

Board of Education

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**Diocese of
Blackburn**

 THE CHURCH
OF ENGLAND

CRB GUIDELINES NON DIOCESAN ORGANISATIONS

Terms & Conditions of Diocesan CRB Service

Please read these terms and conditions as well as the attached notes carefully before making any applications to the Diocese.

We would be happy to provide you with a CRB service and offer enhanced CRB checks to lots of different organisations, both volunteers and employees.

The CRB make a charge of £44 per form for every employee and we make an administration charge of £7 plus VAT. So the total cost for an employee would be £52.40. There is no charge made by the CRB for a volunteer so the administration charge for a volunteer would be £7 plus VAT – Totalling £8.40. Cheques should be made payable to the Blackburn Diocesan Board of Education. Incorrect forms which have to be returned are charged at £7.00 + £1.40 (VAT = £8.40).

The company representative will have to complete section X 60-68. However, you need to be aware that the Diocese only does checks at an Enhanced Level. It is an Offence to apply for an Enhanced CRB if it is not genuinely required within the CRB's criteria of a Regulated Activity or unless you have been specifically requested to have this level of clearance by a school or other relevant organisation. To check whether or not the post you require CRB Clearance for requires an Enhanced CRB please contact the CRB prior completing your application(s). CRB telephone number is 0870 90 90 90 811.

With regard to section verification, B verification, & W of a disclosure form, which are the sections related to the checking of ID, this would have to be done at the Diocesan Offices by one of our Officers. All documentation that we check has to be original and some things have to be less than three months old. A checklist is enclosed with each Application Form so that you can see what forms of ID are required and how many items need to be checked. The actual CRB disclosure application forms together with an explanatory leaflet can be sent to you from the Diocese and you can have as many application forms as you like.

The application forms and ID Documentation could then either be brought to our office for checking or sent by a secure method in the post. If you choose to

bring them into our office it would be advisable to phone ahead to make sure that one of our Officers is available to check your forms and ID.

We would then process the forms and send them to the CRB. The CRB then send a Disclosure Certificate to the person applying for CRB clearance. It is your responsibility to make sure that you ask the person for whom the application was made to show you their certificate when they receive it and keep a record of the Disclosure Number of the certificate. Please note that as a Registered Body we are legally compelled to destroy the copy CRB we receive after 6 months.

CRB Disclosures are currently taking approximately 4-6 weeks to come through although some may be quicker and others may take a little longer depending on the information given.

If you require any further information please contact me at the Diocese of Blackburn at the above address.

Introduction

Disclosures are designed to help employers make safer recruitment decisions and should not be regarded as a substitute for any of the full range of existing pre-appointment checks, including taking up references and enquiring into the person's previous employment history. Disclosure should be seen as complementary to existing recruitment practice and should only be sought after a candidate has been provided with a provisional offer of employment or a voluntary position

If any required information is missing, the form will be rejected and returned to you. Please note that you will need to complete section X on behalf of the Diocese. This information is relevant to your company as we will not know the position applied for etc.

All CRB applications made through the Diocese are at the ENHANCED level.

Who needs a CRB?

Registered Bodies must:

1. Use all reasonable endeavors to ensure that they only submit Disclosure applications in accordance with the Disclosure eligibility criteria for relevant positions or employment;
2. Correctly apply the CRB definition of a volunteer to assert eligibility for free-of-charge Disclosures.

Anyone who works with children and/or vulnerable adults is required to have a CRB Disclosure. For the purposes of the Rehabilitation of Offenders Act 1974, the definition of 'working with children' or Vulnerable Adults includes any work that is:

- A position whose normal duties include working in an institution which is exclusively or mainly for the detention of children

- A hospital which is mainly for the reception and treatment of children.
- A care home, residential care home, hospital children's home or voluntary home which is exclusively or mainly for children, a home provided under 82(5) of the Children Act 1989.
- An Educational Institution exclusively or mainly for children
- A position where the normal duties of that work involve regular contact with persons under aged under 18.
- Anyone providing accommodation and nursing or nursing care in a care home.
- Personal care or support to live independently in his or her own home.
- Any service provided in an independent hospital, medical agency or NHS body.
- Any services provided in an establishment catering for a person with learning difficulties.
- As from October 12th 2009 – ANYONE WORKING IN A REGULATED ACTIVITY – will be required to have an Enhanced CRB. For Definition of Regulated Activity see Glossary Appendix

Levels of Checks

Enhanced CRB Check

Enhanced checks are for posts involving work in a regulated activity for a regulated activity provider 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 checks are also issued for certain statutory purposes such as gaming and lottery licences.

