

























Annex A

**ACCESS TO GOVERNMENT OWNED MATERIAL
CRIMINAL RECORD DECLARATION**

The company named at the bottom of this form has Government contracts, some or all of which require it to hold material or information which is the property of the Government. The company has a duty to protect these assets while in its possession and this obligation extends to its employees and agents. Since you are or may become such a person please complete the following sections:

Surname: Full Forenames:
.....

Full permanent address: Date of Birth:
.....

1. Have you ever been convicted or found guilty by a Court of any offence in any country (excluding parking but including all motoring offences even where a spot fine has been administered by the police)? Or have you ever been put on probation or absolutely/conditionally discharged or bound over after being charged with any offence or is there any action pending against you? You need not declare convictions which are "spent" under the Rehabilitation of Offenders Act (1974).
Yes/No* (if yes, please give details here)

**delete whichever is not appropriate*

2. Have you ever been convicted by a Court-Martial or sentenced to detention or dismissal whilst serving in the Armed Forces of the UK or any Commonwealth or foreign country? You need not declare convictions which are "spent" under the Rehabilitation of Offenders Act (1974).
Yes/No* (if yes, please give details here)

3. Do you know of any matters in your background which might cause your reliability or suitability to have access to Government assets to be called into question?
Yes/No* (if yes, please give details here)

- I declare that the information I have given above is true and complete to the best of my knowledge and belief.
- I understand that any false information or omission in the information I have given above may disqualify me for employment in connection with Government contracts.

Your Signature:Date:
.....

- The information you have given above will be treated in strict confidence. You do not need to show the completed form to any representative of the company. If you wish you may place the completed form in a sealed envelope, sign your name across the flap and return it to the company. The company will then forward it to the Government Department concerned.

Name and Address of Sponsoring Company

Annex A1

BASELINE PERSONNEL SECURITY STANDARD VERIFICATION RECORD

1. Employee/Applicant Details

Surname:..... Forenames:.....
Address:.....
..... Tel No:.....
Date of birth:..... Place of birth:.....
Nationality:..... Former or dual nationality:.....
(with dates if applicable)

2. Certification of identity

Document: Date of issue and number:
a:.....
b:.....
c:.....
d:.....

3. IMMIGRATION STATUS

Person entitled to work in UK	Yes/No
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3. References (if taken)

a. Referee:..... Relationship:.....
Address:.....
..... Length of association:.....
b. Referee:..... Relationship:.....
Address:.....
..... Length of association:.....
c. Referee:..... Relationship:.....
Address:.....

.....

..... Length of association:.....

4. Other information (i.e. verification of employment history (past 3 years); verification of nationality and immigration status and an unspent criminal record declaration has been signed; academic certificates seen; additional checks carried out etc):

5. Criminal Records Information

Tick to indicate that a criminal records check has been undertaken either through Disclosure Scotland or via the Criminal Records Bureau to either a Standard or Enhanced level, (delete as appropriate).

(NB: Enhanced Disclosure checks are not transferable where the check is required to Safeguard Vulnerable Groups and Children).

Tick if any adverse criminal record information has been received and indicate that this has been assessed against the Ministry of Justice policy and arrangements for applying criminal records disclosures.

I certify that in accordance with the requirements of the Baseline Personnel Security Standard:

I have personally examined the documents listed at 2 above and have satisfactorily established the identity of the above named employee/applicant.

I have obtained the references (if taken) and information listed at 3 and 4 above and can confirm that these satisfy the requirements.

Name:.....

Appointment/Post:.....

Signature:..... **Date:**.....

Important: Data Protection Act (1998). This form contains “personal” data as defined by the Data Protection Act 1998. It has been supplied to the appropriate HR or Security authority exclusively for the purpose of the Baseline Personnel Security Standard. The HR or Security authority must protect the information provided and ensure that it is not passed to anyone who is not authorised to see it.

Appendix B

1 Policy – Recruitment of Ex-Offenders

- 1.1 In order to ensure that the *Employer* fulfils its duty of care to staff, inmates and visitors, and to protect its assets (people, buildings, equipment, information) and its commitment to equality of opportunity, the following system for assessing criminal records is applied. This ensures that only relevant offences are considered when deciding whether or not to grant employment.

