It is the policy of the Club that ALL applicants to posts that involve contact with children and protected adults MUST complete a Self-Declaration Form. Before completing this form, please read the guidance notes.

**PERSONAL DETAILS**

|  |  |  |  |
| --- | --- | --- | --- |
| Title: |  | Tel No:  |  |
| Full Name: |  | E-mail: |  |
| Address incl Post Code:  |  |

**ROLE DETAILS**

|  |
| --- |
| Role applying/volunteering for: |

**Section 1 – Convictions and Cautions**

Unspent Convictions – Any conviction that is yet to have reached its set rehabilitation period (You must complete this section)

Do you have any unspent convictions? YES/NO. If YES, please provide details below:

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Date** | **Court** | **Offence** | **Disposal** |
| **1**  |  |  |  |  |
| **2**  |  |  |  |  |
| **3**  |  |  |  |  |

*(Please add more rows if necessary)*

**Spent** **Convictions** – Any conviction that has reached its set rehabilitation period

The 2018 amendment order to the Rehabilitation of Offenders Act (Exclusions and Exceptions) (Scotland) provides 2 lists of spent convictions which means not all spent convictions should be disclosed on this self-declaration form (Please see Appendix 1 and 2 for more detailed information).

Convictions detailed in Appendix 1 should only be disclosed if 15 years from the date of conviction have **not** passed unless you were imprisoned or detained in a young offender institution for over 30 months in which case you **must** always disclose this information.

Those convictions in Appendix 2 should only be disclosed if they are still within the rehabilitation periods detailed in the table at the end of Appendix 2.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
|  | **Date** | **Court** | **Offence** | **Disposal** |
| **1**  |  |  |  |  |
| **2**  |  |  |  |  |
| **3**  |  |  |  |  |

*(Please add more rows if necessary)*

If you have declared any **unspent and/or spent** conviction(s) above, please provide further information on the circumstances surrounding each conviction(s) below:

|  |
| --- |
| 1. Please give details of the reasons and circumstances that led to your conviction(s).
 |
| 1. Have any other organisation(s) supported you to work through any of the above issues?
 |
| 1. Do you give Ayrshire Tigers PFC permission to contact the above organisations to clarify the information disclosed?
 |
| 1. 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 etc)?
 |
| 1. What have you learned from the experience?
 |

**Section 2 – Details of any disciplinary action in relation to children or vulnerable/ protected adults**

|  |
| --- |
| Have you been disciplined because of inappropriate behaviour towards a child or protected adult which may have harmed them or put them at risk of harm? YES/NOIf YES, please give details. |

**Section 3 – Police and/or Social Work Investigations – This Should Include Relevant Police Non-Conviction Information.**

|  |
| --- |
| Have you been investigated by the police: YES / NOIf NO, go to Part D. If YES, please give details.Date of investigation: |
| Police Division involved: |
| Investigation(s) details: |
| Please give details of the reasons and circumstances that led to your investigation: |
| Disposal (if known): |
| Are you, or have you ever been, known to any Social Work Department/Social Services Department as an actual or potential risk to children: YES /NO or protected adults: YES/NO If yes, please provide details: |

**Section 4 – Protection of Vulnerable Groups (Scotland) Act 2007 Self Declaration**

Before signing the declaration below, please read the following notes on the Protection of Vulnerable Groups (Scotland) Act 2007 (PVG Act):

1. Section 35 of the PVG act makes it an offence for an organisation to offer regulated work (paid or unpaid) to an individual barred from that work.
2. A person is barred from regulated work with children if they are:
* The subject of an automatic listing (under section 14 of the PVG Act).
* Included in the PVG Children’s List (and, by default, the Independent Safeguarding Authority Children’s List which covers the rest of the UK) under section 15 of the PVG Act.
1. Under section 12 of the PVG Act an individual can be ‘considered for listing’ as information on their suitability to work with children is assessed.

