

NON-EXECUTIVE DIRECTOR APPOINTMENT 2019

APPLICATION QUESTIONNAIRE

**Personal Details**

Full name:

Resident address and postcode:

Daytime telephone:

Evening telephone:

Mobile contact number:

Email address:

National insurance number:

Are you a United Kingdom, European Community or European Economic Area National? Yes/No (delete as appropriate)

**References**

Please supply the names and contact details of a minimum of two employment related referees who can comment on your suitability for the role. They must cover the last three year period and references will be taken up prior to interview.

*Referee 1*

Name:

Relationship to you:

Address:

Preferred telephone number:

Preferred email address:

*Referee 2*

Name:

Relationship to you:

Address:

Preferred telephone number:

Preferred email address:

*Referee 3 (only to be provided if your previous referees do not cover the last three years)*

Name:

Relationship to you:

Address:

Preferred telephone number:

Preferred email address:

**Are you happy to consent for references to be taken up if you have been shortlisted for interview?**

**Supporting Information**

*Please describe how your experience to date qualifies you for this role and how you will support the Foundation Trust in achieving its future ambitions. In responding, please ensure you have considered the criteria outlined in the role specification. This should be contained within a maximum of two sides of text:*

**Additional Questions**

Are you aware of anything in your private or professional life that would be a potential source of embarrassment to the organisation if it became known in the event of your appointment?

Yes/No (delete as appropriate)

If yes please provide details here:

Are you aware of any potential conflicts of interest should you be appointed?

Yes/No (delete as appropriate)

If yes please provide details here:

Have you been adjudged bankrupt, made a composition with your creditors, or been sues to judgement for any debt, or are there any such proceedings pending?

Yes/No (delete as appropriate)

If yes please provide details here:

Are you related to a director, or do you have a relationship with a director or employee of the Foundation Trust?

Yes/No (delete as appropriate)

If yes please provide details here:

Do you have any other commitments which could interfere with your availability or ability to undertaken the role?

Yes/No (delete as appropriate)

If yes please provide details here:

**Please note that all Directors of Foundation Trusts must meet the “fit and proper person test” contained in the Health and Social Care Act 2008 (Regulated Activities) Regulations 2014. Further information may be sought to confirm that candidates meet these requirements prior to appointment. Information on the requirements of the “fit and proper persons test” are attached for information.**

**Declaration**

The information provided in this application is true and complete and I accept that any omission, falsification or misrepresentation in this application will result in my application being rejected or subsequent dismissal if appointed to the post.

Signed: Date:

**MONITORING INFORMATION**

NHS organisations recognise the benefits of having a diverse workforce and therefore welcome applications from all sections of the community. In addition to this, under the provisions of the Equality Act 2010, all NHS organisations are required to demonstrate that their recruitment processes are fair and that they are not discriminating against or disadvantaging anyone because of their age, disability, gender reassignment status, marriage or civil partnership status, pregnancy or maternity, race, religion or belief, sex or sexual orientation. Therefore a series of questions need to be raised in order to ascertain who is applying for each position and to ensure that no one is being unfairly discriminated against or disadvantaged.

This section of the application form will be detached from your application and will not be used as part of the selection process nor will it be seen by anybody who is interviewing you. The information collected is only used for monitoring purposes in an anonymised format to assist the organisation in analysing the profile and make up of individuals who apply, are shortlisted for and appointed to each vacancy. In this way, they can check that they are complying with the Equality Act 2010.

The Equality Act 2010 protects people against discrimination on the grounds of their age and sex.

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| --- | --- |
| \* Please state your date of birth |  |
| \* Please indicate your gender |  Male   Female   I do not wish to disclose this |

The Equality Act 2010 protects people who are married or in a civil partnership.

|  |  |
| --- | --- |
| \* Please indicate the option which best describes your marital status | |
|  Married   Single   Civil partnership   Legally separated |  Divorced   Widowed   I do not wish to disclose this |

The Equality Act 2010 protects bisexual, gay, heterosexual and lesbian people from discrimination on the grounds of their sexual orientation.

