



FACTSHEET 8

The Criminal Records Bureau (CRB)

The Criminal Records Bureau (CRB) helps organisations identify people who are unsuitable for certain types of work, especially work involving contact with children and other vulnerable members of society.

The Disclosure Service

The CRB provides a Disclosure service offering access to records held by the police, Department of Health and Department for Education & Skills. There are currently two levels of Disclosure: Standard and Enhanced.

Standard Disclosures (employees £29.00; volunteers & management committee members free) are available for:

- paid staff or volunteers who have regular contact with children (under 18s) or vulnerable adults
- management committee members of organisations that work with children or vulnerable adults, whether they are in regular contact with them or not

The **Standard Disclosure** includes:

- all convictions, spent and unspent
- details of cautions, reprimands or warnings held on the Police National Register
- all the information needed to tell whether an individual is disqualified from working with children under the Criminal Justice and Court Services Act 2000

If the position in question involves regular contact with children or vulnerable adults in education or healthcare, the **Standard Disclosure** will also include information held by the Department of Health and the Department for Education & Skills on people who are considered unsuitable to work with either children or vulnerable adults.

Enhanced Disclosures (employees £34.00; volunteers & management committee members free) are available for:

- posts which have greater contact with children or vulnerable adults e.g. people regularly caring for, supervising, training or being in sole charge of these groups

Basic Disclosures are planned but not yet available. When introduced, it is intended that they will be available to anyone and will simply show unspent convictions.

Can any voluntary organisation make CRB checks on their staff and volunteers? Only those voluntary organisations that work with children and vulnerable adults can ask for Standard or Enhanced Disclosures. The Rehabilitation of Offenders Act 1974 prevents other categories of voluntary organisation from obtaining this level of information - but they will be able to use the Basic Disclosure service when it is introduced.

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What does working with children mean?

The definition of working with children is based on the concept of the "regulated position", contained in the Criminal Justice and Court Services Act 2000. If a job (paid or unpaid) falls within one of the categories of regulated position then it is classed as working with children.

Regulated positions include:

- any employment in schools, children's homes, day care premises where children are present
- caring for, training, supervising, or being in sole charge of children
- unsupervised contact with children
- other positions which give the kind of access or influence which could put children at risk if held by a disqualified person (eg management committee members)

Organisations likely to fall into the definition of working with children include those which:

- run youth groups
- organise or arrange facilities or activities for children
- offer counselling to children
- run out of school clubs
- run playgroups

What does working with vulnerable adults mean?

Disclosures are available for any paid or unpaid work which is concerned with the provision of care or health services to vulnerable adults and which gives the employee or volunteer access to vulnerable adults in receipt of such services in the course of normal duties e.g.

- accommodation and nursing or personal care in a care home
- personal care, nursing or support for a person living independently
- social care services
- any services provided in an establishment catering for a person with learning difficulties

Vulnerable adult means a person aged 18 or over who has one or more of the following conditions:

- a substantial learning or physical disability
- a physical or mental illness/ mental disorder, including alcohol or drug addiction
- significant reduction in mental capacity

There is no definitive list of positions for which criminal records checks are required or recommended, but the CRB provides a range of helpful information (see contact details at the end of this sheet).

Are Disclosures compulsory for all relevant positions?

The CRB legislation itself does not make it compulsory for organisations to make CRB checks for each relevant post. However, it is a criminal offence to knowingly offer either paid or unpaid work with children to someone who is disqualified from working with children or to allow them to continue doing such work.

What is the procedure for applying for a Disclosure?

Advice on the procedure for applying for a Disclosure, together with application forms and guidance on how to complete them, is available from the CRB (see contact details at the end of this sheet).

Organisations should ensure that all job applicants are made aware early on in any relevant recruitment process (e.g. in the recruitment advert or job application form) that a Disclosure will be sought for the successful candidate. There should also be a statement to the effect that a criminal record will not necessarily be a bar to obtaining the position.

It is the individual rather than the organisation who applies for a Disclosure. The application form must be countersigned by a body registered with the CRB for that purpose. The Disclosure certificate will be sent to the individual and a copy sent to the countersigning organisation.

Can a Disclosure be used more than once?

A current Disclosure issued for one position may be suitable for another job or voluntary position e.g. someone taking up two positions that require Disclosures at more or less the same time could avoid making two applications to the CRB. The duties of the second post must be compatible with those relating to the position for which the Disclosure was originally issued.

Each Disclosure reflects the position as at the date of issue. There is no time limit on the validity of a Disclosure but clearly the closer to the date of issue of the Disclosure, the more

reliable its contents. The Charity Commission recommends that charities, as best practice, only accept a previously issued Disclosure if it is no more than 3 months old. NCVS consider that this is a useful guideline for all voluntary organisations.

In all cases, the overriding consideration must be safety.

Genuine Disclosure documents have a Home Office watermark and a heat sensitive panel that changes colour.

Confidentiality of disclosure information

Disclosure information must ONLY be passed to those people who are authorised to receive it and it is an offence to do otherwise. Disclosures (as well as any records of the information contained in a Disclosure) must be stored in a SECURE locked place and must not be retained for longer than is required for the particular purpose. This would normally be no longer than six months after a recruitment decision has been made. It is also necessary to have a suitable system so that Disclosure information can be effectively destroyed.

This information sheet gives a very brief overview of the work of the CRB. More information is available from:

Criminal Records Bureau

P O Box 110

Liverpool

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Tel: 0870 90 90 81

websites: www.crb.gov.uk and

www.disclosure.gov.uk

FURTHER HELP

Core Services
Dudley Council for Voluntary Service
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Brierley Hill
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DY5 3EE

 01384 78166

www.dudleycvs.org.uk