2 Disqualification Criteria

- 2.1 Offences of particular relevance for those working for the *Employer* are listed as being either very serious or significant. These are assessed as being offences relating to violence, offensive weapons, drugs, sexual offences, serious criminal damage, theft, racial offences, child pornography and dishonesty.
- 2.2 If the conviction was for a statutory offence named on the list, but at the time of the offence it was a Common Law offence, or was defined in an earlier or later Act, it will be regarded in the same way as the listed offences. It should also be noted that the offence listed may cover several offences within the same category. If the offence is not in either list, then additional factors will be considered when making a decision to approve employment or posting.
- 2.3 Posts whose normal duties involve unsupervised access to children and vulnerable adults require an Enhanced Disclosure. As such, there will be a presumption against employment if an individual is included on the Sexual Offenders Register or a government list banning individuals from working with children or vulnerable adults.
- or, for all other posts, not free from the effects of a conviction for a:
- significant offence for at least 2 years before the application for employment or:
 - very serious offence for the last 5 years.
- 2.4 By 'free from effects of a conviction' it is meant that time will be counted from the time elapsed at the end of the sentence or penalty

as appropriate. It is not from the date when the applicant was sentenced or when the offence or offences were committed.

For all other offences, the *Employer* will consider additional factors.

3 Additional Factors

- 3.1 The relevance of the offences to the duties of the post must be considered before deciding whether or not to refuse employment. The following factors should be considered:
- 3.2 A criminal record showing that there has been a pattern of very serious or significant offences will be treated more seriously than a single episode of offending. Whilst a single episode of an other offence will be assessed to be irrelevant, a record showing a pattern of other offences may be assessed to be of relevance as it could indicate unreliability and a propensity to re-offend. More credit will be given to every year free of a criminal conviction.
- 3.3 Where an individual's conviction was some time in the past, it is possible that the conviction was the result of youth or immaturity and the individual's circumstances or character may have altered since to the extent that the conviction will not now be significant, making re-offending less likely.
- 3.4 Whether the conduct committed in another country is criminal in this country. For instance, some activities are offences in Scotland but not in England and vice versa.
- 3.5 The opportunity provided on the application form – Status Enquiry Form - to make a declaration about criminal convictions, including spent convictions, is a useful test of an individual's honesty. Failure to declare a conviction should not be assumed to be automatic evidence of untrustworthiness. It could be the result of genuine oversight or it may be that the Criminal Record Check was inaccurate. Misunderstanding of the question can also be a factor, particularly in relation to spent or minor offences.
- 3.6 Unless it is clear that omissions are blatant and intended to mislead, such discrepancies should, if possible, be resolved by interview. Although each case must be judged on its own merits, where there is

any attempt to mislead by deliberately omitting information about significant criminal convictions, there should be a strong presumption against granting employment.

3.7 In these cases additional information should be sought from the Criminal Records Check to seek to obtain as much information as possible i.e. an address history and/or any other recorded and relevant information. Applicants in these circumstances should be asked at interview to provide details of places of residence, employment history and changes in personal circumstances throughout their lives. Such testimony should be considered as additional information.

3.8 The *Contractor* must inform the *Employer* of any criminal records relating to personnel intended to be deployed to work on the *Employer's Affected Properties/Assets*.

4 Cautions and Warnings and Penalty Disorder Notices

4.1 When making decisions about eligibility for employment, cautions and warnings should be considered more leniently than convictions, although sexual and racial offences should be assessed as being particularly relevant. For individuals whose work involves unsupervised access to children, the policy is that any offence which places a person on the Sex Offenders Register or government lists banning people working with children will lead to a presumption that employment will not be granted.

5 Penalty Disorder Notices

5.1 Relevant offences for Penalty Disorder Notices should also be considered more leniently than cautions, where there has been an admission of guilt.

