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*The Resource Centre Reference Library has a range of books about recruitment and employment.*

*These include 'The Good Employment Guide for the Voluntary Sector' produced by NCVO.*

*We also have a copy of "Firstcheck: a step by step guide for organisations to safeguard children" which is published by the NSPCC and recommended by the Big Lottery*



**Brighton & Hove**  
City Council supported

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# CRB Disclosures

## Criminal Record Bureau Disclosures and the proposed Vetting and Barring Scheme

### Introduction

If your group works with children under the age of 18, or 'vulnerable' adults, you will want to make sure that any members, paid employees or volunteers are suitable for the tasks they undertake. In specific circumstances you will have a legal duty to do so. Part of this process can involve checking whether an individual:

- H Has any relevant convictions
- H Has had any relevant cautions, warnings or reprimands from the police
- H Is named on lists of those unsuitable for work with children or vulnerable adults
- H Has been disqualified or banned from working with children or vulnerable adults by a judge following conviction for a relevant offence

The government agencies that provide this information are the Criminal Records Bureau (CRB) in the form of a 'disclosure' and the Independent Safeguarding Authority (ISA) that keep a list of 'barred' people who pose a possible risk of harm to children or vulnerable adults.

Getting a CRB disclosure is a legal obligation in some circumstances, or a requirement for insurance cover in others, but very often it will be a matter of judgement for your group. They can be a useful tool, but can also be limited as they provide information about a person's past rather than future actions. If you have paid employees or volunteers you will need policies and procedures covering recruitment, training & support, health & safety and equal opportunities.



# CRB Disclosures

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## Criminal Records Bureau Disclosures

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The CRB provide reports for people working with children or 'vulnerable' adults that are called 'disclosures'. There are three types of disclosure.

A basic disclosure, only available in Scotland, includes only details of convictions held at a national level, which are not 'spent'.

A standard disclosure gives details of a person's convictions (including spent convictions) plus any cautions, reprimands or warnings that have been recorded by the police.

An enhanced disclosure includes all of the above plus any information from the local police records or the police national computer that the chief constable believes is relevant to disclose. It also includes information about the person's 'ISA status' under the vetting and barring scheme (see details below).

## Checks from a local police station

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Any individual can go to their local police station and apply for 'subject access'. There is a £10 charge and they would receive a copy of records held about themselves. However, this is for the personal use of that individual only, is not as comprehensive as CRB disclosures, and cannot be used instead of a CRB disclosure.

## The Vetting and Barring Scheme

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Since October 2009 the Independent Safeguarding Authority (ISA) has kept a list of 'barred' people who pose a possible risk of harm to children or vulnerable adults. Those on the list are barred from working or volunteering for 'regulated activities'. Regulated activities are defined as those where there is 'frequent, intensive or overnight' contact with children or vulnerable adults, including teaching, fostering, providing care, and those in a position of responsibility.

Registration for the scheme, which was due to be phased in from 26th July 2010, has been put on hold by the new government. However, some of the regulations which came into force in October 2009 will still apply:

- H A person who is barred from working with children or vulnerable adults will be breaking the law if they try to work or volunteer with those groups
- H An organisation that knowingly employs a paid worker or volunteer who is barred will be breaking the law
- H If you dismiss someone because they have harmed a child or vulnerable adult you must tell the Independent Safeguarding Authority

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*More information about police station checks is available at [www.acpo.police.uk/subjectaccess.asp](http://www.acpo.police.uk/subjectaccess.asp)*

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*Further information about the Vetting and Barring Scheme can be found at [www.isa.gov.org.uk](http://www.isa.gov.org.uk) or [www.brightonandhovepsc.org.uk/prof\\_vetting.html](http://www.brightonandhovepsc.org.uk/prof_vetting.html)*

# CRB Disclosures

## Who needs to apply for CRB disclosures?

You must apply for CRB disclosures for any members, staff, or volunteers who are working with children or vulnerable adults in regulated activities.