Enhanced checks contain the same information as Standard checks but with the addition of a check of the new barred lists if requested and any locally held police force information considered relevant to the job role, by Chief Police Officer(s).

Standard CRB check – *The Diocese does not process CRB Applications at this level as all our applications should be for those working or volunteering to work with children and or vulnerable adults.*

Standard CRB checks are for people entering certain professions, such as members of the legal and accountancy professions. Standard checks contain the following:

- Convictions, Cautions, Reprimands and Warnings held in England and Wales on the Police National Computer, the most of the relevant convictions in Scotland and Northern Ireland may also be included;
- Standard checks no longer include a check of the old or new barred lists from 12 October 2009, therefore if you are working or volunteering with children or vulnerable adults, you may now be entitled to an Enhanced CRB check

Regarding Contractors

CRB regularly receives enquiries regarding checks being a mandatory requirement when tendering for contracts. Some Organisations insist that a condition of a tender

bid is that all staff will be CRB checked. In many cases the work or services of the contract would not require a CRB check.

A familiar misconception surrounds contractors whose services involve working in council or private dwellings and thus assume that individuals living alone, especially the elderly, are all vulnerable. N.B. See definition of Vulnerable adult at www.crb.gov.uk

If any contracting authority or tenderee is unsure if a position of employment warrants a CRB check they should contact the Customer Service department at CRB at customerservices@crb.gsi.gov.uk or call 0870 90 90 811.

It should be noted that it is illegal to insist that a CRB check forms part of a tender, unless the services provided meet the criteria for an eligible CRB check as defined by the Exceptions Order of the Rehabilitation of Offenders Act 1974

Children should not be allowed in the areas where builders are working, for health & Safety reasons, so these workers should have no contact with children and would not require a CRB check. However, where contractors have unsupervised contact with children, then Enhanced CRB checks will be required.

Every Child Matters - Safeguarding Children and Safer Recruitment in Education

Section 4.74 Children should not be allowed in areas where builders are working for health & Safety reasons, so these workers should have no contact with children. However in schools and FE Colleges should ensure that arrangements are in place with contractors via the contract where possible, to make sure that any contractors' staff that come into contact with children undergo appropriate checks.

Section 4.23

Examples of People who do not need to apply for a CRB Disclosure include:

- Visitors or contractors who come on site only to carry out emergency repairs or to service equipment: and who would not be expected to be left unsupervised on school premises.

A copy of the guidance is available at:

www.teachernet.gov.uk/wholeschool/familyandcommunity/childprotection/.

What changed on 12 October 2009?

As from October 12th 2009 the Vetting & Barring Scheme introduced increased safeguards for enhancing the protection of children and vulnerable adults as follows:

- The previous barring lists (POCA, POVA and List 99) have been replaced by the creation of two new barred lists administered by the ISA rather than several government departments. Checks of these new lists can be made as part of an Enhanced CRB check.
- Employers, social services and professional regulators have a duty to refer to the ISA/VBS any information about individuals who may pose a risk ensuring potential threats to vulnerable groups can be identified and dealt with.
- There will be criminal penalties for barred individuals who seek or undertake work with vulnerable groups and for employers who knowingly take them on.
- The eligibility criteria for Enhanced CRB checks will be extended to include anyone working in a regulated position.

Handling & Safe Storage of Information

Under their obligations in CRB ‘Code of Practice’ the Diocese seeks to ensure that sensitive information is handled and stored appropriately and kept for only as long as necessary.

Once a Disclosure Certificate has been issued the Applicant and the Diocese will each receive a copy. Whilst we at the Diocese try to maintain appropriate records, organisations must realise that this information is confidential. Therefore it is important that all groups, where CRB Checks are required, keep a record of their own. As soon as the applicant receives their copy they should bring it to the ‘responsible person’ for recording.