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| --- | --- |
| \* Please indicate the option which best describes your sexual orientation | |
|  Lesbian   Gay   Bisexual |  Heterosexual   I do not wish to disclose this |

The Equality Act 2010 protects people against discrimination on the grounds of their race which includes colour, nationality, ethnic or national origin.

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| --- | --- | --- |
| \* Please indicate your ethnic origin | | |
| **Asian or Asian British**   Bangladeshi   Indian   Pakistani   Any other Asian background  **Black or Black British**   African   Caribbean   Any other Black background | **Mixed**   White & Asian   White & Black African   White & Black Caribbean   Any other mixed background  **White**   British   Irish   Any other White background | **Other Ethnic Group**   Chinese   Any other ethnic group   I do not wish to disclose this |

The Equality Act 2010 protects people against discrimination on the grounds of their religion or belief, including a lack of any belief.

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| --- | --- | --- |
| \* Please indicate your religion or belief | | |
|  Atheism   Buddhism   Christianity   Hinduism |  Islam   Jainism   Judaism   Sikhism |  Other   I do not wish to disclose this |

The Equality Act 2010 protects disabled people - including those with long term health conditions, learning disabilities and so called "hidden" disabilities such as dyslexia. If you tell us that you have a disability we can make reasonable adjustments to ensure that any selection processes - including the interview - are fair and equitable.

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| --- | --- |
| \* Do you consider yourself to have a disability? |  Yes  No   I do not wish to disclose this information |
| Please state the type of impairment which applies to you. People may experience more than one type of impairment, in which case you may indicate more than one. If none of the categories apply, please mark ‘other’. | |
|  Physical impairment  Learning Disability/Difficulty   Sensory impairment  Long-standing illness   Mental health condition  Other | |
| If you have a disability, do you wish to be considered under the guaranteed interview scheme if you meet the minimum criteria as specified in the person specification? | |
|  Yes  No | |

**Rehabilitation of Offenders Act 1974**

The Rehabilitation of Offenders Act 1974 (as amended) helps rehabilitated ex-offenders back into work by allowing them not to declare criminal convictions after the rehabilitation period set by the Court has elapsed and the convictions become 'spent'. During the rehabilitation period, convictions are referred to as 'unspent' convictions and must be declared to employers.

The organisation aims to promote equality of opportunity and is committed to treating all applicants for positions fairly and on merit regardless of ethnicity, disability, age, gender or gender re-assignment, religion or belief, sexual orientation, pregnancy or maternity and marriage or civil partnership. The organisation undertakes not to discriminate unfairly against applicants on the basis of a criminal conviction or other information declared.

You are required to declare all current ‘unspent’ criminal convictions or cautions (including reprimands and final warnings). You are not required to disclose convictions or cautions which have become ‘spent’.

As part of assessing your application, organisations will only take into account relevant criminal record and other information declared which is relevant to the position being applied for.

Answering ‘yes’ to the questions below will not necessarily bar you from appointment. This will depend on the relevance of the information you provide in respect of the nature of the position for which you are applying and the particular circumstances.

The position you are applying for has been identified as being an 'eligible position' under the *Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975* [the Exceptions Order] and, in certain circumstances, the Police Act 1997. As such, it meets the eligibility criteria for a standard or an enhanced disclosure to be requested through the Disclosure and Barring Service (DBS).

Both standard and enhanced DBS disclosure certificates contain information about any convictions, cautions (including reprimands and final warnings) which are not 'protected' as defined by the *Rehabilitation of Offenders Act 1974 (Exceptions Order) 1975 (as amended)*. Enhanced disclosures may also include other relevant police information where this is deemed relevant to the position you are applying for.

Please be aware that the *Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013* (S.I. 2013/1198) made amendment to the *Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975* to provide that certain spent convictions and cautions will become protected when specific conditions are met. Protected convictions and cautions will not be disclosed in a DBS check, and employers cannot ask for information about protected convictions or cautions, or take these into account when considering you for appointment.

