

Early Break Monitoring Forms

Asylum & Immigration Act 1996

It is now a requirement that, before any offer of employment can be made, all candidates provide Early Break with confirmation of their eligibility to work in the UK by providing ONE of the ORIGINAL documents detailed below. Consequently, would you please tick the appropriate box detailing which document you would intend to bring with you, if you were invited for interview? It would be helpful if you could bring the original document, plus a copy.

You should be aware that a copy of the document will be retained on file.

- A document issued by a previous employer, the Inland Revenue, the Benefits Agency, the Contributions Agency or the Employment Service (or the Northern Ireland equivalents) which states the National Insurance number of the person named.
- A passport describing the holder as a British Citizen or having the right of abode in - or an entitlement to readmission to - the United Kingdom.
- A passport containing a Certificate of Entitlement issued by or on behalf of the Government of the United Kingdom certifying that the holder has the right of abode in the United Kingdom.
- A certificate of registration or naturalisation as a British Citizen.
- A birth certificate issued in the United Kingdom, the Republic of Ireland, the Channel Islands or the Isle of Man.
- A passport or national identity card issued by a State which is a party to European Economic Area Agreement and which describes the holder as a national of that State.
- A passport or other travel document endorsed to show that the person named is exempt from immigration control, has indefinite leave to enter, or remain in, the United Kingdom or has no time limit on his or her stay; or a letter issued by the Home Office confirming that the person named has such status.
- A passport or other travel document endorsed to show that the person named has current leave to enter or remain in the United Kingdom and is not precluded from taking the employment in question, or a letter issued by the Home Office confirming that this is the case.
- A United Kingdom residence permit issued to a national of a State which is a party to the European Economic Area Agreement.
- A passport or other travel document endorsed to show that the holder has a current right of residence in the United Kingdom as the family member of a named national of a State which is a party to the European Economic Area Agreement and who is resident in the United Kingdom.
- A letter issued by the Immigration and Nationality Directorate of the Home Office indicating that the person named in the letter is a British citizen or has permission to take employment.
- A work permit or other approval to take employment issued by Work Permits UK (formerly Department for Education and Employment) or, in Northern Ireland, by the Training and Employment Agency.
- A passport describing the holder as a British Dependent Territories Citizen and which indicates that the status derives from a connection with Gibraltar.

ALL CANDIDATES MUST NOTE THAT, UNLESS ONE OF THE ABOVE ORIGINAL DOCUMENTS HAS BEEN PRODUCED, NO OFFER OF EMPLOYMENT WILL BE MADE.

PLEASE ATTACH THIS FORM TO YOUR COMPLETED APPLICATION FORM PRIOR TO RETURNING IT TO EARLY BREAK.

GUIDANCE NOTICE TO APPLICANTS

Convictions and 'Spent' Convictions of a Criminal Nature

You will appreciate that Early Break, being responsible for the provision of services and support to young people, must be particularly careful to inquire into the character and background of applicants for appointment to posts for those working with these vulnerable groups.

Due to the nature of the work for which you are applying, this post is exempt from the provisions of the Rehabilitation of Offenders Act 1974 [Exemptions] Order 1975 ["the Order"] and subsequent legislation. Applicants are therefore not entitled to withhold information about convictions which for other purposes are 'spent' under the provisions of the Order.

It is therefore essential when making your application, you disclose any criminal conviction both spent and unspent, cautions, reprimands and final warnings and any other information that may have a bearing on your suitability for the post. In the event of employment, failure to disclose such convictions that may have been recorded against you could result in disciplinary action being taken against you, which could result in dismissal.

The fact that convictions may have even recorded against you does not necessarily debar you from employment with Early Break. Each application is considered on its merit so it cannot be stressed enough that openness is essential.

You must therefore answer the question on the application form about criminal convictions answering YES or NO. If the answer is YES you must provide details which should be submitted in a sealed envelope marked 'strictly private and confidential' and firmly attached to the application form. Any information given will be completely confidential and will be considered only in relation to the position to which the order applies. The object of the notice is not, in anyway, to reflect upon applicant's integrity but it is necessary to protect Early Break and its service users.

Disclosure Checks

Applicants are advised that before any offer of employment is made in addition to other normal character references taken from referees / last employer, an Enhanced Disclosure Check will be made with the Disclosure and Barring Service or Disclosure Scotland in the event of a successful application. Details of this process will be sent to successful candidates.

