

## MODEL DECLARATION FORM B

### Guidance for applicants

The position you have applied for is non-exempt from the Rehabilitation of Offenders Act 1974 (as amended in England and Wales).

When **University Hospital of North Midlands NHS Trust** is assessing your character and suitability for any such appointment, it is legally permitted to ask for and consider any information relating to unspent (current) convictions, police cautions, final warnings or reprimands which are not protected (or filtered out) by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013.

You are not legally obliged to declare any convictions or cautions which are protected or have become spent (old) under the Exceptions Order. Employers must not ask for, or consider any such information as part of their recruitment process. Before completing this form it will be important for you to read the useful guidance section on page two which provides additional advice about the type of criminal history information you must declare.

Where relevant to the role, the organisation may also ask you to provide any information about any investigations and/or formal action taken against you by a regulatory or licencing body which may have had an impact on your professional registration and/or fitness to practise in your chosen profession.

Any information you declare when completing this form will be verified by undertaking a follow-up check with the relevant body.

### Our fair recruitment promise

**University Hospital of North Midlands NHS Trust** aims to promote equality of opportunity and is committed to treating all applicants for positions fairly and on merit regardless of ethnicity, disability, age, gender or gender re-assignment, religion or belief, sexual orientation, pregnancy or maternity, marriage or civil partnership. The organisation does not discriminate unfairly against applicants on the basis of criminal conviction or other such information declared.

Any information declared by you that is believed to be relevant to the position that you are applying for will be discussed with you prior to making the final recruitment decision. If information is not raised with you, it is because it is believed that it should not be taken into account. In any event, you remain free to discuss the matter with the recruiting manager or human resources department should you wish to do so.

All information will be examined on a case-by-case basis alongside the full range of information we gain about you as part of our recruitment process. It is important to stress that answering yes to any of the questions in the attached form does not automatically mean that you will be prevented from taking up an appointment in the NHS.

### How will my information be used?

The information that you provide in this declaration form will be processed in accordance with the Data Protection Act 1998.

It will be used for the purpose of determining your application for this position and enquiries in relation to the prevention and detection of fraud.

If you have declared any information relating to unspent criminal history, the organisation will consider the following:

- The relevancy of the conviction/offence to the position being applied for.
- The seriousness of the offence(s).
- Your age when you committed the offence(s).
- The length of time since the offence(s) occurred.
- If there is a pattern of offending behaviour.
- The circumstances surrounding the offence(s).
- Any evidence you provide to demonstrate that your circumstances have changed since the offending behaviour.

It is important to be aware that the failure to disclose all unspent convictions which you are legally obliged to declare (i.e. those that are not protected by Exceptions Order of the Rehabilitation of Offenders Act, as amended in England and Wales), could result in disciplinary proceedings or dismissal.

Please ensure that you take the time to read the supplementary guidance that was sent to you with your application form. This provides you with detailed information about how your application will be processed, the persons to whom information will be disclosed and the range of checks that will be carried out as part of the recruitment process.

## Useful guidance

If you have a criminal history, it will be important for you to refer to [additional guidance](#) provided on the Unlock website.

Unlock is a charity body that provides information and advice to individuals to help them gain a greater understanding about the type of information employers are likely to seek about their criminal history. It also provides information about which convictions and cautions are protected under the Exceptions Order (i.e. will never be disclosed as part of a DBS check and do not need to be declared when completing this form) and your rights.

There is also an easy to use [disclosure calculator](#) which will help identify any current unspent convictions and cautions that must be declared when completing the attached form.

## MODEL DECLARATION FORM B

Please complete and return the form only to: **Recruitment, Springfield (Floor 2)**

**Royal Stoke University Hospital**

**Newcastle Road**

**Staffordshire ST4 6QG**

### Before completing this form, it is important to note the following points:

1. You must answer all of the questions in this form.
2. Before ticking yes or no, please ensure that you read the explanatory notes which are provided underneath each of the questions. These notes are intended to guide you in determining what additional information you will be required to provide to support your answers.
3. If you answer yes to any of the questions, please use the space provided to include any relevant information about your suitability for the position you are applying for.
4. If you would like any additional supplementary evidence to support your application to be considered, please ensure it is attached or uploaded with this form when you return it.
5. Please note that you are not required to disclose information about parking offences.

<b>Applicant details</b>				
Full name (in block capitals)		Contact details		
Role applied for				
<b>1. Are you currently bound over or do you have any current unspent <u>convictions</u> that have been issued by a Court or Court-Martial in the United Kingdom or in any other country?</b>			Yes	No
You should tick no, if any convictions are protected (or filtered out); and/or have become spent as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) 2013.  Please refer to further information about protected and spent convictions and cautions in the <a href="#">guidance for applicants</a> section which accompanies this form.				
If you have ticked yes, please provide details of the order binding you over and/or the nature of the offence, penalty, sentence or order of the court, the date and place of the court hearing.				
<b>2. Do you have any current unspent <u>police cautions, reprimands or final warnings</u> in the United Kingdom or in any other country?</b>			Yes	No
You should tick no, if any cautions, reprimands or final warnings are protected (or filtered out); and/or have become spent as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) 2013.  Please refer to further information about protected and spent convictions and cautions in the <a href="#">guidance for applicants</a> section which accompanies this form.				
If you have ticked yes, please provide details of the caution, reprimand or final warning, including the date and				

reason administered.