6 Cautions for significant and very serious offences

6.1 Disregard a single caution or warning over two years old and an otherwise clean record.

- 6.2 Consider additional factors where for a significant offence there is only one offence resulting in a caution or warnings in the two years before the application. For a very serious offence where there is only one offence resulting in a caution or warning in the five years before the application.
- 6.3 Employment will be refused where there are two or more cautions in the two years before employment for either significant and/or very serious offences and similarly for a significant offence where a sentence restriction ended in the five years before the application or a serious offence ended in the 10 years before the application.
- 6.4 In addition to these offences, when assessing the criminal records of those whose work involves unsupervised access to children, the *Employer* will apply a policy that there will be a presumption against employment where there is a record of any of the offences listed at Addendum A.
- 6.5 Cautions and warnings criteria is set out at 4.1.

7 Overseas Offences

- 7.1 Offences committed overseas which fall under the headings within the Assessment Grid will also be taken into consideration. They will be categorised as very serious or significant depending on the information on the criminal record provided. Where that is not clear additional information may be needed.
- 7.2 The list of offences considered relevant is classified under English statute. Offences committed and classified under Scottish and Northern Irish statute will be considered in the same way as the equivalent offence in England and Wales.

8 Assessment Grid

	'Free from effects' of conviction		
	0-2 years	2-5 years	5 years +
Very Serious Offences	Presumption of rejection*	Presumption of rejection*	Consider Additional Factors
Significant Offences	Presumption of rejection*	Consider Additional Factors	Consider Additional Factors
Other offences	Consider Additional Factors	Consider Additional Factors	Consider Additional Factors

The list of relevant offences is attached at Addendum A.

Addendum A

List of Relevant Offences

Key to Symbols

* = Offences considered by Ministry of Justice as 'Very serious'

° = Offences considered by Ministry of Justice as 'Significant'

Category 1 – Violence/Abusive Behaviour such as:

- 1 * Murder -)
 - Of persons aged 1 year or over
 - Of infants under 1 year of age
- 2 * Manslaughter - Offences Against the Persons (OAP) Act 1861 including common law offences
- 3 * Kidnapping (common law offence)
- 4 * Causing explosion likely to endanger life or property - Section 2 of Explosive Substances Act 1883
- 5 * Torture - Section 134 of Criminal Justice Act 1988
- 6 * Abduction of a child by other person
- 7 * Intimidating a witness, juror - Section 51(1) of Criminal Justice and Public Order Act 1994
- 8 * Attempted murder - Criminal Attempts Act 1981 (including common law offences for attempted murder)
- 9 * Accessory to murder (aids, abets, counsels or procures the commission of the offence) - Section 8 of Accessories and Abettors Act 1861
- 10 * Threat or conspiracy to commit murder - Criminal Law Act 1977
- 11 * Making threats to kill - Section 16 of OAP Act 1861
- 12 * Soliciting/Inciting to commit murder - Section 4 of OAP Act 1861
- 13 * Assisting offender by impeding his apprehension or prosecution in a case of murder
- 14 * Manslaughter due to diminished responsibility
- 15 * Causing death by aggravated vehicle taking
- 16 * Attempt to cause explosion, making or keeping explosives etc – Section 3 and 4 of Explosive Substances Act 1883
- 17 * Causing bodily injury by explosives - Section 28 of OAP 1861

- 18 * Placing explosives with intent to cause bodily injury - Section 30 of OAP Act 1861
- 19 * Using explosive or corrosives with intent to cause grievous bodily harm - Section 29 of OAP 1861
- 20 * Possession, etc. of explosives with intent to endanger life
- 21 * Burning, maiming, etc. by explosion
- 22 * Robbery - Section 8 of Theft Act 1968
- 23 * Armed robbery - Section 8(1) of Theft Act 1968
- 24 * Assault with weapon with intent to rob - Section 8(2) of Theft Act 1968
- 25 * Assault with intent to rob
- 26 * Aggravated burglary - Section 10 of Theft Act 1968
- 27* Wounding or other act endangering life
- 28 * Wounding with intent to do grievous bodily harm or to resist apprehension - Section 18 of OAP Act 1861
- 29 * Wounding or inflicting grievous bodily harm (inflicting bodily injury with or without weapon) - Section 20 of OAP Act 1861
- 30 * Attempting to choke, suffocate or strangle etc - Section 21 of OAP Act 1861
- 31 * Actual bodily harm (Assault occasioning actual bodily harm) – Section 47 of OAP Act 1861
- 32 * Prison Mutiny - Section 1 Prison Security Act 1992
- 33 * Harming, threatening to harm a witness, juror - Section 51(2) of Criminal Justice and Public Order Act 1994
- 34 * Assaulting prison officer whilst possessing firearm - Section 90 of Criminal Justice Act 1991
- 35 * Setting spring guns with intent to inflict grievous bodily harm –Section 31 of OAP 1861
- 36 * Public Order Act 1986:
 - Section 1 (Riot)
 - Section 2 (Violent Disorder)
- 37 * Racially-aggravated public order offence - Section 31(1) of Crime and Disorder Act 1998
- 38 * Racially-aggravated offence of harassment - Section 32(1) of Crime and Disorder Act 1998
- 39 * Racially-aggravated intentional harassment, alarm or distress
- 40 * Racially-aggravated putting people in fear of violence