Under the terms of the Data Protection Act 2000 we are not allowed to disclose CRB Disclosure Numbers. **Therefore, it is important for your organisation to keep your own records of people for whom you have applied for a CRB check. No Photocopy or other image of the Disclosure maybe retained nor must any copy or representation of the contents be made or kept. However, with the applicant’s signed consent you can keep a copy of the applicant’s own Disclosure.**

It is an offence to:

1. Disclose information contained within a Disclosure to any person who is not a member, officer or employee of the Registered Body or, in the case of Umbrella Bodies, their client unless a relevant legal exception applies;
2. Disclose information to any member, officer or employee where it is not related to that employee’s duties
3. Knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain a Disclosure

Persons guilty of such offences are liable to deregistration, imprisonment or a fine unless a relevant exception applies as outlined in CRB Guidance.

Recipients of Disclosure Information are advised to keep a record of the following:

1. **The person’s name,**

2. **The Disclosure Number when received. *You as the employer/responsible person must have sight of the Applicant's CRB Disclosure certificate before you confirm their role in your organisation.***
3. **The type of Disclosure (Enhanced or Standard)**
4. **The position in question**

Recipients of Disclosure information:

- **must ensure that it is not passed on to anyone who is not authorised to receive it other than in the course of their duties.**
- **must securely store Disclosure information**
- **all recipients of Disclosure information must treat it with care, responsibility and confidentiality.**
- **The Diocese may only store Disclosure for up to six months after which time it is destroyed by a suitably secure method i.e. shredding.**

If the applicant has not received their copy of the Disclosure certificate within 45 days of applying, please contact the Diocese to see if we have received our copy. If the Diocese has not received their copy the applicant will have to contact the CRB. We will be happy to give any assistance we can.

Validity

Under the CRB's own Code of Practice

'Disclosures carry no absolute guarantee of accuracy. Neither do they carry a pre-determined period of validity because a conviction or other matter could be recorded against the subject of the Disclosure at any time after it was issued.'

Currently it is up to individual groups/organisations how often they carry out staff CRB checks. However, the general view is that it is 'good practice' to recheck staff every three to five years.

'Blemished' Disclosures

The CRB Code of Practice is intended to ensure that information released in Standard and Enhanced Disclosures is used fairly and to provide assurance to applicants that this is the case. An Applicant has a period of 90 days from the date of a CRB being issued to dispute any information on the Disclosure Certificate

It is the responsibility of the person employing an individual to ensure they have sight of every applicant's (Employee and/or Volunteer) Disclosure Certificate as soon as the applicant receives their copy. This applies particularly if a Disclosure

Certificate has offences or other matters recorded on it, so that an informed decision can be made whether or not to employ that individual.

No one should be working unsupervised with children/vulnerable people until the person with responsibility for their employment has seen the Applicant's Disclosure Certificate and consideration can be given as to their employment.

However, employers should be fully aware of their duties under the provisions of the Criminal Justice and Court services Act 2000 and the Rehabilitation of Offenders Act 1974 when considering candidates for employment in their organisation and any other requirements stipulated in law or by regulatory bodies.

All Applicants must be treated impartially (including those with a criminal record), and not discriminated against unfairly, although this does not mean an informed decision cannot be made in relation to concerns in respect of the safety of children and/or vulnerable adults. Employers/organisations must have a written policy in respect of the safety of children and vulnerable adults.

Factors to take into account:

In making their decision Employers should take into account the following:

- Whether the conviction or other matter revealed is relevant to the position in question.
- The seriousness of any offence or other matter revealed.
- The length of time since the offence or other matter occurred.
- Whether the applicant has a pattern of offending behaviour or relevant matters,
- Whether the applicant's circumstances have changed since the offending behaviour or other relevant matters and
- The circumstances surrounding the offence and explanation(s) offered by the convicted person.

Other considerations:

- If the applicant is going to working in a 'regulated activity' within the criteria of the VBS guidelines either with children, vulnerable adults or both, consideration must be given as to whether or not the offence(s) or relevant matters would impact on child protection or vulnerable adults protection issues.
- It is a criminal offence for anyone on the children and/or vulnerable adults barred lists to apply to work with these groups.

