



Disclosure of criminal convictions / Cautions / Reprimands / Bind Overs

(Spent and unspent)

Notes of guidance and disclosure form

- 1 It is the County Council's policy to require all applicants for employment to disclose any previous 'unspent' criminal convictions. In addition, you are required to disclose any reprimands, bind overs and any cautions which have not expired or any pending prosecutions.
- 2 In addition, as the post for which you are applying is one that will give you substantial unsupervised access to children and young people it is covered by The Rehabilitation of Offenders Act 1974 (Exceptions) Orders from time to time enacted and in force. You are therefore required to disclose 'spent' as well as 'unspent' criminal convictions, cautions or reprimands or bind overs and any pending prosecutions against you.
- 3 The information you provide (by completing the attached form) will be treated as strictly confidential and will be considered only in relation to the post for which you are applying.
- 4 Disclosure of a conviction, caution, reprimand, bind over or pending prosecution does not necessarily mean that you will not be appointed; a person's suitability will be looked at as a whole in the light of all the information available, and in accordance with the County Council's policy on the employment of ex-offenders, a copy of which can be obtained from the Council. A main consideration will be whether the offence is one which would make a person unsuitable to work in the capacity of the post applied for.
- 5 A conviction includes:
 - (a) a sentence of imprisonment, youth custody or in a young offenders institution;
 - (b) an absolute discharge, conditional discharge, bind over;
 - (c) a fit person order, a supervision or care order, a probation order or community punishment order or an approved school order arising from a criminal conviction;
 - (d) simple dismissal from the Armed Forces, cashiering, discharge with ignominy, dismissal with disgrace or detention by the Armed Forces;
 - (e) detention by direction of the Home Secretary;
 - (f) remand centres, secure training centres or in secure accommodation;
 - (g) a suspended sentence;
 - (h) a fine or any other sentence not mentioned above.

PLEASE COMPLETE THE FORM OVERLEAF AND RETURN IT TO THE ADDRESS ON THE ATTACHED LETTER PRIOR TO INTERVIEW

- 6 A caution is a formal warning about future conduct given by a Senior Police Officer, usually in a Police Station, after a person has admitted an offence. It is used as an alternative to a charge and Positive Prosecution.
- 7 A Reprimand has replaced a Caution for young people under 15. A young person given a second formal warning about future conduct is then given a formal warning.
- 8 A Bind over is an order which requires the defendant to return to Court on an unspecified date for sentence.
Failure to observe this order may result in a forfeit or penalty being enforced
- 9 Under the Criminal Justice & Courts Services Act 2000 it is an offence for an individual who has been disqualified from working with children to knowingly apply for, offer to do, accept or do any work in a 'regulated position'.
- 10 As the post for which you are applying falls within the category for which a criminal record disclosure is required, if you are selected for appointment, you will be required to apply for a standard or enhanced* Criminal Records Bureau (CRB) disclosure. A refusal to make such an application could prevent your employment. Any information provided by the CRB will be kept securely whilst it is being considered and will then be destroyed. No record will be kept relating to any specific offence identified by the disclosure.
- 11 Failure to disclose convictions, cautions, reprimands or bind overs and any pending prosecutions may, in the event of employment result in dismissal or disciplinary action by the County Council.
- 12 Posts subject to standard or enhanced CRB disclosures will require a disclosure through ECC, irrespective of the fact that they may have already obtained a disclosure through another Registered Body.

***STANDARD DISCLOSURES** are primarily for positions that involve regular contact with those aged under 18 or people of all ages who may be vulnerable for other reasons.

ENHANCED DISCLOSURES are for posts involving greater contact with children and vulnerable adults.

PLEASE 'TEAR OFF' AND RETAIN THIS PART OF THE FORM





Essex County Council

Disclosure of criminal convictions / cautions / reprimands /

bind overs

(Spent and unspent)

Disclosure Form

Please read carefully the accompanying notes and then enter any convictions and cautions below.

Please enter NONE if applicable

Offence	Date of conviction / caution / reprimand / bind over	Sentence
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Please list below details of any pending prosecutions

Please enter NONE if applicable

Court to which summoned	Appearance date	Alleged offence
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I certify that i) I have read and understood the attached guidance notes; ii) to the best of my belief, the information I have entered is true and I understand that any false information or failure to disclose criminal convictions will result, in the event of employment, in a disciplinary investigation by the County Council, and is likely to result in dismissal.

Name (please use CAPITALS):

Signature:

Date:

Post applied for:

