



Declaration of Convictions, Arrests, Charges and Summons

Document Status			
Date of Next Review	2020 or as required	Responsibility	School Improvement Group (SIG)
Date of Policy Creation	Adopted LA model	Responsibility	Head Teacher/Chair of Governors
Date of Policy Adoption by Governing Body 22/03/2017		Head Teacher Mr Mark Taylor 	
Method of Communication School Website : http://www.st-augustines.n-yorks.sch.uk School Office Postal or email copies on request		Chair of Governors Dr. Dianne Swiers 	

St Augustine's is a Roman Catholic school that believes that everyone is made in the image and likeness of God and called to an eternal destiny in Jesus Christ.

We respect, accept and care for all. As a Christ-centred, welcoming community we recognise and celebrate the uniqueness of every person. We strive to foster a love and joy of learning and develop in each child an awareness of their own spirituality.

Information for Staff

Convictions Received During Employment

In order to protect employees, service clients and the organisation, a process has been introduced requiring employees to verbally report the following matters in a timely manner* to their line manager, producing a copy of the court or police document, when available

Employees are required to immediately report to their line manager/designated manager:** -

- any conviction
- any Police caution (CRB/DBS posts only***)
- any Penalty Notice for Damage
- any Penalty Notice for Disorder

They receive at any point during their employment.

- **for those employees who drive on business at any times during their employment, this includes all motoring offences dealt with through the courts and penalty points on driving licences (whether awarded by a court or through fixed penalty notices).**

Managers will consider any possible effects of these matters on an individual's employment, discuss with an authorised officer****/legal/HR/senior manager as appropriate, and take relevant action.

Arrests and Summons During Employment

Individuals can be arrested and summonsed in connection with a wide variety of possible offences which may or may not have an impact on their employment, dependent upon the nature of their posts and the nature of the alleged offence.

Therefore, where an employee has been arrested, or reported for summons, on suspicion of committing any offence this must be verbally reported to their line manager/designated manager** in a timely manner, producing a copy of the court or police document when available.

After having undertaken a risk assessment, taking advice as appropriate, and recorded their decision (with reasons), the manager should, in appropriate cases, put in place precautionary measures for the protection of the employee, service users and the Authority. Precautionary action may include restriction of duties, temporary redeployment, and temporary change of work base or, if none of these options are practicable, suspension from duty with pay. Managers are responsible for consulting with authorised officers/legal/HR/ as appropriate and taking relevant action.

Following careful consideration of the available evidence, any action taken will be fair and reasonable in the circumstances.

Police Notification

For those employed in 'notifiable occupations' (chiefly those with access to children or to vulnerable adults), the Police Service will notify employers of anything which comes to their attention which they believe to be appropriate for the employer to know about. This will essentially be to ensure the health, safety and well being of these vulnerable groups and for the prevention of crime. It is the duty of staff, and in their interests, to notify their manager of any of the above listed occurrences at the first available opportunity, rather than to await the issuing of a police notification.

Civil Offences

It will not be necessary to report most civil offences. Examples of civil offences are:

- Anti-social Behavioural Orders (ASBOs)
- Parenting Orders

However, in certain occupations, especially those that deal with children and vulnerable adults, employees need to be particularly aware of the requirements of occupational and professional codes of conduct as well as safeguarding guidance and workplace expectations.

Therefore, in occupations such as Family Support Workers, Education Social Workers, Youth Workers, Teachers, Teaching Assistants and others who work with young/vulnerable people it will be an expectation that such matters are reported.

Updating

Employees are required to verbally advise the manager dealing with their disclosure (unless advised of a different reporting requirement) of any significant developments (e.g. being charged with an offence following arrest, dates of court appearances), producing a copy of the court or police document where available, so that the situation can be kept under review.

Failure to Report

Failure to report, in a timely manner*, any conviction, Police caution (CRB posts only), Penalty Notice for Damage or Penalty Notice for Disorder, driving offence (where required), civil offence (where relevant) arrest, charge or summons may render the employee liable to disciplinary action.

Retention of Data

Any declarations made will be recorded and filed in secure, restricted, confidential storage, with the employee's personal information, together with a record of any action taken by management. The details of any conviction, arrest etc will only be retained if the Authority has taken action as a result of the declaration.

Employee Support

Provided your school/college participates in the scheme you may use Health Assured. This is a free and confidential support service available for employees of NYCC and their immediate family members and can be contacted via a 24 hour personal support service on 0800 030 5182.

If you are a member, you also have the right to consult with and take advice from your trade union representative on any aspect of this subject.

* 'in a timely manner' normally refers to the first attendance at work following the event. There may be exceptions to this e.g. where an employee is held in custody or takes pre-arranged leave immediately after the event. In such cases, the employee should contact his/her manager at the first opportunity in order to relate the information.

** It will be for services to determine which manager should receive the information in relation to specified levels of staff. Where nothing is determined to the contrary the immediate line manager will be the recipient.

*** Police Cautions become 'spent' under the Rehabilitation of Offenders Act as soon as they are issued. Certain occupations (including those which require CRB clearance) are exempt from the provisions of the Rehabilitation of Offenders Act

**** An authorised officer is a manager who has been trained and authorised to make decisions on positive CRB disclosures