regulated work group(s).	
Signed	Date

Declaration

I certify that the information contained in this form is true and complete to the best of my knowledge and belief. I understand that any false information or omission in the information I have given may lead to the immediate suspension or termination of my volunteering or employment with the organisation.	
I confirm that I have read and understood this declaration.	
Full name	
Address	
Signed	
Date	

Please bring this form to your interview

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Falkirk's Mental Health Association