**3. Have you been charged with any offence in the United Kingdom or in any other country that has not yet been disposed of?**

Yes No

Please note that you must inform us immediately if you are charged with any offence in the United Kingdom or in any other country after you complete this form and before taking up any position offered to you.

If you have ticked yes, please provide details of the nature of the offence with which you are charged, date on which you were charged, and details of any on-going proceedings by a prosecuting body.

**4. Are you aware of any current investigations being undertaken by the police following allegations being made against you in the United Kingdom or in any other country?**

Yes No

If you have ticked yes, please provide details of the nature of the allegations made against you and, if known to you, any action to be taken against you by the police.

It is important to note, that we will only take into account any current investigations which might be relevant to the position you are applying for.

**5. Have you ever been investigated by the NHS Business Services Authority (formerly NHS Counter Fraud and Security Management Services) or any other investigatory body resulting in a current or past conviction or any formal action being taken against you?**

Yes No

If you have ticked yes, please provide details of the offence, including any dates.

**Investigatory bodies** may include:

HM Revenue & Customs, the Financial Services Authority, Department for Business, Energy and Industrial Strategy (formerly the Department of Trade & Industry), Department of Work and Pensions, Home Office, UK Visas and Immigration and local authorities.

This list is intended as a guide only, you must declare any investigation conducted by an investigatory body.

**6. Have you ever been dismissed by reason of misconduct from any employment, volunteering, office or other position previously held by you?**

Yes No

If you have ticked yes, please provide the details of the employment, volunteering, office, or other position held, the date that you were dismissed and the nature of allegations of misconduct made against you.

<b>7. Are you currently subject to a fitness to practise investigation and/or proceedings of any nature by a regulatory or licensing body in the UK or in any other country?</b>	Yes	No
<p>If you have ticked yes, please provide the reasons given for the investigation and, where applicable, the details of any proceedings or sanctions (including limitations, conditions, suspension or any other restrictions) that apply to your professional registration, and the name and address of the regulatory or licensing body concerned.</p> <p>It is important to note, that we will only take into account any current fitness to practise investigations or proceedings which might be relevant to the position you are applying for.</p>		
<b>8. Have you ever been removed from the register, or have conditions or sanctions been placed on your registration, or have you been issued with a warning by a regulatory or licensing body in the UK or in any other country?</b>	Yes	No
<p><i>You should tick no, where any right to appeal has been upheld and where that appeal has resulted in your case being fully exonerated.</i></p> <p>If you have ticked yes, please provide details of any conditions or sanctions (including limitations, suspension or any other restrictions) that apply to your registration and/or any warnings issued, where relevant, and the name and address of the regulatory or licensing body concerned.</p>		
<b>9. Are you subject to any other prohibition, limitation, or restriction that means we are/or may be unable to consider you for the position for which you are applying?</b>	Yes	No
<p>If you have ticked yes, please include details of the nature of the prohibition, restriction or limitation and by whom it was made.</p>		

**Continuation sheet**

If you have answered YES to any of the questions above, please use the space below to provide any additional information you wish us to consider as part of your application. You may continue on a separate sheet or attach any additional evidence, if you wish to do so.

Please clearly indicate the number of the question to which the information relates.

## Declaration

### IMPORTANT

The Data Protection Act 1998 requires us to advise you that we will be processing your personal data. Processing includes: holding, obtaining, recording, using, sharing and deleting information. The Act defines 'sensitive personal data' as racial or ethnic origin, political opinions, religious or other beliefs, trade union membership, physical or mental health, sexual life, criminal offences, criminal convictions, criminal proceedings, disposal or sentence.

The information that you provide in this declaration form will be processed in accordance with the Data Protection Act 1998. It will be used for the purpose of determining your application for this position. It will also be used for purposes of enquiries in relation to the prevention and detection of fraud.

Once a decision has been made concerning your appointment, **University Hospitals of North Midlands NHS Trust** will not retain this declaration form any longer than is necessary - see further details in the supplementary guidance notes for applicants which we provided with your application form. This declaration will be kept securely and in confidence. Access to this information will be restricted to designated persons within the organisation who are authorised to view it as a necessary part of their work.

**In signing the declaration on this form, you are explicitly consenting for the data you provide to be processed in the manner described above.**

I confirm that the information that I have provided in this declaration form is correct and complete. I understand and accept that if I knowingly withhold information, or provide false or misleading information, this may result in my application being rejected, or if I am appointed, in my dismissal, and I may be liable to prosecution.

Please sign and date this form.

Full name (in block capitals)		Signature	
Date			

If you need any assistance or advice before returning this form to us, or you wish to withdraw your consent at any time after you have submitted this form, please contact **Recruitment - 01782 675533**

All enquiries will be treated in strict confidence.