Before you complete the question(s) below please read guidance and criteria for the filtering of these convictions and cautions which can be found on the Disclosure and Barring Service website at: [www.gov.uk/government/organisations/disclosure-and-barring-service](http://www.gov.uk/government/organisations/disclosure-and-barring-service)

Where the position has, in addition, been identified as a regulated activity under the *Safeguarding Vulnerable Groups Act (2006) (as amended by the Protection of Freedom's Act 2012)* an enhanced DBS disclosure will include information which is held on the Children's and/or Adults barred list(s), as applicable to the position.

*Please note that you do not need to tell us about convictions, cautions, warnings or reprimands which are deemed 'protected' under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013 - see notes above. You also are not required to tell us about parking offences.*

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| \* Are you currently bound over, or do you have any convictions or cautions (including warnings and reprimands) which are not deemed 'protected' under the amendment to the Exceptions Order 1975, issued by a Court or Court-Martial in the United Kingdom or in any other country? |
|  Yes  No |
| If YES, please include details of the order binding you over and/or the nature of the offence, the penalty, sentence or order of the Court, and the date and place of the Court hearing. |
|  |
| \* Are you currently bound by any barring decision made by the Disclosure Barring Service (DBS) from working with children? |
|  Yes  No |
| \* Are you currently bound by any barring decision made by the Disclosure Barring Service (DBS) from working with vulnerable adults? |
|  Yes  No |

**Health and Social Care Act 2008 (Regulated Activities) Regulations 2014**

Regulation 5 of the Regulated Activities Regulations states that the Trust must not appoint or have in place an individual as a director, or performing the functions of or equivalent or similar to the functions of, such a director, if they do not satisfy all the requirements set out in paragraph 3 of that Regulation.

The requirements of paragraph 3 of Regulation 5 of the Regulated Activities Regulations are that:

1. the individual is of good character;

(Note: in assessing an individual’s character the matters to be considered are set out in Part 2 of Schedule 4 of the Regulated Activities Regulations as follows:

* Whether the person has been convicted in the United Kingdom of any offence or been convicted elsewhere of any offence which, if committed in any part of the United Kingdom, would constitute an offence.
* Whether the person has been erased, removed or struck-off a register of professionals maintained by a regulator of health care or social work professionals.)

(b) the individual has the qualifications, competence, skills and experience which are necessary for the relevant office or position or the work for which they are employed;

(c) the individual is able by reason of their health, after reasonable adjustments are made, of properly performing tasks which are intrinsic to the office or position for which they are appointed or to the work for which they are employed;

(d) the individual has not been responsible for, privy to, contributed to or facilitated any serious misconduct or mismanagement (whether unlawful or not) in the course of carrying on a regulated activity or providing a service elsewhere which, if provided in England, would be a regulated activity; and

(e) none of the grounds of unfitness specified in Part 1 of Schedule 4 apply to the individual.

The grounds of unfitness specified in Part 1 of Schedule 4 to the Regulated Activities Regulations are:

(a) the person is an undischarged bankrupt or a person whose estate has had sequestration awarded in respect of it and who has not been discharged;

(b) the person is the subject of a bankruptcy restrictions order or an interim bankruptcy restrictions order or an order to like effect made in Scotland or Northern Ireland;

(c) the person is a person to whom a moratorium period under a debt relief order applies under Part VIIA (debt relief orders) of the Insolvency Act 1986;

(d) the person has made a composition or arrangement with, or granted a trust deed for, creditors and not been discharged in respect of it;

(e) the person is included in the children’s barred list or the adults’ barred list maintained under section 2 of the Safeguarding Vulnerable Groups Act 2006, or in any corresponding list maintained under an equivalent enactment in force in Scotland or Northern Ireland; and

(f) the person is prohibited from holding the relevant office or position, or in the case of an individual for carrying on the regulated activity, by or under any enactment.