

## CASTLEHILL HOUSING ASSOCIATION

### Criminal Record Declaration - Confidential

#### Notice to Applicants

Due to the nature of the work and the services that our organisation provides, in that many of our staff are responsible for working with vulnerable adults, when recruiting we are required to ensure that the character and background of applicants for appointment to particular posts are thoroughly assessed. Therefore, we take the following steps to vet staff employed.

#### **1 References**

As part of the selection process, references are obtained for all potential new employees.

#### **2 Criminal Record Declaration Form**

Castlehill aims to ensure that effective and fair recruitment practices are adopted at all times.

For posts that involve any unsupervised contact with vulnerable adults, all applicants are required to complete a Criminal Record Declaration Form.

The purpose of this form is to allow applicants to disclose details of any convictions, to ensure that the Chairperson of the interview panel can assess the disclosed information fairly and to make informed decisions as to whether or not the convictions are relevant to the post applied for.

Only offences that are deemed to be relevant to the post applied for will result in applications not being taken forward for interview.

Any information disclosed will be kept confidential to the Chairperson of the interview panel and the Lead Signatory/countersignatory within our organisation

The Criminal Record Declaration Form will be managed in the following way:

- On receipt of your application form, the envelope containing the Criminal Declaration Form will be removed prior to your application being put forward for short-listing.
- The short-listing panel will assess your application, with applicants being short-listed on their skills and abilities and meeting the specified criteria for the position applied for.
- If you are unsuccessful in being short-listed for interview, your Criminal Declaration Form will be shredded, without the sealed envelope being opened.
- If you are invited to attend interview, the Chairperson of the interview panel will open the sealed envelope containing the Criminal Record Declaration Form prior to interview. If you have disclosed criminal convictions (spent, unspent), cautions, warnings, reprimands or any non-conviction relevant information, they will discuss this further with you at the interview in order to expand on, and to clarify any information that has been disclosed.
- You may be asked to provide additional references from organisations that you have been involved with, to enable the Chairperson to verify the information that has been disclosed.
- Should you be the preferred candidate for the post, you will also be required to provide a Criminal Record Disclosure Certificate before employment can commence.

#### **3 Criminal Background Checks**

The implementation of the Police Act 1997 (part v) now allows for all voluntary sector organisations to access Criminal Record Certificates.

There are three levels of certificate:

**The Basic Disclosure** :/

**The Basic Disclosure :** Available to individuals who are accessing employment that falls within the criteria of the Rehabilitation of Offenders Act 1974, and will detail any convictions that are currently 'unspent' under the terms of the Rehabilitation of Offenders Act 1974. A copy of the Basic Disclosure is sent to the applicant only. (Application forms for Basic Disclosures are available directly from Disclosure Scotland).

**The Standard Disclosure :** Available to employers who are registered with Disclosure Scotland and for Voluntary Sector Organisations who are registered with the CRBS. A Standard Disclosure is available for individuals who will be working within occupations/professions that are covered by the criteria of the Exceptions Order 1975. A Standard Disclosure will detail both 'spent' and 'unspent' convictions, cautions warnings and reprimands. A copy of the Standard Disclosure is sent to both the employer and the applicant. (Application forms for the Standard Disclosure will be provided by the Employer/Voluntary Organisation that will be employing the applicant).

**The Enhanced Disclosure:** Available to employers who are registered with Disclosure Scotland and for Voluntary Sector Organisations who are registered with the CRBS. An Enhanced Disclosure is available for individuals who have *regular contact with and sole charge of children under the age of 18 or vulnerable adults*. An Enhanced Disclosure will detail both 'spent' and 'unspent' convictions, cautions, warnings, reprimands and any non conviction relevant information. Local Chief Constables determine non-conviction relevant information and it will be information that is deemed to be relevant to the position applied for. A copy of the Enhanced Disclosure is sent to both the employer and the applicant. (Application forms for the Enhanced Disclosure will be provided by the Employer/Voluntary Organisation that will be employing the applicant).

