

Please read Guidance Notes for Applicants - Declaration of Criminal Convictions' on the reverse before completing this form.

Declaration of criminal convictions			
<p>This post is exempt from the Rehabilitation of Offenders Act 1974 and you are therefore required to disclose all criminal convictions, including any which may be 'spent'. You should also include details of any cautions, reprimands or final warnings. Please only include details of old and minor cautions, convictions, reprimands and warnings in accordance with the DBS filtering rules relating to such offences. Details of the filtering rules can be found in the attached Applicants Guidance Notes or from www.gov.uk/dbs</p>			
<p>Have you ever been convicted of any criminal offence, whether 'spent' or 'unspent', as defined in the Rehabilitation of Offenders Act 1974 or do you have any charges pending?</p>			Yes/No
<p>If yes, please provide details:</p>			
<p>Have you ever been cautioned, reprimanded or received a final warning which although not considered to be criminal convictions and become 'spent' immediately, must be considered in relation to this exempt post?</p>			Yes/No
<p>If yes, please provide details:</p>			
<p>Have you ever been barred or restricted from working with children or vulnerable adults?</p>			Yes/No
<p>If yes, please provide details:</p>			
<p>Any subsequent offer of employment will be subject to a criminal record check (disclosure request) from the Disclosure and Barring Service (DBS). This check will include details of cautions, reprimands or final warnings as well as convictions. Appointment will be subject to the information received from the DBS.</p> <p>I accept that if any of the information is found to be false or misleading I will be disqualified from appointment. I understand that any subsequent offer of employment will be subject to the outcome of a criminal record check from the DBS that Cornwall Council will request my authorisation for such a check to be made.</p>			
<p>Signature:</p>		<p>Date:</p>	

**GUIDANCE NOTES FOR APPLICANTS
DECLARATION OF CRIMINAL CONVICTIONS**

Disclosure and Barring Service (DBS) - Filtering of old and minor cautions, convictions, reprimands and warnings

At the end of January 2013 a Court of Appeal judgement stated that the disclosure of all cautions and convictions on a DBS certificate was incompatible with Article 8 of the Convention for Human Rights.

As a result of this judgement, from 29 May 2013, the DBS will be removing certain specified old and minor offences from criminal record certificates issued from this date. The filtering rules are as follows:

For those 18 or over at the time of the offence:

An adult conviction will be removed from a DBS criminal record certificate if:

- 11 years have elapsed since the date of conviction; and
- it is the person's only offence, and
- it did not result in a custodial sentence.

Even then, it will only be removed if it does not appear on the specified list of offences that will never be filtered. If a person has more than one offence, then details of all their convictions will always be included.

An adult caution will be removed after 6 years have elapsed since the date of the caution – and if it does not appear on the specified list of offences that will never be filtered.

For those under 18 at the time of the offence:

- The same rules apply as for adult convictions, except that the elapsed time period is 5.5 years

The same rules apply as for adult cautions, except that the elapsed time period is 2 years.

The filtering rules, together with the list of offences that will never be filtered, are available from www.gov.uk/dbs

Cornwall Council has policies on Criminal Record Checking, Security or Disclosures and Disclosure Information and Recruitment of Ex-Offenders, copies of which are available on request. To request a copy you should contact the P&OD Safeguarding Team.

For more information, advice and guidance on safer recruitment, criminal record checks and the Disclosure and Barring Service, please contact the P&OD Safeguarding Team on 01872 324130 or email hksafeguardingteam@cornwall.gov.uk