- 41 * Racially-aggravated assault - Section 29(1) of Crime and Disorder Act 1998
- 42 * Racially-aggravated wounding or inflicting grievous bodily harm (inflicting bodily injury with or without a weapon)
- 43 * Racially-aggravated actual bodily harm (assaults occasioning ABH)
- 44 * Racially-aggravated common assault
- 45 * False imprisonment (common law offence)
- 46 * Child abduction by other person - Section 2 of Child Abduction Act 1984
- 47 * Bomb hoax - Section 51 of Criminal Law Act 1977
- 48 * Assisting prisoners to escape - Section 39 of Prison Act 1952
- 49 * Public Order Act 1986:
- Section 3 (Affray)
 - Section 4 (Fear or Provocation of Violence)
- 50 * intentionally causing harassment, alarm or distress - Section 4a
- 51 * Ill-treatment of persons of unsound mind - Section 127 of Mental Health Act 1983
- 52 * Police Act 1996:
- Section 89 (Assault on a Constable in Execution of Duty)
 - Section 89(2) (Resisting or Obstructing a Constable)
- 53 * Assault with intent to resist arrest - Section 38 of OAP Act 1861
- 54 ° Breach of anti-social behaviour order - Section 1(10) of Crime and Disorder Act 1998
- 55 ° Protection from Harassment Act 1997 - Offences under Sections 2-5:
- Section 3(6) breach of the conditions of an injunction against harassment
 - Section 4(1) putting people in fear of violence
 - Section 5(5) breach of restraining order.
- 56 ° Public Order Act 1986:
- harassment, alarm or distress - Section 5
 - failure to comply with conditions imposed on public procession - Section 12
 - failure to comply with conditions imposed on public assembly – Section 14
 - contravention of prohibition of trespassory assembly - Section 14a
- 57 ° Unlawful eviction and harassment of occupier - Section 1 of Protection from Eviction Act 1977
- 58 ° Common assault and battery - Section 39 of Criminal Justice Act 1988
- Category 2 - Espionage/Terrorism such as:
- 1 * Suppression of Terrorism Act 1978

- 2 * Prevention of Terrorism (Temporary Provisions) Act 1989
- 3 * Criminal Justice (Terrorism and Conspiracy) Act 1998
- 4 * Terrorism Act 2000
 - Membership of prescribed organisations - Section 11
 - Support or meeting of prescribed organisations - Section 12
 - Uniform of prescribed organisations - Section 13
 - Fund-raising for terrorism - Section 15
 - Other offences involving money or property to be used for terrorism, Sections 16-18
 - Failure to disclose information about terrorism - Section 19
 - Disclosure prejudicing, or interference of material relevant to investigation of terrorism - Section 39
 - Weapons training - Section 54
 - Directing terrorist organisation - Section 56
 - Possession of articles for terrorist purposes - Section 57
 - Unlawful collection of information for terrorist purposes - Section 58
 - Incitement of terrorism overseas - Section 59
- 5 * Northern Ireland (Emergency Provisions) Act 1991, Section 53 (Assisting another to retain proceeds of terrorist activities)
- 6 * Northern Ireland (Emergency Provisions) Act 1991, Section 54 (Concealing or transferring proceeds of terrorist activities)

Category 3 - Offensive Weapons such as:

