

******Important information******

THE LONDON DEANERY

General Statement of Policy

General Statement of Policy regarding fitness to practise proceedings by a licensing/regulatory body and relating to criminal records.

Registration with a professional body, such as the General Medical Council or General Dental Council, imposes a duty on health care professionals to provide a good standard of medical care for, and behave appropriately towards, patients. NHS employers also have a duty to ensure that patients receive a good standard of medical care and to take all practicable steps to ensure the safety of patients and staff.

In order to assess job related risks, the London Deanery needs to establish if applicants who may be offered a placement on a Specialty training programme have a criminal record in the UK or in another country that they can lawfully be required to disclose.

Applicants for Specialty training posts are exempted from the Rehabilitation of Offenders Act 1974, and can therefore be asked to disclose “spent” convictions that they would otherwise not have to declare.

Applicants for Specialty training posts will also be asked if they are “bound over”, have received a police caution, warning or reprimand and whether they have been charged with a criminal offence that is not yet disposed of.

Prior to making an appointment, the London Deanery also needs to establish if applicants for Specialty training posts have ever been disqualified from the practice of a profession or required to practise it subject to specified limitations following fitness to practise proceedings by a regulatory body in the UK or in another country, and whether they are currently the subject of any investigation or proceedings by any body having regulatory functions in relation to health/social care professionals, including such a regulatory body in another country.

Where such a position involves regular care, training, supervision or sole charge of persons aged under 18 or vulnerable adults (as defined by The Police Act 1997 (Enhanced Criminal Record Certificates)(Protection of Vulnerable Adults) Regulations 2000), applicants will also be asked whether they are currently the subject of any police investigation in the UK or any other country of which they are aware.

Where the position is a “regulated position” under the terms of the Protection of Children Act 1999 (as amended by the Criminal Justice and Court Services Act 2000), checks will be carried out in accordance with the Protection of Children Act 1999. Anyone whose name is on the list is legally barred from working with children. It is an offence for such a person to knowingly apply for, offer to do, accept or to do such work. If you are appointed to a Specialist Registrar post, you will be subject to a Criminal Records Bureau (CRB) check.

Applicants are encouraged to declare criminal conviction information and any other matters that are, or that might be, relevant to the position for which they are applying at an early stage in the appointment process.

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All applicants are also expected to inform the London Deanery if, before taking up any position offered to them, they are charged with a criminal offence in the UK or another country.

The London Deanery is an equal opportunities recruiter, and all applications will be decided fairly and on merit. Information declared will be used to consider the applicant's suitability for the position. Information supplied will be treated in confidence and will not be used as the sole criterion to decide an applicant's fitness for the position.

Unless an appointment is prohibited by law, a criminal conviction will not automatically debar the applicant from appointment. Applicants will be given an opportunity to discuss any information supplied before a final decision is taken regarding their appointment.

However, an applicant may not be selected if the selection panel considers that the information declared renders that person unsuitable for the position for which they have applied. In reaching such a decision the London Deanery will consider the nature of the record/action, its relevance to the position applied for, and any other information the applicant wishes to provide.

The information declared will be treated in compliance with the Data Protection Act 1998.

NOTE: Failure by an applicant to provide accurate and truthful information is considered to be a serious matter.

Where it is found that a person has intentionally or recklessly provided inaccurate information or withheld information relevant to his/her position, this may disqualify them from an appointment, or if appointed, dismissal and referral to the appropriate professional regulatory body.

If you would like to discuss what effect any criminal record or fitness to practise proceedings might have on your application, you may telephone Jane Appleyard, telephone 0207 866 3105, in the Medical Workforce department, in confidence or email fitnesstopractise@londondeanery.ac.uk ..

Any information you provide regarding criminal investigations, convictions or fitness to practise proceedings will be kept confidential. If the Deanery considers that the information provided may have a bearing on your appointment and that the information needs to be considered by the selection panel, we will discuss this with you in advance. If we do not raise this information with you, this is because we do not believe that it should be taken into account. In that event, you still remain free, should you wish, to discuss the matter with the interviewing panel.

Prior to making a final decision concerning your application, we shall discuss with you any information declared by you that we believe has a bearing on your suitability for the position.

The London Deanery aims to promote equality of opportunity and is committed to treating all applicants for positions fairly and on merit regardless of race, gender, marital status, religion, disability, sexual orientation or age. We undertake not to discriminate unfairly against applicants on the basis of criminal conviction or other information declared.

******Important information******

The Data Protection Act 1998 requires us to provide you with certain information and to obtain your consent before processing sensitive data about you. Processing includes: obtaining, recording, holding, disclosing, destruction and retaining information. Sensitive personal data includes any of the following information: criminal offences, criminal convictions, criminal proceedings, disposal or sentence.

The information that you provide on the Declaration Form in the application form will be processed in accordance with the Data Protection Act 1998, and will only be used for the purpose of determining your application for this position. Once a decision has been made concerning your appointment, we will not retain this Declaration Form longer than is necessary (i.e. until you leave your post/programme or the recruitment episode is closed).

The Declaration Form will be kept in securely and in confidence, and access to it will be restricted to designated persons within the Medical Workforce Department of the London Deanery and other persons who need to see it as part of the selection process and who are authorised to do so. The information may be passed to your employing trusts.