You will need to think about who this applies to in your organisation. You will also need to have policies that clearly state what responsibilities can be taken on by those who do not have a CRB check.

A CRB disclosure is applied for through an umbrella organisation. See page 6 for details.

## Working with vulnerable adults

A vulnerable adult is defined (in the Care Standards Act 2000) as a person over 18 years who receives one or more of the following services:

- H Accommodation and nursing or personal care in a care home.
- H Personal care or support to live independently in their own home.
- H Services provided by an independent hospital, clinic or medical agency or an NHS body.
- H Services provided by an establishment catering for a person with learning difficulties.

Your organisation may work with one of these groups of people, providing an activity such as a lunch club, social club, transport, advocacy or support for carers. You would then need to consider whether using CRB disclosures would help you to ensure you are providing a safe environment for those you work with.

## The CRB disclosure process

We have provided below a step-by-step guide to the process you will need to go through. This process will not be exactly the same for all groups but this should be a good guide for most groups:

1. Decide if your volunteers or paid employees need CRB disclosures.
2. Adopt a policy covering how you will use and store the information contained in disclosures.
3. Contact an umbrella body to make an arrangement governing how they will make the applications on your behalf, and how much they will charge for this.

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*See 'Using disclosure Information' on p5 for more information about how to write a simple policy*

# CRB Disclosures

*See p6 for more information  
about umbrella bodies*

4. The umbrella body will provide you with a copy of the CRB Code of Practice, forms and guidelines on how to complete them.
5. Your volunteers or paid employees will need to provide a range of information that can be used to verify their identity and address. This will include: name; addresses for the last five years; date and place of birth; and National Insurance number.
6. They will need to have their identity and address verified by your group, or the umbrella body.
7. Completed forms are then sent off with payment. Disclosures are free for volunteers. However, for paid employees the CRB charge £26 for a Standard Disclosure or £36 for an Enhanced Disclosure. ISA registration is £46 for paid employees and free for volunteers. You may have to pay a fee to the umbrella body you use on top of this (for volunteers as well as paid employees).
8. The CRB will carry out their checks. Their stated aim is to complete disclosures in 2 weeks (standard disclosures) or 4 weeks (enhanced disclosures) but it is better to allow longer than this. If you use an umbrella body it is worth asking them how long the process will take (for example Ofsted carry out some additional checks and can take as long as 6 months).
9. When you receive the results of the CRB disclosure make a decision on whether the volunteer or paid employee is suitable for the tasks they will be performing and discuss your decision with them. See page 5 for more information on using disclosure information.
10. File the disclosure in a safe place in line with your policy.

## Disclosure contents

When the CRB has completed its checks it will send one copy of the disclosure to the individual (at their home address) and one to the umbrella body. In most cases these will be exactly the same. However, chief constables can decide that some information may be relevant to the position but do not wish the prospective employee to see the information. This information will be sent only to the umbrella organisation.

Individuals keep their copy of the disclosure and may be able to present it to other prospective employers up to 6 months after the date of issue.

Your group will need to make an arrangement with the umbrella body regarding the amount of information they pass on to you. This can be the full disclosure certificate, a summary of the disclosure certificate, or advice on 'safe to employ or otherwise'.

*The CRB have model policies available at:*  
[www.crb.homeoffice.gov.uk/guidance/rb\\_guidance/handling\\_of\\_disclosure\\_info.aspx](http://www.crb.homeoffice.gov.uk/guidance/rb_guidance/handling_of_disclosure_info.aspx)

*Brighton and Hove Speak Out  
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Portslade BN41 2PA  
Tel. 01273 421921  
[info@bhspeakout.org.uk](mailto:info@bhspeakout.org.uk)*

# CRB Disclosures

## Using disclosure information

The CRB has a Code of Practice that gives guidance to groups who receive disclosure information about:

- H How disclosure information will be used
- H Storage and disposal

The purpose of the Code of Practice is to ensure that people can apply for a disclosure being confident that:

- H They will not be unfairly discriminated against because of Information in their disclosure
- H Personal and confidential information about them will be held securely and will only be seen by those who need to see it.