It is an offence for someone placed on the adults’ list to do regulated work, or attempt to do regulated work, with vulnerable/protected adults.

# Penalties for individuals doing regulated work when barred

Any individual doing, or attempting to do, work from which they have been barred is committing an offence. On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

# Penalties for organisations offering regulated work to a barred individual

Section 35 of the Act makes it an offence for a club to offer regulated work (paid or unpaid) to someone who is barred from that work. Organisations that employ barred individuals in regulated work with children or vulnerable/protected adults are committing an offence. It is also an offence for a personnel supplier to offer or supply a barred individual to an organisation. On conviction on indictment the penalty is up to 5 years imprisonment and/or an unlimited fine.

To help us ensure we are complying with the Protection of Vulnerable Groups (Scotland) Act 2007, please complete the following declaration.

I, [full name in block capitals] of [address]:

 Post Code:

Club Name:

*Tick as appropriate*

I confirm that I am not barred from regulated work with children as set out in sections 14 and 15 of the PVG Act, nor am I under ‘consideration for listing’ as set out in section 12 of the same Act.

# OR

I am under ‘consideration for listing’

I certify that all information contained in this form is true and correct to the best of my knowledge and realise that false information or omissions may lead to dismissal. I understand that deliberately giving false information can result in prosecution.

# Signed: Date:

**Section 5 – Declaration**

1. I hereby declare and represent that, except for as disclosed above, I have not at any time, whether in the United Kingdom or abroad, been found guilty and sentenced by a court for a criminal offence.
2. I understand that I am expected to disclose any convictions above that are within the appropriate rehabilitation periods
3. If I am appointed to a post, I agree to abide by the Club’s Constitution, Code of Conduct and ALL Protection Policies and Guidelines.
4. I will assist **Ayrshire** **Tigers** **PFC** to request a Scheme Record/Scheme Record Update (as appropriate under the PVG Act) for the purposes of verifying the replies given in this declaration, including enquiries of any relevant authority.
5. I agree to inform **Ayrshire** **Tigers** **PFC** if I am convicted of an offence while a member of staff or volunteer with the organisation. I understand that failure to do so may lead to the immediate suspension of my work (paid or unpaid) for the organisation and/or the termination of my services.
6. I understand that I am required to submit an updated self-declaration on a yearly basis for the duration of time that I am a member of staff or volunteer with the organisation.
7. If I become considered for listing, I understand this will result in precautionary suspension.
8. I agree to abide by the conditions above and certify that the information contained in this form is true and correct to the best of my knowledge and I realise that false information or wilful omissions may lead to the immediate suspension of my work for the organisation or the termination of my services.

Full Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

### **Important information:**

* **Your completed self-declaration form will only be seen by those individuals in the Club who have a responsibility for recruiting staff and volunteers.**
* **Ayrshire Tigers PFC complies with the Scottish Government Code of Practice regarding secure storage, handling, use, retention and disposal of PVG scheme statements and disclosure information and with its obligation under the Data protection act 1998.**

**Please send this completed and signed form by email to Adam McGovern at** **info@ayrshiretigers.co.uk**

**Appendix 1 - Which convictions should be disclosed on the self-declaration form?**

In line with the Police Act 2007 and the Protection of Vulnerable Groups (Scotland) Act 2007 Remedial Order 2015 and the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amendment Order 2018, there are offences which always must be disclosed and other offences which are to be disclosed subject to ‘the rules’.

‘The rules’ are applied as follows:

|  |  |  |
| --- | --- | --- |
| **Age at Conviction** | **Period of Disclosure** | **Treatment of Disclosure** |
| 18 years or older | 15 years | No disclosure after 15 years |
| Younger than 18 years | 7.5 years | No disclosure after 7.5 years |

Spent convictions detailed in the ‘**Offences which are always disclosed**’ should only be detailed if 15 years from the date of conviction have not passed (if over 18 at the time) or 7.5 years (if under 18 at the time), unless you were imprisoned or detained in a young offender institution for over 30 months in which case you must disclose this information.

