



Spark of Genius provides a range of care and education services to some of the most vulnerable and ‘at risk’ young people in Scotland. All employees within the company have direct access to these young people or access to highly confidential information about the young peoples’ histories and backgrounds. Therefore, all posts within Spark of Genius are considered exempt from the rehabilitation of Offenders Act 1974.

This means that all applicants **must disclose all previous and pending convictions** on their self declaration form, even if they are considered ‘spent’ under the legislation.

**A previous conviction will not automatically bar an applicant from employment**, with the exception of offences against children or other vulnerable groups. We will make all decisions based on careful consideration of all the information available to us.

In line with Government guidance, management will, in each case, consider the following;

* whether the conviction is relevant to the employment;
* the length of time since the offence occurred;
* whether the applicant has a pattern of convictions;
* Whether the applicant’s circumstances have changed since the offence was committed.

It is important that all applicants and existing staff understand the need to disclose convictions, and are actively encouraged to do so, so that any convictions can be fully discussed during the recruitment process.

If management feels that further clarification is required, further information may be sought from additional sources, for example, previous employers, placements etc. We may also ask the applicant to supply additional references.

For further information please refer to the enclosed Recruitment of Ex-Offenders Policy. Please also see the Safer Recruitment Policy for information in relation to vetting.

**Disclosure of Criminal Records**

**England and Wales**

All applicants will be vetted via the Disclosure and Barring Service (**DBS) (formerly known as Criminal Records Bureau)** prior to commencing employment. More details regarding the DBS scheme can be found at https://www.gov.uk/crb-criminal-records-bureau-check/overview.

Enhanced DBS with list checks records provide Spark of Genius with details of an individual’s criminal records **irrespective of the time elapsed since conviction**, other charges and cautions, any information which is deemed appropriate for Spark of Genius to know given the position that the person is applying for and also whether they applicant is registered on any of the appropriate DBS barring lists.

Applicants should be aware that, should a DBS Check show convictions which were not provided on the individual’s application or at interview, the Company will consider this as a fundamental breach of trust and confidence. If this situation arises the individual is liable to be summarily dismissed or have any offer of employment withdrawn, **irrespective of the nature of the conviction**.

Please see the following pages for the Self Declaration form which must be completed for all posts within Spark of Genius.

**Please complete Parts 1 – 3.**

This information will be treated in the strictest confidence and will only be seen by HR and authorized staff eg SMT. Should you not be selected for a position this information will be confidentially destroyed.

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|  **PART 1** |
| Are you currently subject to any criminal charges or investigations?  | YES 🖵 NO 🖵 |
| Have you ever received or been subject to any of the disposals noted in Part 1A? (If yes please complete Part 1A) | YES 🖵 NO 🖵 |

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|  **PART 1A** |
| Conviction(s) | 🖵 | Warning(s) | 🖵 | Reprimand(s) | 🖵 |
| Caution(s) | 🖵 | Charge(s) | 🖵 | Admonishment(s) | 🖵 |
| Procurator Fiscal Fine(s) | 🖵 | Dropped Charge(s) | 🖵 | Driving endorsements | 🖵 |
| Other:  |
| What was the incident(s) that resulted in the above? |
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| When did it happen and what was the outcome (fine, court, charge, prison etc)? |
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| Have you offended since? If so, detail below.  |
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| What have you learnt from your experience? |
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|  **PART 2** |
| Does your name appear on either or both of the 2 ‘barred lists’ provided by the Disclosure and Barring Service (DBS) ?1. Children
2. Adults
 | YES 🖵 NO 🖵 |
| Are you subject to any investigation or sanctions imposed by a regulatory body e.g. NMC and have you ever had a condition imposed, deregistered from a governing body or removed from a register, including Foster Caring Register or other relevant? (If yes please detail below) | YES 🖵 NO 🖵 |
| Have you ever been subject to an investigation or enquiry into abuse or other inappropriate or inadequate behaviour, either within or out with the workplace which may include Fostering services or volunteering/placement opportunities.  | YES 🖵 NO 🖵 |
| Has your contract of employment ever been terminated or have you ever been dismissed from the workplace or other setting including volunteering/placement opportunities?  | YES 🖵 NO 🖵 |
| Have you ever been suspended from employment or subject to disciplinary action? | YES 🖵 NO 🖵 |
| If you have answered yes to any of the above please provide details in the space below. |
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|  **PART 3 - DECLARATION** |

* I declare that, except for the above disclosed, I have not been found guilty and sentenced by a court for a criminal offence, either in the UK or abroad.
* I give my consent to Spark of Genius to carry out a Protection of Vulnerable Groups check and to request references in order to verify the information I have provided in this declaration form. I understand that failure to disclose information in relation to previous disciplinary action, offences, criminal charges, cautions, convictions, conditions, de-registration etc could result in withdrawal of offer. I understand that failure to disclose any new instances between now and commencement of employment and further whilst in employment may lead to disciplinary action and termination of employment in line with the disciplinary policy.
* I give my consent to Spark of Genius to carry out an initial Disclosure Barring Service check (and thereafter annual checks or more requests if there is due cause) and to request references in order to verify the information I have provided in this declaration form. I understand that failure to disclose information in relation to previous disciplinary action, offences, criminal charges, cautions, convictions etc could result in withdrawal of offer. I understand that failure to disclose any new instances between now and commencement of employment and further whilst in employment may lead to disciplinary action and termination of employment in line with the disciplinary policy.
* In line with section 55 of the Data Protection Act 1998, I consent to Spark of Genius carrying out a driving license check if required to cooperate with the process to enable them to do so. I agree to inform Spark of Genius if I receive any driving fines, endorsements, disqualifications etc that may impact on my ability to drive. I also understand that I am required to comply with the annual driving licence checks in line with company policy. I understand that failure to declare information or co-operate in processes could result in withdrawal of offer or in employment lead to disciplinary action and termination of employment once employment has commenced.

PRINT NAME: SIGNATURE: DATE: