

# The Hyelm Group

## Declaration of Eligibility

### Introduction

Before appointing a new trustee The Group must ensure that the prospective trustee is qualified to act as a trustee.

Some people are disqualified by law from acting as trustees, including anyone described in sections 178 – 180 of the Charities Act 2011. Disqualified people include anyone:

- Under the age of 18;
- Who has an unspent conviction for an offence involving deception or dishonesty;
- Who is an undischarged bankrupt;
- Who has been removed from trusteeship of a charity by the Court or the Commissioners for misconduct or mismanagement;
- Under a disqualification order under the Company Directors Disqualification Act 1986.

To help ensure our compliance we ask all Board Members to complete this Declaration of Eligibility Form.

### Section 1 – Personal Details

Name

Address   
  
  
 Postcode

Telephone (Day)  Telephone(Evening)

Mobile  Email (Work)

Email (Personal)

## Section 2 – Charity Details

Name of charity

Charity registration number

## Section 3– Rehabilitation of Offenders Act 1974

The Hyelm Group is committed to recruiting professionals from all areas of the community including offenders and ex-offenders.

The Rehabilitation of Offenders Act 1974 requires us to ask if you have any 'unspent' convictions. The information you provide will be treated in the strictest confidence and only be taken into account where, in the reasonable opinion of The Hyelm Group, the offence is relevant to the post for which you are applying. All disclosures will not be revealed to others except the client organisation, if appropriate. If you inadvertently disclose a conviction regarded as 'spent' it will be ignored.

Under the Exception Order 1995, certain types of employment and professions are exempt from the Rehabilitation of Offenders Act 1974 and in cases for example where the employment sought involves working with children or vulnerable adults, details of all criminal convictions - both spent and unspent - must be disclosed to us.

If you are unsure of whether your conviction(s) should be disclosed please check <http://www.nacro.org.uk/what-we-do/resettlement-advice-service/advice/disclosing-criminal-records/rehabilitation-of-offenders-act-1974,1646,NAP.html#4>.

**Failure to declare a conviction may result in your exclusion from our register and/or termination of any assignment if the offence is not declared but later comes to light.**

A spent conviction will still show on your criminal record, but we will not take it into account when considering your application unless the post is considered exempt under the Act. All posts that require DBS disclosure will be exempt under the Act and will require you to disclose spent and unspent convictions.

<b>Do you have any unspent criminal convictions or spent convictions covered by the Exception Order 1995?</b>	
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If so, please provide 'confidential' details on a separate sheet.

## Section 4 – Declaration

I declare that I am not disqualified from acting as a charity trustee and that:

- I am aged 18 years or over at the date of this appointment;
- I am capable of managing and administering my own affairs;
- I do not have an unspent conviction relating to any offence involving deception or dishonesty;
- I am not an undischarged bankrupt nor have I made a composition or arrangement with, or granted a trust deed for, my creditors (ignore if discharged from such an arrangement);
- I am not subject to a disqualification order under the Company Directors Disqualification Act 1986 or to an Order made under section 429(b) of the Insolvency Act 1986;
- I have not been removed from the office of charity trustee or trustee for a charity by an Order made by the Charity Commissioners or the High Court on grounds of any misconduct or mismanagement nor am I subject to an Order under section 7 of the Law Reform (Miscellaneous Provisions) (Scotland) Act 1990, preventing me from being concerned in the management or control of any relevant organisation or body;
- I am not subject to a disqualification Order under the Criminal Justice and Court Services Act 2000.

Signed

Date

I give my permission for my above declaration to be checked against registers held with the Insolvency Service, Companies House and the Charity Commission.

Signed

Date