Portability

The CRB no longer facilitates portability; organisations that choose to accept a previously issued Disclosure do so at their own risk.
www.crb.gov.uk/default.aspx?page=1870

Portability refers to the re-use of a CRB check, obtained in one organisation and later used for another position in another organisation.

Before you accept a previously issued CRB check you must carry out a full risk assessment taking into account the following:

- Are **you** required by law to get a new check?

- Is the level of the CRB the same as the Level you need i.e. Standard or enhanced?
- How old is the CRB check? – A CRB check carries no formal period of validity and the older the check the less reliable the information.
- Is the position for which the previously issued CRB check obtained similar to the position for which you need a CRB check?
- Have all the checks you need been carried out?
- Have **you** validated and authenticated the person's ID to ensure that the person presenting the CRB check is the same person on whom the check was done?
- Is the applicant living at the same address as printed on the CRB check?
- If it is an enhanced CRB check have you confirmed from the previous Counter Signatory if additional information was released by way of a separate letter?
- Have you obtained the consent of the applicant to approach the other organisation?

Charges

For Groups/Companies other than Diocesan Church of England Schools or Churches.

The Charge for an 'Employee' CRB Check is £53.00+£1.40(VAT).This covers the £44.00 levied by the CRB plus £7.00+VAT administration charge.

For a 'Volunteer' in an organisation there is an Administration Charge of £7.00 + VAT.

Forms returned to the sender because they have been incorrectly completed will incur a charge of £7.00 + VAT per form each time the form is handled. Incorrect forms cause a significant increase in workload and this charge contributes to covering administrative costs.

Invoices will usually be accompanied by a letter explaining why the form has been returned and giving guidance to assist any amendments that need to be made.

Please note DAFs will not be processed until Invoices have been paid in full. CRB Disclosure Certificates are important original documents which should be treated as you would a Birth Certificate or Passport and should be kept safely and securely.

Copies are not available from the Diocese or the CRB.

If you lose a CRB you will have to apply for a new one!!!!

If you wish to track the progress of an Application you need to keep a note of the following:

1. The Disclosure Application Form (DAF) Reference Number, which can be found on the top right hand side of the DAF*
2. The person's Date of Birth*

*This will enable you to use the CRB Online Tracking Service to track the progress of a DAF. If the details you provide match a valid application form the tracking service will tell you at what stage in the process the application has reached.

This service is free-of-charge on www.crb.gov.uk/tracking

Useful Contacts

Diocese	CRB
Diocese of Blackburn Board of Education Church House Cathedral Close Blackburn BB1 5AA Helen Morris – CRB Countersignatory Email – helen.morris@blackburn.anglican.org Telephone – 01254 503070 Ext 220 Debbie Jagger-CRB Checker Email- debbie.jagger@blackburn.anglican.org Debbie Jagger CRB Administration Officer Telephone – 01254 503070 Ext 227 Board of Education Website www.bdeducation.co.uk	Criminal Records Bureau PO Box 110 LIVERPOOL L69 3EF Telephone – 0870 90 90 811 Mincom - 0870 90 90 344 www.direct.gov.uk/crb – information and access to services for CRB applicants and the general public www.businesslink.gov.uk/crb – information for registered bodies and other associated businesses and organisations using the CRB service www.homeoffice.gov.uk/crb – corporate information and publications for particular interest groups and partners Independent Safeguarding Authority Websiteonly http://www.isa.gov.org/ Telephone – 0300 123 1111

‘Volunteers or not Volunteers?’

The CRB clearly state that:

‘Unclear or ambiguous entries may delay the disclosure process, and terms such as volunteer or helper should not be used in this field. Applications should specify the actual role being undertaken and avoid use vague terms such as :-

- Volunteer – an unpaid position but doing what?
- Helper – helping whom doing what?

The CRB may invoice for any application which it considers does not meet the definition, and take retrospective action to recover the cost of any free-of-charge Disclosures’

The CRB do not accept ‘Volunteer’ in Section X 61 on the application Form. They need to know the type of work or group a person will be working with as this will directly assist the police with the type of information they disclose.

You *must* identify the position applied for clearly e.g. Children's Work Volunteer, Sunday School Teacher (Vol), Classroom Helper (Vol), School Governor (Vol) etc Volunteer Pastoral Assistant, Church Warden, Church Helper. Quite often some roles will involve contact with both children and vulnerable adults please cross both boxes in section x on the CRB form if this applies.

