

**CRIMINAL RECORDS BUREAU**

**1. BACKGROUND**

The purpose of the Criminal Records Bureau (CRB) is to help employers and voluntary organisations make safer recruitment decisions. By conducting checks (called “Disclosures”) and providing details of criminal records and other information, the CRB aims to help identify prospective candidates who may be unsuitable for certain work with vulnerable people.

**2. CODE OF PRACTICE**

To be able to obtain a CRB check an employer either needs to be:

- set up with the CRB as a Registered Body (*“organisations that have registered directly with the CRB to use its services”*) or
- use the services of an Umbrella Body (*“a Registered Body that provides access to the CRB to other non-registered organisations”*).

The CRB have a Code of Practice which covers, amongst other things:

- **Fair use of information** – a written policy about employing people with a criminal record should be in place, so that Disclosure information is used fairly and applicants are protected from unfair discrimination on the basis of non-relevant past convictions. At the same time vulnerable people must be protected and a safe working environment provided for employees. A criminal record should not necessarily stop an applicant obtaining a job. This is subject to particular circumstances and individual convictions that make it unlawful to make an appointment. Recruitment procedures should be based on an objective assessment of ability.
- **Handling of Disclosure information** – a written security policy covering the correct handling/safekeeping of information and the identity checking of applicants.

**3. PROCESS**

Disclosures are available for any person who whilst in the course of their duties are:

- in positions that involve regular contact with children or vulnerable adults: or
- employed in one of the excepted professions Offices, Employments and Regulated Occupations as listed in the Rehabilitation of Offenders Act 1974.

There are two levels of check:

- **Standard Disclosure** - available for jobs that involve regular contact with children or vulnerable adults. It reveals details of spent and unspent convictions as well as cautions, warnings, reprimands and any barring decisions.
- **Enhanced Disclosure** - reserved for those jobs that involve regularly caring for, supervising, training or being in sole charge of children or vulnerable adults. As well as the information contained in the Standard Disclosure, the Enhanced may also contain non-conviction information from local police records.

A copy of the Disclosure is sent by the CRB to the employer and the prospective employee. The recruiting Manager has access to information as part of a strictly controlled procedure.

#### **4. REQUIREMENTS**

The following policies are needed, from April 2009, as part of safe working practices, some of which are stipulated by the CRB Code of Practice:

- Employing people with a criminal conviction.
- Portability (re-use) of checks for employees and the non employed groups.
- Security of information/ID checking.
- Dealing with applicants from overseas.
- Delayed CRB checks and commencement of work.

The following decisions/actions will also need to be in place:

- Lists of jobs/roles to be subject to a check.
- Harmonisation issues (e.g. taxi drivers are subject to checks by District Councils and the County Council)
- Brief recruiting Managers and Headteacher's of any revised practical arrangements.
- Consideration of re-checking timescales for employees and non-employees, in view of ISA implementation in 2009.