Offences which are **always** disclosed: [www.mygov.scot/offences-always-disclosed/](http://www.mygov.scot/offences-always-disclosed/)

Spent convictions detailed in ‘**Offences that must be disclosed according to rules**’ should only be disclosed if they are still within the specific rehabilitation period ([appendix 2](#SelfDec2)).

Offences that must be disclosed according to rules: [www.mygov.scot/offences-disclosed-rules/](http://www.mygov.scot/offences-disclosed-rules/)

If you have any convictions for offences detailed in these lists which have passed the timescales detailed above, you should not disclose these on this form. However, please be aware that if you are applying for a Standard, Enhanced or PVG disclosure, this information can be released on your certificate for longer than the normal rehabilitation period. Where information is released, we will discuss this with you when we receive our copy of your disclosure.

You can challenge to remove any disclosures on your certificate but you will need to apply to a sheriff. More information on this process can be found here: [www.mygov.scot/convictions-higher-disclosures/](http://www.mygov.scot/convictions-higher-disclosures/)

A full list of rehabilitation periods can be found in the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) here: [www.legislation.gov.uk/ukpga/1974/53/section/5#extent-S](http://www.legislation.gov.uk/ukpga/1974/53/section/5#extent-S)

**More information on disclosure convictions**

If you are still unsure on what to disclose, Citizens Advice Scotland provides more information on when and what to disclose here: [www.citizensadvice.org.uk/scotland/work/do-i-have-to-declare-my-criminal-record-s/](http://www.citizensadvice.org.uk/scotland/work/do-i-have-to-declare-my-criminal-record-s/). Nacro, a national social justice charity, also provide more information on this subject on their website here: [www.nacro.org.uk/resettlement-advice-service/support-for-individuals/disclosing-criminal-records/rehabilitation-offenders-act/](http://www.nacro.org.uk/resettlement-advice-service/support-for-individuals/disclosing-criminal-records/rehabilitation-offenders-act/).

**Appendix 2 – Table of Rehabilitation Periods**

|  |  |  |
| --- | --- | --- |
| **Sentence/disposal** | **Rehabilitation period for adults (18 or over)** | **Rehabilitation period for young people (under 18)** |
| Imprisonment or detention in a young offender institution for over 30 months (2 ½ years) | Never spent | Never spent |
| Imprisonment or detention in a young offender institution over 6 months but not exceeding 30 months (2 ½ years) | 10 years | 5 years |
| Imprisonment up to 6 months | 7 years | 3 years 6 months |
| Fine | 5 years | 2 years 6 months |
| Community Sentence | 5 years | 2 years 6 months |
| Conditional discharge | The period of the order, or a minimum of 12 months (whichever is longer) | The period of the order, or a minimum of 12 months (whichever is longer) |
| Absolute Discharge | 6 months | 6 months |
| Conditional Caution | 3 months | 3 months |
| Simple Caution, Reprimand, Final Warning | Spent immediately | Spent immediately |

|  |
| --- |
| **Some sentences carry variable rehabilitation periods. The main ones are as follows:** |
| Compensation Order | 5 Years | 2 years 6 months |
| Supervision Order | The period of the order, or a minimum of 12 months (whichever is longer) | The period of the order, or a minimum of 12 months (whichever is longer) |
| Bind Over | The period of the order, or a minimum of 12 months (whichever is longer) | The period of the order, or a minimum of 12 months (whichever is longer) |
| Attendance Centre Order | A period ending one year after the order expires | A period ending one year afterthe order expires |
| Hospital Order | Five years, or a period ending two years after the order expires (whichever is longer) | Five years, or a period ending two years after the order expires (whichever is longer) |

Important ***Note****: This is intended as general guidance only. It must not be regarded as a* definitive *interpretation of the Rehabilitation of Offenders Act 1974 and may have been updated since the creation of this document. Anyone in doubt should seek legal advice.*