Volunteers or not Volunteers?

The CRB has many enquiries about whether a position is considered to be that of a volunteer and, hence, whether the CRB check is free of charge. To help to clarify the situation further, we have taken a closer look at those who work in educational establishments.

Students

Whilst it may be true that students on work experience/placements, trainees and student teachers receive no payment and may consider they are volunteers, it is CRB policy (in agreement with the Department for Children, Schools and Families and the Department for Innovation, Universities and Skills) that:

The primary aim of the work experience, e.g. as a student teacher, is to satisfy the mandatory requirements of a PGCE or equivalent qualification.

- Such qualifications cannot in any circumstances be secured without such work experience; and
- The work experience does not, therefore, aim principally to benefit a third party, even though this may be the perception of the student.

Therefore, these types of applications are not regarded as volunteers.

Further guidance

The Department for Children, Families and Schools (DCFS) guidance, entitled Safeguarding Children and Safer Recruitment in Education, advises that it is not necessary to obtain a Disclosure for visitors who will only have contact with children on an ad hoc or irregular basis for short periods of time, or secondary pupils undertaking voluntary work or work experience in other schools.

The guidance adds that you do not require a Disclosure if you are:

- “secondary pupils on key stage 4 work experience in other schools, colleges or nursery classes, secondary school or college as part of voluntary service citizenship or vocational studies, or key stage 5 or sixth form pupils in connection with a short careers or subject placement”.

The Commission for Social Care Inspection (CSCI), the regulatory body for the Adult Care sector, within their policy guidance advises that:

- “For adult settings, the Department of Health has advised that, for students under 18 years of age undertaking placements in regulated services for adults, no CRB or POVA check is required based on the rationale that the role they are undertaking will not be taking the place of an existing care worker and will be supervised”.

Whilst there may be eligibility for checks to be undertaken on students due to the area in which the work experience is carried out, the guidance issued by the statutory and regulatory bodies indicates that there is no requirement for such checks to be undertaken.

Ofsted Early Years guidance regarding placements confirms:

- “For early years work, the ‘rule’ is that they need a CRB check if they are in regular/long-term contact with children. We would not normally require one if the person was only there on a short-term placement, but we would insist that they must be supervised at all times if they are unchecked.
- “For children’s homes, there is a regulatory requirement that they must have a CRB in place before starting work.”

Work Experience

The phrase ‘work experience’ clearly refers to the purposes for which it is undertaken, i.e. to gain experience to apply in the future.

This type of work experience can be clearly distinguished from the category of other types of voluntary activity that young persons may undertake, which may bring them under the CRB criteria, and definition of a volunteer, e.g. voluntary work as a care home or hospital lay visitor, where the experience is not a mandatory part of their educational requirements.

Therefore, the definition of a volunteer does not apply to those on work experience. If a Disclosure is required for an eligible position, the relevant fee should be paid.

Workplace Mentors are regarded as volunteer positions and no charge will be made for these applications.

NB. This guidance includes and supersedes the information issued in the Disclosure Newsletter 33 (December 2005) and applies to any individual undertaking work experience or work placement including 14-16 year olds.

Sample Letter – for the Retention of Disclosure Information

Organisation Name

Applicant's

Name

**Organisation Address
Address**

Applicant's

Date

To whom it may Concern

I [*Applicant's Name*] give my signed permission for [*Organisation Name*] to keep a copy of my CRB Disclosure for their records on the understanding that they will store it securely and separately and treat it's contents with confidentiality as per the CRB Code of Practice and the Data Protection Act (2001)

Yours Faithfully

Applicant's Signature

Applicant's Name & Title (Block Capitals)

'Questioning Ineligible Applications'

Where potentially ineligible positions applied for are identified, the CRB have begun contacting organisations to determine why the applications have been submitted. Where applications are found to be ineligible, the CRB will provide the organisation with further guidance to ensure that it clearly understands eligibility requirements, the implications of submitting ineligible checks and they will also insist that the organisation takes steps to ensure that it does not submit ineligible checks in the future.

We understand that for some organisations, it is a case of misunderstanding the legislation and erring on the side of caution when it comes to checking their staff; however this is not a valid reason for submitting ineligible checks.

We have included some common ineligible job roles below:

- Volunteer in a Charity shop - Although the function of the shop may be to provide financial support to a charity which may help children or some vulnerable adults, there is no requirement for people working in the shop to be CRB checked. Although children may come into the shop, any contact is incidental as with any merchandising outlet. Additionally, although a shop assistant may be dealing with money, unless they are working in a position which is regulated by The Financial Services Authority (FSA), they are not eligible for a CRB check.
- Pub/café/bar positions – Any positions working in a pub/café/bar, e.g. bar tender, bar manager, waitress are not eligible for a CRB check. When an individual who makes an application to be a pub licensee needs to provide evidence of being a fit and proper person to be granted a licence by the Local Authority, they are only requested to declare unspent convictions which can be presented via a Basic Disclosure Certificate, processed by Disclosure Scotland, or a subject access request directly made by the applicant to the police.

We have also found that, in some instances, a position is in fact eligible but the information stated on the application form does not provide enough detail, e.g. administrator instead of school administrator.

Question X61 of the application form asks you to record the ‘position applied for’, and it is vital that you provide the principle role details, being as specific as you can about the position in question in order to expedite the application. This must fit within the criteria of a regulated activity:

Regulated activity is defined as:

- Activity involving contact with children or vulnerable adults and is of a **specified nature** (e.g. teaching, training, care, supervision, advice, medical treatment or in certain circumstances transport) on a **frequent, intensive and/or overnight** basis;
- Activity involving contact with children or vulnerable adults in a **specified place** (e.g. schools, care homes etc), frequently or intensively;
- **Fostering and childcare;**
- Certain **specified positions of responsibility** (e.g. school governor, director of children's services, director of adult social services, trustees of certain charities).

These positions are set out in the Safeguarding Vulnerable Groups Act 2006.

Glossary of Terms

Care Standards Act 2000	This Act provides for the administration of a variety of care institutions, including children’s homes, independent hospitals, nursing and residential care homes.
Caring for young people and the vulnerable?	Published by the Home Office, it aims to outline principles of good practice and help organisations working with vulnerable people to draw up their own codes of practice for preventing abuse of trust.
Child Protection Policy	All organisations working with children should formally adopt a child protection policy. Such policies are recommended in government guidance such as “Safe from Harm” and “Working together to Safeguard Children” For Churches/Church Groups without such a policy the Diocesan model policy is available on the Blackburn Diocese Board of Education website.
Code of Practice	This Code sets out the Criminal Records Bureau requirements that the Diocese as a Registered Body and employers must comply with in order to access Enhanced Disclosures.
Continuation Sheets	Use these when it has not been possible record all the information requested on the application form.
Criminal Record	A criminal record relates to a person’s convictions, whether spent or unspent under the Rehabilitation of Offenders Act 1974; cautions; reprimands; final warnings and other non-conviction information such as acquittals.
Criminal Records Bureau	The CRB is an executive agency of the Home Office, set up under the Police Act 1997 to facilitate safer recruitment procedures for the protection of children and vulnerable adults.
Counter-	This is an individual within the a Registered Body/Umbrella