- 1 * Possession of an offensive weapon, Prevention of Crime Act 1953 - Section 1
- 2 * Dangerous Knives Offences under the Restriction of Offensive Weapons Act 1959
- 3 * Sale of knives and certain articles with blade or point to persons under 16 - Section 141 (Criminal Justice Act 1988 (A))
- 4 * Offences under the Biological Weapons Act 1974
- 5 * Offences under the Crossbows Act 1987
- 6 * Offences under the Chemical Weapons Act 1996
- 7 * Contravention of use etc. of Chemical Weapons
- 8 * Contravention of Section 11 - premises or equipment for producing chemical weapons
- 9 * Possession of offensive weapon without lawful authority or reasonable excuse
- 10 * Having an article with a blade or point in a public place - Section 139 of Criminal Justice Act 1988

- 11 *Having an article with a blade or point on school premises - Section 139 (A)
- 12 *Possession of offensive weapons without lawful authority or reasonable excuse on school premises – Section 141 of Criminal Justice Act 1988

Category 4 – Firearms such as:

- 1 * Serious firearms offences - Firearms Act 1968
- Section 16 (Possession of firearm with intent to endanger life or injure property)
 - Section 17 (Using, etc. firearms or imitation firearms with intent to resist arrest)
 - Section 18 (Possession of firearm with criminal intent)
- 2 * Firearms Act 1968 (Other Offences):
- Section 1 (Possessing etc. firearm or ammunition without certificate)
 - Section 2 (Possessing shotgun without shotgun certificate)
 - Section 3 (Dealing, making or selling without being registered as firearms dealer)
 - Section 4 (shortening of shotgun or possession of shortened shotgun)
 - Section 5 (possessing, acquiring, making, selling banned/prohibited weapons/firearms)
 - Section 7 (Making a false statement in order to obtain a police permit)
 - Section 9 (Making a false statement in order to obtain permit for auction of firearms)
 - Section 19 (carrying loaded firearm in public place)
 - Section 20 (trespassing with firearm or imitation firearm on land)
 - Section 21 (Contravention of provisions denying firearms to ex-prisoners and the like)
 - Section 22 (Person under 17 acquiring firearm)
 - Section 24 (Selling or letting on hire a firearm to person under 17)
 - Section 46 (OBPSStructing constable or civilian officer in exercise of search powers)
- 3 * Possessing firearm or imitation firearm at time of committing or being arrested for an offence specified in Schedule 1 of the Firearms Act 1968
- 4 * Possessing firearm or imitation firearm with intent to commit an indictable offence, or resist arrest, etc.
- 5 * Possession of a firearm or imitation firearm, with intent to cause fear of violence
- 6 * Other firearms offences (Firearms Act 1968):
- Selling firearm to person without a certificate
 - Repairing, testing, etc. firearm for person without a certificate

- Falsifying certificate, etc. with view to acquisition of firearm
 - Conversion of firearms
 - Possessing or distributing prohibited weapons or ammunition
 - Trespassing with firearm in a building
 - Possession of firearms by persons previously convicted of crime
 - Supplying firearms to persons denied them under Section 21 Firearms Act 1968
- 7 ° Failure by certificate holder to notify in writing Chief Officer of Police of events taking place outside Great Britain involving firearms and ammunition (sold or otherwise disposed of lost etc.) (Group I)
- 8 ° Failure to comply with instructions in firearm certificate when transferring firearms to person other than registered dealer; failure to report transaction to police

Category 5 - Dishonesty (Theft and Fraud) such as:

- 1 * Forgery - Section 1 Forgery and Counterfeiting Act 1981
- 2 * Forgery and misuse of driving documents - Section 65 Public Passenger Vehicles Act 1981
- 3 * Forgery of driving documents - Section 233 Road Traffic Act 1960
- 4 * Forgery etc of licences and other documents - Section 173 Road Traffic Act 1988
- 5 * Mishandling or falsifying parking documents etc - Section 115 Road Traffic Regulation Act 1984
- 6 * Forgery, alteration, fraud of licences etc - Section 26 Vehicle (Excise) Act 1971
- 7 * False accounting - Section 17 Theft Act 1968
- 8 * Obtaining property by deception - Section 15 Theft Act 1968
- 9 * Obtaining pecuniary advantage by deception - Section 16 Theft Act 1968
- 10 * Conspiracy to defraud
- 11 * Obtaining services by deception - Section 1 Theft Act 1978
- 12 * Obtaining a money transfer by deception - Section 15A Theft Act 1968
- 13 * Counterfeiting notes and coins - Section 14 Forgery and Counterfeiting Act 1981
- 14 * Offences involving custody or control of counterfeit notes and coins – Section 16 Forgery and Counterfeiting Act 1981
- 15 * Making, custody or control of counterfeiting materials etc - Section 175 Forgery and Counterfeiting Act 1981
- 16 * Illegal importation: counterfeit notes or coins - Section 50 Customs and Excise Management Act 1979