Castlehill Housing Association is registered with the Central Registered Body in Scotland (CRBS) for accessing Criminal Record Certificates. The CRBS is funded by the Scottish Executive to provide Standard and Enhanced Certificates for those who will be working or volunteering within the voluntary sector. The CRBS access the checks through Disclosure Scotland.

Castlehill will only access Criminal Record Certificates once a successful job offer has been made.

Criminal Record Certificates are used within our recruitment process to verify information that has previously been disclosed on the Criminal Record Declaration Form.

All personal information on candidates or employees will be held in the strictest confidence and a regular review of personnel files will be undertaken to update, amend or delete information.

#### **4 Criminal convictions gained whilst employed by Castlehill Housing Association**

Any criminal convictions gained whilst employed by Castlehill should be disclosed in the appropriate manner. Failure to disclose criminal proceedings/convictions that arise during your employment could result in disciplinary action. Any convictions gained whilst in employment will be assessed to determine the relevance of the conviction to the post you hold. Convictions considered to be relevant could result in disciplinary proceedings or dismissal.

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The post that you have applied for involves regular contact with and sole charge of vulnerable adults and is exempt from the Rehabilitation of Offenders Act 1974 by the (Exceptions) Order 1975 and part v of the Police Act 1997. Should you be selected for interview, you are required to disclose all convictions (spent and unspent), cautions, warnings, reprimands and any non-conviction relevant information.

Please, therefore, complete and sign the attached **Criminal Records Declaration Form** and place it in a separate sealed envelope, marked 'Private and Confidential', and send this to us along with your completed application form. Failure to send us a completed **Criminal Records Declaration Form** will prevent further consideration of your application.

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**CASTLEHILL HOUSING ASSOCIATION**

**Criminal Records Declaration Form**

**Please note that all applicants should complete, sign and return this form, as failure to do so will prevent further consideration of your application.**

Please give details regarding any convictions ('spent' and 'unspent'), cautions, warnings and reprimands by answering the questions in section 1.

Please give details of any non-conviction relevant information by answering the questions in section 2.

Please sign and date the Criminal Record Declaration Form in section 3.

If you have no convictions ('spent' and 'unspent'), cautions, warnings, reprimands or any non - conviction relevant information to disclose, please go straight to section 3 and sign the Declaration Form.

If you require more space, please continue on an A4 sheet with your name marked clearly.

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**CRIMINAL RECORD DECLARATION FORM**

**Section 1**

**Please give the date and details of the conviction(s) you were charged with, the sentence that you received and the court where your conviction(s) was heard.**

**Please give details of the reasons that led to your offence(s).**

**Please give details of how you completed the sentence imposed (*for example, did you pay your fine as required, what conditions were attached to your Probation/Community Service/Supervised Attendance Order, did you comply with the requirements of your order/custodial sentence?*)**

**Has any other organisation supported you to work through any of the above issues?**

**What have you learned from the experience that relates to employment?**

**Section 2**

**Please give details of any non-conviction relevant information:**

**Section 3: Declaration**

I confirm that, to the best of my knowledge, the above information is correct. I understand that if I am selected to work for Castlehill Housing Association, and it becomes apparent that information provided in this form is false, or is omitted, that my application may receive no further consideration, or that formal disciplinary action may be invoked, which may jeopardise my employment with the Association.

I understand that, should I be appointed, I will also be required to have an Enhanced Disclosure criminal record check carried out.

**Signature:** .....

**Date:** .....

***Please note:*** The information provided on this form will be treated in the strictest confidence. Please enclose the form in a separate sealed envelope, marked 'Private and Confidential' and submit this along with your completed application form.

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**For Office Use only:**

Level of Criminal Record Certificate Accessed

*Enhanced*

Unique reference number

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Issue date of Criminal Record Certificate

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