### Writing a policy

Writing policies can seem daunting, but several groups already have good policies which may be useful to you. For example, Speak Out have developed some very clear policies on this, which they are happy to share. The Criminal Records Bureau or umbrella body may also have information that could help you with this.

Your policy would need to cover these few basic points:

#### How disclosure information will be used

Have a procedure for deciding:

- H What disclosed information would be relevant and what would not be
- H Who would make such decisions
- H How the applicant would be involved in the decision

#### Storage and disposal

Some umbrella bodies will not pass disclosures on to you. However, if they do, the information you receive will be confidential and you will need to include:

- H How and where it will be stored
- H Who will have access to it
- H How long it will be kept for
- H How it will be disposed of
- H Action to be taken if it is lost



# CRB Disclosures

## Umbrella bodies

If your group is a member of any larger national or local organisations it is worth contacting them to see if they are registered with the CRB as an umbrella body. Otherwise you could contact one of the organisations listed below.

### Safety Net

Safety Net are a voluntary sector organisation which offers a CRB check service to any voluntary or community group in Brighton & Hove. They provide a full information pack and sample policies. They also offer telephone advice and will visit your group to give advice about safer recruitment practice and decisions.

They charge an administration fee of £25 per application, plus the fees charged by the CRB.

### Fair Play for Children

Although this is a children's organisation they carry out CRB checks for any groups. To use them you would need to join (£24 per year for voluntary groups). They then make a charge (£7 per volunteer or £35/£40 per paid worker) for each disclosure which includes the CRB charges. They have sample policies specifically aimed at groups working with children which they are happy to share with member groups.

### Ofsted

Any group providing childcare for children under 8 years old will be registered with Ofsted. These groups qualify for subsidised CRB disclosures, which are processed by companies registered with Ofsted.

Contact Ofsted for more details.

The Criminal Records Bureau holds a list of umbrella bodies which is available on their website.

## For further information

Community Matters Information Sheet No. 81 provides more details about CRB checks, and Information Sheet No. 81A has details of the new Vetting and Barring Scheme. These are available in the *Resource Centre Library* or contact them at:

### Community Matters

12 - 20 Baron Street, London, N1 9LL  
Tel. 020 7837 7887 | [www.communitymatters.org.uk](http://www.communitymatters.org.uk)

### Criminal Records Bureau

PO Box 110, Liverpool, L69 3EF  
Tel. 0870 90 90 811 | [www.crb.gov.uk](http://www.crb.gov.uk)

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**Vivien Reynolds**

**Safety Net**  
**Emmaus Manor Offices**  
**Drove Road**  
**Portslade BN41 2PA**  
**01273 414981**

**Email: [crb@safety-net.org.uk](mailto:crb@safety-net.org.uk)**

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**Fair Play for Children**

**32 Longford Road,**  
**Bognor Regis,**  
**W. Sussex, PO21 1AG**  
**Tel. 0845 3307635**  
**Email: [fairplay@arunet.co.uk](mailto:fairplay@arunet.co.uk)**  
**[www.fairplayforchildren.org](http://www.fairplayforchildren.org)**

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**Ofsted**

**Royal Exchange Buildings**  
**St Ann's Square**  
**Manchester, M2 7LA**  
**Tel. 0300 123 4234**  
**[www.ofsted.gov.uk](http://www.ofsted.gov.uk)**

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**The Resource Centre's**  
**website also lists other sources**  
**of help on child protection.**

**Go to**  
**[www.resourcecentre.org/](http://www.resourcecentre.org/)**  
**beachcomber**  
**and type "child protection"**  
**into the quick search box**