

# information sheet 8.4

## 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 CRB achieves its aim through the Disclosure Service; which offers access to records held by the police, Department of Health and Department for Education & Skills.

There are two different levels of Disclosure. Selecting the appropriate level depends on the position applied for and the type of work involved. Some positions naturally require more in-depth and more confidential information about an applicant than other positions.

The two levels of Disclosure, aimed at protecting the vulnerable, or for particular positions of trust are the Standard Disclosure and the Enhanced Disclosure.

Standard Disclosures are available for:

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

The Standard Disclosure includes:

- All convictions, spent and unspent.
- Details of cautions, reprimands or warnings held on 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 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.

Enhanced Disclosures contain the same information as Standard Disclosures, but with the addition of any relevant information held by local police forces.

The CRB recognises that the information handled in these Disclosures is extremely sensitive and personal; it has therefore published a Code of Practice to ensure cases are handled fairly and information is used properly.

**Can any voluntary organisation make CRB checks on their staff and volunteers?**

Only 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 organisations from obtaining this level of information.

### **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 (e.g. 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 play clubs
- run play groups

### **What does working with vulnerable adults mean?**

Disclosures are available for any paid or unpaid work, which is concerned with the provision of health care services to vulnerable adults e.g.

- accommodation and nursing or personal care in a 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 difficulty
- 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.

### **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.

Organisations should ensure that all job applicants are made aware early on in any relevant 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; these are known as Umbrella Bodies. The Umbrella Bodies will be asked if it is willing for its details to be passed on to other organisations wishing to use its services. It is advisable for smaller organisations to use umbrella bodies to countersign applications.

### **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. In all cases the overriding consideration must be safety. Genuine Disclosure Documents have a Home Office watermark.

### **Confidentiality of 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.

For more information contact:

- ① The Criminal Records Bureau on tel: **087090 90 811** or visit their website: **www.crb.gov.uk**
- ① For a list of Umbrella Organisations for your area, view: **www.disclosure.gov.uk**

This information sheet was produced from the above websites and the Information Section at NCVS:  
**www.cvsnewcastle.org.uk**

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