

DIP 017 -Applicant's Guide to the CRB's Disclosure Service

Introduction

The Criminal Records Bureau (CRB), an executive agency of the Home Office, provides access to criminal record and other information to organisations in England and Wales through a service called Disclosure. Its specific purpose is to help organisations make more informed decisions when recruiting people into positions of trust.

The Disclosure service is also available to other professional, licensing and regulatory bodies whose volunteers, employees and licensees are not necessarily in direct contact with the vulnerable, but still need to uphold the highest standards of professional performance and Disclosure can help improve these recruitment decisions as well.

Through the Disclosure service, organisations can provide greater protection for the vulnerable members of our society and afford greater protection to their customers, staff, volunteers and ultimately their organisation.

What information is available through the Disclosure service?

The CRB's Disclosure service provides access to a range of different types of information, such as, information:

- held on the Police National Computer (PNC), such as, convictions, cautions, reprimands and warnings in England, Wales and those recorded from Scotland. There is also some Northern Ireland conviction data held on PNC
- held by local police forces relating to relevant non-conviction information
- from the Government's Protection of Children Act List (PoCA)
- from the Government's Protection of Vulnerable Adults List (POVA)
- held by the Department for Children, Schools and Families (DCSF) under Section 142 of the Education Act 2002 (formerly known as List 99)

Levels of Disclosure

To provide this service, the CRB offers two levels of Disclosure, each representing a different level of check. The two levels of Disclosure are Standard and Enhanced.

These Disclosures cannot be obtained by members of the public and are only available to organisations for those professions, offices, employments, work and occupations listed in the Exceptions Order to the Rehabilitation of Offenders Act 1974.

Standard Disclosure

Standard Disclosures are primarily for posts that involve working with children or vulnerable adults. Standard Disclosures may also be issued for people entering certain professions, such as members of the legal and accountancy professions.

Standard Disclosures contain the following;

- details of all convictions, cautions, reprimands and warnings held on the Police National Computer (PNC);

and if the position involves working with children or vulnerable adults and the relevant boxes have

- information from the Protection of Children Act List (PoCA);
- Information from the Protection of Vulnerable Adults List (POVA); and
- Information held by the DCSF under Section 142 of the Education Act 2002 of those considered unsuitable for banned from working with children.

Enhanced Disclosure

Enhanced Disclosures are for posts involving a far greater degree of contact with children or vulnerable adults. In general, the type of work will involve regularly caring for, supervising, training or being in sole charge of such people. Examples include a Teacher, Scout or Guide leader. Enhanced Disclosures are also issued for certain statutory purposes such as gaming and lottery licences.

Enhanced Disclosures contain the same information as Standard Disclosures but with the addition of local police force information considered relevant by Chief Police Officer(s).

Why might I be asked to apply for a Disclosure?

You might have been asked to apply for a Standard or an Enhanced Disclosure if you will be working:

- with children or vulnerable adults;
- in an establishment that is wholly or mainly for children;
- in healthcare; or
- have applied to be a foster carer, adoptive parent or childminder.

A Disclosure may also be required for a range of other types of job or licences. To find out more please contact the CRB information line or alternatively visit our website.

Can I refuse to apply for a Disclosure?

Yes. However, there are some posts for which a Disclosure is required by law. If you refuse to apply for a Disclosure in this instance, the organisation would be within their rights not to take your job or licence application any further.

If you are currently working and your employer asks you to apply for a Disclosure, you may be able to refuse if your contract of employment does not refer to a criminal record check.

I already have a Disclosure, can I use it again?

If you are asked to apply for a Disclosure and you already have one for a previous role; ask if the organisation is willing to accept it. When making this decision the organisation will take into account the length of time that has elapsed since that Disclosure was issued; the level of Disclosure; the nature of the position for which the Disclosure was issued; and the nature of the position for which you are now applying. Ultimately, it will be the organisation's decision whether to accept it or not.

What if I have lived overseas?

If you have lived overseas for a substantial period of time, it may not be worth applying for a Disclosure, as the CRB does not generally have access to overseas criminal records. However, some organisations have a legal responsibility to check if a person is banned from working with children or vulnerable adults and can only do this through the Disclosure service. We can also advise on how to obtain equivalent information from the overseas authorities, where available. You may wish to discuss this with your prospective employer.

How do I pay for my Disclosure?

The CRB charge a Disclosure application fee.

Payment for Disclosure can be made by personal cheque or postal order for those who do not have

check with the person who has asked you to apply for the Disclosure if this is the case.
If you are a volunteer, the CRB will issue the Disclosure free of charge.*

How will I know which level of Disclosure is required?

The organisation that has asked you to apply will decide the appropriate level of Disclosure for the position.

CRB agents are unable to offer you any guidelines on this.

How do I apply for a Disclosure?

There are two ways of applying for a Disclosure. You will either be asked to:

- telephone the Disclosure application line on 0870 90 90 844, in which case you will need to provide the Registered Body name and number, or
- complete a paper application form handed to you by the person who asked you to apply.

In both instances, you will be asked to provide your name, address and date of birth, along with the Registered Body name and number, and the level of Disclosure. This will help the person who asked you to apply, confirm your identity. A guidance booklet on how to complete the form will be provided.

Who will receive my Disclosure?

When the application is processed, the CRB sends out a copy of the Disclosure, containing any information revealed during its searches, to you and the person who countersigned your form.

How do I know that the information contained on my Disclosure will remain confidential?

Organisations using the Disclosure service must comply with the CRB Code of Practice, which is there to make sure the whole process works fairly and that any information revealed is treated fairly and securely. Also, the CRB is committed to compliance with the Data Protection Act. This means that any personal information that you submit to us will be protected.

Under the provisions of the Code, sensitive personal information must be handled and stored appropriately and must be kept for only as long as it is necessary. The Code is published on the CRB website, or you can request a copy from the person who asked you to apply for the Disclosure.

What if I have a criminal record that may not be relevant to the position for which I am applying?

Safeguards and guidelines have been introduced to ensure that conviction information is not misused and that ex-offenders are not treated unfairly. Ex-offenders will retain the protection afforded by the Rehabilitation of Offenders Act 1974. In addition, the CRB and the Chartered Institute of Personnel and Development (CIPD) have developed guidance information for employers on this matter.

What if things go wrong?

The CRB has established a comprehensive complaints process and as part of our commitment to provide a high standard of customer service we will always:

- act fairly and impartially
- communicate effectively
- deal promptly with all enquiries
- endeavour to learn from our mistakes

For how long will Disclosures be valid?

determined period of validity because a conviction or other matter could be recorded against the subject of the Disclosure at any time after it is issued.

Further Information

If you would like more information about CRB or its Disclosure service why not visit our website <http://www.crb.gov.uk/> or call us on **0870 90 90 811**.

(Telephone calls are charged at national rate. Calls will be recorded for security and may be monitored for training purposes.)

* A volunteer can be defined as a person who is engaged in any activity which involves spending time, unpaid (except for travelling and other approved out-of-pocket expenses), doing something which aims to benefit some third party other than or in addition to a close relative.

This document can be made available in a number of other languages and formats, please contact the CRB on **0870 90 90 811**

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