



The Cellar Trust Criminal Record Self-Disclosure Form - Rehabilitation of Offenders Act 1974 (Exceptions)

This section of the application form will only be viewed by those who need to see it as part of the recruitment process. The Cellar Trust will treat any information disclosed in the strictest confidence.

Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended)

The role you have applied for is exempt from the provisions normally afforded to individuals under the Rehabilitation of Offenders Act 1974. This means that the employer can obtain a standard or enhanced disclosure through the Disclosure and Barring Service (DBS) under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) and, in certain circumstances, the Police Act 1997.

Enhanced disclosures may include other relevant non-conviction information held on police databases, at the discretion of the police or Chief Constable of the relevant police force.

For further details on what you are required to declare please read the accompanying guidance document.

The Cellar Trust aims to promote equality of opportunity and is committed to treating all applicants equally and fairly based on their skills, experience and ability to fulfil the duties of the role being applied for. Suitable applicants will not be refused positions because of criminal record information or other information declared, where it has no bearing on the role (for which you are applying) and no risks have been identified against the duties you would be expected to perform as part of that role.

Anything declared on this form will not necessarily bar you from appointment. This will depend on the information you provide and the position you are applying for. Depending on your answers we may need to carry out a risk assessment before confirming any offer of employment.

Questions

Q1. Full Name

Q2. Role Applied for

Q3. Do you have any convictions that are not protected (i.e. eligible for filtering) as outlined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) (the Exceptions Order)?

It also includes all convictions or Summary Hearings that have been issued under military law while serving in the Armed Forces, either in the UK or any other country, where the equivalent offence in England and Wales is not protected.

You are not required to disclose any information in relation to the above if ALL convictions are protected (i.e. eligible for filtering) as outlined in the Exceptions Order. In these circumstances you should select NO to this question. This requirement is regardless as to whether any conviction is spent or remains unspent.

Yes

No

If you have answered YES, you now have two options on how to disclose this information

- I want to disclose the information now (please tick)
- I want to disclose the information separately (please tick)

The Cellar Trust
Criminal Record Self-Disclosure Form - Rehabilitation of Offenders Act 1974 (Exceptions)

If you wish to disclose the information now please provide details of the conviction or Summary Hearing including the date and sentence administered in the space below:

If you wish to disclose your record separately together with any statement detailing your unspent and/or spent conviction or Summary Hearing a member of the HR team will contact you and advise what steps you need to take to submit your details separately.

Q4. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? (Y/N)?

Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2020? (Y/N)?

It also includes all cautions, reprimands or final warnings that have been issued under military law while serving in the Armed Forces, either in the UK or any other country, where the equivalent offence in England and Wales is not protected.

The amendments to the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered 'protected'. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account.

Guidance about whether a conviction or caution should be disclosed can be found on the Ministry of Justice website.

You are not required to disclose any information in relation to the above if ALL convictions are protected (i.e. eligible for filtering) as outlined in the Exceptions Order. In these circumstances you should select NO to this question.

This requirement is regardless as to whether any caution, reprimand or final warning is spent or



The Cellar Trust
Criminal Record Self-Disclosure Form - Rehabilitation of Offenders Act 1974 (Exceptions)

remains unspent.

Yes

No

If you have answered YES, you now have two options on how to disclose this information

- I want to disclose the information now (please tick)
- I want to disclose the information separately (please tick)

If you wish to disclose the information now please provide details of the cautions, reprimands or final warnings including the date and sentence administered in the space below:

If you wish to disclose your record separately together with any statement detailing your unspent and/or spent cautions, reprimands or final warnings a member of the HR team will contact you and advise what steps you need to take to submit your details separately.



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Criminal Record Self-Disclosure Form - Rehabilitation of Offenders Act 1974 (Exceptions)