- 17 *Fraudulent evasion: counterfeit notes or coins - Section 170(2)(b), (c) Customs and Excise Management Act 1979
- 18 *Counterfeiting customs documents - Section 168 Customs and Excise Management Act 1979
- 19 *Counterfeiting of dies or marks - Section 6 Hallmarking Act 1973
- 20 *Custody or control of false instruments etc - Section 5 Forgery and Counterfeiting Act 1981
- 21 *Using a copy of a false instrument - Section 4 Forgery and Counterfeiting Act 1981
- 22 *Using a false instrument - Section 3 Forgery and Counterfeiting Act 1981
- 23 *Copying false instrument with intent - Section 2 Forgery and Counterfeiting Act 1981
- 24 *Unauthorised modification of computer material - Section 3 Computer Misuse Act 1990
- 25 *Perverting the course of justice - (common law offence) - Attempt to pervert the course of justice
- 26 *Blackmail - Section 21 of Theft Act 1968
- 27 *Aggravated vehicle taking.
- Injury to person, damage to property or car
- 28 *Handling stolen goods - Section 22 of Theft Act 1968
- 29 *Receiving stolen goods
- 30 *Undertaking or assisting in the retention, removal, disposal or realisation of stolen goods, or arranging to do so
- 31 *Going equipped for stealing - Section 25 of Theft Act 1968
- 32 *Burglary - Section 9 of Theft Act 1968:
- Burglary in a dwelling and a non-dwelling
- Burglary, with the intent to commit, or the commission of an offence triable only on indictment
- Burglary with violence or the threat of violence
- Other burglary in a dwelling
- 33 *Aggravated burglary in a dwelling
- 34 *Escaping from lawful custody without force - common law
- 35 *ABPSSconding by person released on bail - Section 6(1), of (2) Bail Act 1976
- Failing to surrender to bail

- 36 * Assisting Offenders from apprehension or prosecution - Criminal Law Act 1967 Section 4
- 37 * Acquiring, possessing etc the proceeds of criminal conduct - Section 93 of Criminal Justice Act 1988
- 38 * Perjury Offences (7 Offences) - Sections 1-7(2) of Perjury Act 1911
- 39 * Theft from the person of another
- 40 * Theft in a dwelling other than from automatic machine or meter
- 41 * Theft by an employee
- 42 * Theft or unauthorised taking from mail
- 43 * Theft from vehicle:
 - From motor vehicle
 - From other vehicle
- 44 * Theft from shops
- 45 * Theft from automatic machine or meter
- 46 * Theft or unauthorised taking of motor vehicle:
 - Theft of motor vehicle (or other conveyance)
- 47 * Other theft or unauthorised taking:
 - Offence under the Theft Act 1968, s.1, not classified elsewhere
 - Removal of article on show from places open to the public - Section 11 of Theft Act 1968
 - Theft of conveyance other than motor vehicle or pedal cycle
- 48 * Evasion of liability by deception
- 49 * Making off without payment - Section 3 of Theft Act 1978
- 50 * Assisting another to retain the benefit of criminal conduct
- 51 * Acquisition, possession or use of proceeds of criminal conduct
- 52 * Concealing or transferring proceeds of criminal conduct
- 53 * Disclosure of information likely to prejudice an investigation
- 54 * Dishonestly retaining a wrongful credit
- 55 * Unauthorised access with intent to commit or facilitate commission of further offences
- 56 * Passing counterfeit notes and coins - Section 15 of Forgery and Counterfeiting Act 1981
- 57 * Fabrication of evidence with intent to mislead a tribunal - common law
- 58 * Personation of jurors - common law