Early Break operates and adheres to the Codes of Practice on the use of, storage of, and handling of Disclosure Information as issued by the Disclosure Agencies.

REHABILITATION OF OFFENDERS ACT 1974

Under the Rehabilitation of Offenders Act 1974, a conviction becomes “spent” after a defined length of time has elapsed. The length of time which has to elapse depends on the rehabilitation period and therefore on the type of conviction.

Changes to the Rehabilitation of Offenders Act 1974, introduced by the Legal Aid, Sentencing and Punishment of Offenders Act 2012, came into effect on 10 March 2014.

Under the Rehabilitation of Offenders Act, after a specified period of time, most convictions and cautions become spent. Offenders do not have to reveal their spent convictions or cautions to an employer, **unless the occupation is covered by the Exceptions Order, for example where the individual will be working with children.**

Rehabilitation Periods from 10 March 2014 (Custodial Sentences)	
Sentence Length	New rehabilitation period is the period of sentence, plus the ‘buffer’ period below, which applies from the end of sentence]
0 – 6 months	2 years
6 – 30 months	4 years
30 months to 4 years	7 years
Over 4 years	Never spent
Rehabilitation Periods from 10 th March 2014 (Non-custodial Sentences)	
Sentence	Buffer period (will apply from end of sentence]
Community Order and Youth Rehabilitation Order	1 year
Fine	1 year (from date of conviction)
Absolute discharge	None
Conditional discharge, referral order, reparation order, action plan order, supervision order, bind over order, hospital order	Period of order

Where you are applying for a post in one of the excluded categories (e.g. posts that involve dealing with children and young people), this will be explained to the applicant that they are required to disclose both spent and unspent convictions.

Criminal Record Declaration Form

As stated on the application form, because of the sensitive nature of the duties of the post holder will be expected to undertake, you are required to disclose details of any criminal record.

Note that the post you have applied for is exempt from the Rehabilitation of Offenders Act 1974 and subsequent legislation, which means that all convictions, cautions, reprimands and final warnings on your criminal record need to be disclosed.

Have you ever been convicted by the courts or cautioned, reprimanded or given a final warning by the police?

Yes No

If yes, please give details of offences, penalties and dates below:

Date	Offence(s)	Court	Sentence

Is there any additional information, such as police enquiries undertaken following allegations made against you, which may have a bearing on your suitability for the post?

Yes No

If yes, please give details below:

I certify that the above is accurate and that I understand that if I have made any false declaration or omission this may result in disciplinary action being taken and could lead to my dismissal.

Signed:

Name:

Date:

DIVERSITY MONITORING INFORMATION

Early Break aims to be an Equal Opportunities employer. To help us monitor our recruitment procedures, we would appreciate it if you could return this form with your application. Completing this section is optional. Diversity monitoring information about your ethnic or racial origins or religious or philosophical beliefs is called 'sensitive personal data'. This sensitive information will be used for monitoring purposes only and will not be used in deciding your suitability for the job at any stage of the selection or shortlisting process. The General Data Protection Act 2018 requires your consent before this processing can take place – see declaration below.

Age		Gender identity		Marital Status	
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Ethnic origin (relates to a sense of identity/belonging on the basis of race/culture. I would describe myself as)
Please tick the boxes which most closely describes you

A White

British		Irish		Other (please specify:)	
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B Mixed

White & Black Caribbean		White & Black African		White & Asian		Other (please specify:)	
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C Asian or Asian British

Indian		Pakistani		Bangladeshi		Other (please specify)	
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D Black or Black British

Caribbean		African		Other (please specify)	
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E Chinese or Chinese British or another Ethnic Group

Chinese		Other (please specify)	
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Do you consider yourself to be disabled? YES NO

DISABILITY DEFINITION

Individuals who were registered under the Disabled Persons (Employment) Act 1944 on both 12 January 1995 and 2 December 1996 are treated as being disabled under the Disability Discrimination Act 1995 (DDA).
The DDA states: 'a person has a disability...if he has a physical or mental impairment which has a substantial and long-term adverse effect on his ability to carry out normal day-to-day activities.'

The person must satisfy the four criteria in bold in the above statement to fall under and, therefore, be protected under the DDA. This definition is subject to amendments made by the DDA 2005 and Equality Act 2010.

By signing below, you will be giving your consent to the processing of the sensitive information you have supplied in this section.

Declaration: I have read and understood the data protection information above and agree and consent to the processing of the information that I have supplied about me.

Signed:

Name:

Date: