

# CRIMINAL CONVICTIONS DECLARATION FORM



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**East Dunbartonshire Council**

www.eastdunbarton.gov.uk

**REHABILITATION OF OFFENDER ACT 1974 (Exclusions & Exceptions) (Scotland) Order 2013 as amended.**

**Please read Advisory Note (Page 2)**

**(N.B. ALL candidates must answer all questions as fully as possible.)**

**IMPORTANT - Seal this form in an envelope and bring it with you when you attend for interview**

**Please note, you can complete this form on your computer or alternatively, print and complete in ink using block capitals.**

## Section 1 - Declaration

Have you ever been convicted of a criminal offence Yes  / No

Do you have a court appearance pending or have you been charged by the Police for a criminal offence Yes  / No

### I Certify That:

- I have read the Advisory Note.
- I have not withheld information that may affect my application for appointment.
- The information supplied above may be verified by the Council.
- I understand that false information or omissions may lead to dismissal.
- If I am successful in my application for employment, the information contained in this document will form part of my personal record (both manual and computerised) to which I will have access.

Print Name

Date

Signature

## Section 2 – Additional Details

(If you answered YES in Section 1 please supply appropriate details below, use continuation sheet if necessary)

Date	Court	Details of Offence	Sentence

## Section 3 – All Name(s) & Addresses (current & previous)

(this information is required of ALL CANDIDATES for the last 10 years) use continuation sheet if necessary)

Name	Address	From	To

## Section 4 - Date and Place of Birth

Day	Month	Year	Town	Country

## Advisory Note

**CANDIDATES WITH NO PREVIOUS CONVICTIONS:-** and with no criminal court case(s) pending should complete **all** sections as fully as possible.

**CANDIDATES PREVIOUSLY CONVICTED OF A CRIMINAL OFFENCE:-**

EXCEPTED POSTS (i.e. posts to which the Rehabilitation of Offenders Act 1974 (Exclusions & Exceptions) (Scotland) Order 2013 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 over page. (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 (Exclusions & Exceptions) (Scotland) Order 2013 as amended 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 on the grounds that it is "spent" or forgotten following a period of rehabilitation as detailed in the Rehabilitation of Offenders Act 1974 (Exclusions & Exceptions) (Scotland) Order 2013 as amended (see below)

Convictions within the armed Services; out with the United Kingdom or disciplinary action by certain professional bodies should be included - unless they are regarded as "spent" under the Act.

Please note that these questions have been specifically excluded from job application forms to protect confidentiality and that if you answer "YES" to the declaration(s), the subsequent details that you supply, will be treated in strict confidence and will not automatically exclude you from further consideration for this or any other post.

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 Customer Services & Transformation, Employee Services

### 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.

### SENTENCES OF MORE THAN 2½ YEARS CAN NEVER BECOME SPENT

Other sentences become spent after fixed periods from the date of conviction; Here are some examples:

Sentence	Rehabilitation Period	
	aged 17 or over when convicted	aged under 17 or over when convicted
Prison (immediate or suspended sentence) or youth custody More than 6 months and not exceeding 2½ years	10 years	5 years
Prison (immediate or suspended sentence) or youth custody 6 months or less	7 years	3 ½ years
Fine or community service order	5 years	2½ years
Absolute Discharge	6 months	6 months
There are 2 sentences for people under 21 for which there is no variation in the rehabilitation period according to age when convicted. These are:		
Borstal (replaced by youth custody in May 1983)		7 years
Detention Centres		3 years
With some sentences the rehabilitation period varies:		
Prohibition, supervision, care order, conditional discharge or bind-over	1 year or until the order expires (whichever is longer)	
Attendance centre orders	1 year after the order expires	
Hospital orders (with or without a restriction order)	5 years or 2 years after the order expires (whichever is longer)	
Orders imposing a disqualification, disability or prohibition	Until the order expires	

## Data Protection Act 1998

The information provided in this form will be processed by East Dunbartonshire Council in accordance with the Data Protection Act 1998. The data you have provided will be used for **processing your application.**

## Other Formats & Translations

**This document can be provided in large print, Braille or on CD and can be translated into other community languages. Please contact the Council's Corporate Communications Team at 12 Strathkelvin Place, Kirkintilloch, G66 1TJ, tel 0300 123 4510**

本文件可按要求翻譯成中文，如有此需要，請電 0300 123 4510。

اس دستاویز کا درخواست کرنے پر (اردو) زبان میں ترجمہ کیا جاسکتا ہے۔ براہ مہربانی فون نمبر 0300 123 4510 پر رابطہ کریں۔

ਇਸ ਦਸਤਾਵੇਜ਼ ਦਾ ਮੰਗ ਕਰਨ ਤੇ ਪੰਜਾਬੀ ਵਿੱਚ ਅਨੁਵਾਦ ਕੀਤਾ ਜਾ ਸਕਦਾ ਹੈ। ਕਿਰਪਾ ਕਰਕੇ 0300 123 4510 ਫੋਨ ਕਰੋ।

Gabhaidh an sgrìobhainn seo cur gu Gàidhlig ma tha sin a dhith oirbh. Cuiribh fòin gu 0300 123 4510

अनुरोध करने पर यह दस्तावेज़ हिन्दी में भाषांतरित किया जा सकता है। कृपया 0300 123 4510 पर फोन कीजिए।