



Essex County Council

Disclosure of Criminal Convictions / Cautions / Reprimands / Bind overs
(Spent and Unspent)

Self-Disclosure Form (SD2)

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 / Governing Board, and is likely to result in dismissal.

Name *(please use CAPITALS)*:

Signature:

Date:

Post applied for:

**PLEASE COMPLETE THE FORM AND RETURN IT TO THE SCHOOL/ACADEMY IN A
CONFIDENTIAL ENVELOPE.**

SD2 Notes of Guidance

1. 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'.
 2. 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 in line with the requirements below.
 3. The rules as to when a conviction or caution will be filtered are set out in legislation. This states that a certificate must include the following:
 - Cautions relating to an offence from a list agreed by Parliament (see below)
 - Cautions given less than 6 years ago (where individual 18 or over at the time of caution)
 - Cautions given less than 2 years ago (where individual under 18 at the time of caution)
 - Convictions relating to an offence from a prescribed list (see below)
 - Where the individual has more than one conviction offence all convictions will be included on the certificate (no conviction will be filtered)
 - Convictions that resulted in a custodial sentence (regardless of whether served)
 - Convictions which did not result in a custodial sentence, given less than 11 years ago (where individual 18 or over at the time of conviction)
 - Convictions which did not result in a custodial sentence, given less than 5.5 years ago (where individual under 18 at the time of conviction)
- A [list of offences which will never be filtered from a criminal record check](#) has been taken from legislation.
4. The information you provide (by completing the form) will be treated as strictly confidential and will be considered only in relation to the post for which you are applying.
 5. 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 Governing Board's policy on the employment of ex-offenders, a copy of which can be obtained from the Governing Board. 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. If you disclose information which you are not required to, this will be disregarded. Any information provided which is not relevant to employment will be disregarded
 6. 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/academy 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.
 7. 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.
 8. 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.
 9. A Bind over is an order which requires the defendant to return to Court on an unspecified date for sentence.
 10. Driving offences must be declared unless excluded by the criteria in 3. above.
 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 governing board.

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 an enhanced Disclosure & Barring Service (DBS) disclosure. A refusal to make such an application could prevent your employment.