



**Nacro** >

# **Criminal record declaration form for jobs exempt from the ROA**

[nacro.org.uk](https://nacro.org.uk)

Registered charity no. 226171

You have been asked to complete this form because the role you have applied for is exempt from the Rehabilitation of Offenders Act 1974. The information disclosed on this form will not be kept with your application form during the application process.

### **Policy statement on recruiting applicants with criminal records**

This post is exempt from the Rehabilitation of Offenders Act 1974 and therefore applicants are required to declare:

- > All unspent cautions and convictions
- > All adult cautions and spent convictions that are not protected (i.e. that are not filtered out) as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2020).

For further information on filtering please refer to [Nacro guidance](#), the [Disclosure and Barring Service \(DBS\) guidance](#) or [Ministry of Justice \(MOJ\) guidance](#) (see, in particular, the section titled 'Exceptions Order').

We recognise the contribution that people with criminal records can make as employees and volunteers and welcome applications from them. A person's criminal record will not, in itself, debar that person from being appointed to this post. Any information given will be treated in the strictest confidence. Suitable applicants will not be refused posts because of offences which are not relevant to, and do not place them at or make them a risk in, the role for which they are applying.

All cases will be examined on an individual basis and will take the following into consideration:

- > Whether the caution or conviction is relevant to the position applied for.
- > The seriousness of any offence revealed.
- > The age of applicant at the time of the offence(s).
- > The length of time since the offence(s) occurred.
- > Whether the applicant has a pattern of offending behaviour.
- > The circumstances surrounding the offence(s), and the explanation(s) provided.
- > Whether the applicant's circumstances have changed since the offending behaviour.

It is important that applicants understand that failure to disclose all unspent cautions and convictions; and also, any adult cautions and spent convictions that are not protected - regardless of whether they're convicted in the UK or abroad; and/or relevant service discipline convictions received within the Service Justice System (e.g., through Summary Hearing or Court Martial) - could result in disciplinary proceedings or dismissal.

You can use the [self-disclosure rules flowchart](#) to work out which offences you may need to disclose.

Further advice and guidance on disclosing criminal records can be obtained from [Nacro's Criminal Record Support Service](#)

Surname:	First name:
<p><b>Do you have any unspent cautions or convictions?</b></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p><b>Do you have any adult cautions or spent convictions that are not ‘protected’ as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended)?</b></p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If you are not sure whether your caution(s) or conviction(s), should be disclosed please use the <a href="#">self-disclosure rules flowchart</a> and/or contact <a href="#">Nacro</a> for further advice.</p> <p>If you have answered yes to either question, you now have two options for disclosing your criminal record.</p> <p><b>Option 1:</b> You can disclose your criminal record on a separate sheet provided that you mark a cross on the line below and attach the details in an envelope stapled to this form. The envelope should be marked CONFIDENTIAL and state your name and details of the post.</p> <p>I have attached details of my conviction separately (please mark with an X if appropriate.)</p> <p><b>Option 2:</b> Please provide details in the space below.</p>	
<p><b>DECLARATION</b></p> <p>I declare that the information provided on this form is correct. I understand that the declaration of a criminal record will not necessarily prevent me from being offered this role at [insert name of organisation] .</p> <p>Signed: _____ Date: _____</p>	

Please return this form to: [insert name of approved HR representative]