**Declaration**

Rehabilitation of Offenders Act 2974 (Exceptions) Order 1975 as amended.

Your details will be stored **during the recruitment process for the role applied for**, and if successful **throughout the duration of your employment with ETF.**

This information will be treated confidentially and will not automatically result in your exclusion from the recruitment process. It will be viewed **only by those who need to see it to fulfil our legal obligations and will not be used for any other purpose.**

**Equality and Fair Recruitment Commitment**

Having a criminal conviction will not necessarily bar you from employment with us; this will depend on the nature of the position and the circumstances and relevance of your offences. Our recruitment process is designed to ensure all candidates are treated fairly and equally under the Equality Act 2010.

**Thank you for your co-operation.** If you need support to complete this form, please contact ETF at info@edinburghtenants.org.uk or 0131 475 2509.

**Please complete**

|  |  |
| --- | --- |
| **Forename** |  |
| **Surname** |  |

|  |  |
| --- | --- |
| **1** | **Advisory note: Please read carefully** |
| 1. **Candidates previously convicted of a criminal offence**

**Excepted posts** (i.e., posts to which the Rehabilitation of Offenders Act 1974 (Exception) Order 1975 as Amended, applies).If you have applied for such a post, you will have been notified that the terms of the “Exceptions Order” to the above Act apply to this post. This means that for the purpose of applying for this post, you are NOT ENTITLED to withhold information on a criminal conviction on the grounds that it is “spent” or forgotten under the Rehabilitation of Offenders Act 1974.You are therefore required to provide an honest and true declaration below. (Convictions within the armed services out with the United Kingdom and by certain professional bodies must also be included.)**All other posts** (i.e., posts to which the Rehabilitation of Offenders Act 1974, applies)The terms of the above Act mean that for the purpose of applying for this post you MAY BE ENTITLED to withhold information on a criminal conviction of the grounds that it is “spent” or forgotten following a period of rehabilitation as detailed in the Rehabilitation of Offenders Act 1974 (see over page).Convictions within the Armed Services; out with the United Kingdom or disciplinary action by certain professional bodies should also be included below – unless they are regarded as “spent” under the Act. |

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| 1. **Candidates with no previous convictions**

Candidates with no previous convictions and with no criminal court (case(s) pending should also complete the relevant sections below.1. Please note that the questions below have been specifically excluded from job applications forms to protect confidentiality and that if you answer “YES” to the declaration(s), the subsequent details that you supply in Section 3 below, will be treated in strict confidence and will not automatically exclude you from further consideration for this or any other post.
2. If you are in any doubt as to the correct answers to be given, it is recommended that you take advice from a suitable person, e.g., Solicitor, Trade Union Representative, Citizens Advice Bureau or contact the Personnel Services Department.
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|  |  |
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| **2** | **Declaration: Please read the advisory note above before answering the declaration.** |
| 1. Have you ever been convicted of a criminal offence?
 | Yes[ ]  | No[ ]  |
| 1. Do you have a court appearance pending or have you been charged by the Police for a criminal offence?
 | Yes[ ]  | No[ ]  |

|  |  |
| --- | --- |
| **3** | **Additional Details**If you answered YES at section 2(a), please supply the following details.If you answered YES at section 2(b), please supply as much detail as you can, below. |
| **Date** | **Court** | **Details of Offence** | **Sentence** |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

|  |  |
| --- | --- |
| **4** | **Former Names: You were known as (if applicable)** |
|  |

|  |  |
| --- | --- |
| **5** | **Former Addresses: If you haven’t lived at your current address for a minimum of 5-years. This information is required of all candidates.** |
| **Address** | **From (date)** | **To** |
|  |  |  |
|  |  |  |
|  |  |  |
| **6** | **I certify that:** |
| 1. I have read the Advisory Note at 1.
2. I have not withheld information that may affect my application for appointment.
3. I understand that false information or omissions may lead to dismissal.
4. The information supplied above may be verified by the company.
 |
| **Signature** |  |
| **Date** |  |

|  |
| --- |
| How long is a rehabilitation period? |
| This depends on the sentence given. For a custodial sentence, the length of time actually served is irrelevant, the rehabilitation period is decided by the original sentence and commences on the date of conviction.**Please note:** The length of rehabilitation periods changed in 2014. Below are details of the new rehabilitation periods. |

The following table sets the new rehabilitation periods applicable to adult offenders (those aged 18 and over at the time of conviction).

|  |  |
| --- | --- |
| **Sentence** | **New rehabilitation period** |
| Custodial sentence over 4 years or a public protection sentence (a custodial sentence for specified sexual and violent offences) | Never spent |
| Custodial sentence (over 2½ years, up to 4 years) | 7 years (beginning with the day on which the sentence, including any period on licence, is completed) |
| Custodial sentence (over 6 months, up to 2½ years) | 4 years (beginning with the day on which the sentence, including any period on licence, is completed) |
| Custodial sentence (up to 6 months) | 2 years (beginning with the day on which the sentence, including any period on licence, is completed) |
| Fine | 1 year (beginning with the date of the conviction in respect of which the fine is imposed) |
| Absolute discharge | No rehabilitation period |

**New rehabilitation periods for young offenders**

The following table sets out the new rehabilitation periods applicable to young offenders (being those aged under 18 at the date of conviction).

|  |  |
| --- | --- |
| **Sentence** | **New rehabilitation period** |
| Custodial sentence over 4 years or a public protection sentence (a custodial sentence for specified sexual and violent offences) | Never spent |
| Custodial sentence (over 2½ years, up to 4 years) | 3½ years (beginning with the day on which the sentence, including any period on licence, is completed) |
| Custodial sentence (over 6 months, up to 2½ years) | 2 years (beginning with the day on which the sentence, including any period on licence, is completed) |
| Custodial sentence (up to 6 months) | 18 months (beginning with the day on which the sentence, including any period on licence, is completed) |
| Fine | 6 months (beginning with the date of the conviction in respect of which the fine is imposed) |
| Absolute discharge | No rehabilitation period |

If you cannot find the relevant information relating to your sentence within this table, please refer to the full guidance published by the Disclosure and Barring service at:

**↘** [**https://www.gov.uk/guidance/rehabilitation-periods**](https://www.gov.uk/guidance/rehabilitation-periods)

**Thank you for taking the time to complete this Criminal Convictions form.**

Please return this to ETF at **info@edinburghtenants.org.uk** or by post to **ETF, Norton Park, 57 Albion Road, Edinburgh EH7 5QY.**

Your application will be considered by ETF, and we will be in touch soon.

**Edinburgh Tenants Federation**

Norton Park, 57 Albion Road, Edinburgh EH7 5QY

info@edinburghtenants.org.uk