signatory	Organisation authorised by the CRB to support CRB Applications and complete Section Y.
DAFs	Disclosure Application Forms – this is the form each Applicant completes for a disclosure from the CRB.
DfE	Department for Education - this the Government Department with responsibility for children’s services for schools.
Disclosures	There are two Types of Disclosure Standard & Enhanced- The Diocese only undertakes ‘Enhanced’ disclosures.
Disclosure Application Reference Number	This is the reference number allocated to each DAF as seen on the top right corner of the Application Form. The Disclosure Certificate will have a different specific Disclosure Number which relates the individual applicant.
Employment	Employment as far as the CRB are concerned is interpreted widely and covers volunteer as well as paid work
Independent Safeguarding Authority	This is the executive government agency which as from October 2009 will be responsible for monitoring and maintaining the lists of those barred from. Currently under review
ISA Children’s Barred List	Formerly known as POCA & List 99; this is a list managed by the Vetting and Barring Scheme (Previously managed by the DCSF), of people banned from working with children.
Police National Computer	This is the police national database against which all checks are made. For Enhanced Disclosures, checks against local police records will also be made as well as the lists held by the newly introduced Vetting & Barring Scheme,(previously held by the Department of Health and the Department for Children Schools & Families) e.g. POCA, List 99 & POVA.
Portability	This refers to the re-use of a CRB Disclosure, obtained for a position, in one organisation and later used for another position in another organisation – NB This practice is no longer endorsed by the CRB due to the risk factors involved.
ISA Vulnerable Adults Barred List	Formerly known as the POVA List This list is managed by the Vetting and Barring Scheme; previously it was managed by the DCSF on behalf of the DOH.
Recruiting Safely	Guidance for employers and other bodies in the health and social care field on recruiting and retaining staff and volunteers with criminal records
Registered Body	A Registered Body is an organisation registered with the Criminal Records Bureau to administer Disclosures
Regulated Activity	1 Any activity of a <i>specified nature</i> that involves contact with children or vulnerable adults <i>frequently, intensively or overnight</i> . <ul style="list-style-type: none"> • <i>specified nature</i>: teaching, training, care, supervision, advice, treatment and transportation. • <i>frequently</i>: regularly once a month or more often • <i>intensively</i>: 3 days or more in a 30 day period • <i>overnight</i>: any time between 2 a.m. and 6 a.m.

	<p>(Note that the government has stated an intention to review these definitions and it has not yet finalised its guidance on the operation of the scheme.)</p> <p>2 Any activity allowing contact with children or vulnerable adults that is in a <i>specified place</i> frequently or intensively. <i>specified place</i>: schools, children’s homes, hospitals, juvenile detention facilities, adult care homes.</p> <p>3 Any activity that involves people in certain <i>defined positions</i> of responsibility. <i>defined position</i>: such positions include school governor and trustee of certain charities.</p> <p>4. Activity which involves on a <i>regular</i> basis the <i>day to day management or supervision</i> of people carrying out activity of a specified nature or in a specified place.</p>
Rehabilitation of Offenders Act 1974	This Act enables some criminal convictions to become ‘spent’, or ignored, after a ‘rehabilitation period’. A rehabilitation period is a set length of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention the conviction when applying for jobs or obtaining insurance, or when involved in criminal or civil proceedings.
Safe From Harm	Issued by the Home Office in 1993, this document contains various recommendations to be adopted by Voluntary organisations working with children.
ID Verifier/Evidence Checker	This is the individual within an organisation responsible for the recruitment of workers. This person is required to see and check the identity of each applicant and will be in direct contact with the Diocese during the checking process. The Diocese will only be able to deal directly with this person in matters concerning individual applications. The Section X Signatory’s name must be on the Diocesan list of Approved Section X Signatories
Umbrella Body	An Umbrella Body is a Registered Body that provides access to the CRB to other non registered organisations

Handling, Storage, Retention & Disposal of Disclosures and Disclosure Information

In consideration of our agreement with the Criminal Records Bureau, in helping to assess the suitability of applicants for positions of trust, we agree to comply with the CRB code of Practice, Data Protection Act and other legislation in regard to the correct handling, use and disposal of Disclosures and Disclosure information.

Storage & Access

Disclosure information is always stored separately and securely, in a locked, non portable, storage container, with access strictly limited to those who are entitled as part of their official duties.

Handling

In accordance with Section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We will maintain a record of all whom Disclosures or Disclosure information have been revealed. We are aware that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage.

Disclosure information is only used specifically for the purpose for which it was requested and for which the applicant's full consent was given.

Retention

The Diocese may keep Disclosure information for up to six months to allow for the resolution of disputes or complaints' unless there are exceptional circumstances. If this happens it will be done in consultation with the Diocese who will seek advice from the CRB giving full consideration to Data Protection and Human Rights Legislation. The Conditions regarding safe handling and storage will still apply.

Disposal

Once the period of retention has lapsed the Diocese will ensure that any Disclosure information is immediately and appropriately destroyed (e.g. by shredding, pulping or incineration). Until that time the information will continue to be kept securely.

However, we as the employing organisation/group may keep a record of the name, date, and type of disclosure, the position for which it was requested, the unique reference number and the details of the recruitment decision taken.

Our Relationship with the Diocese of Blackburn

We accept that the Diocese of Blackburn as our Umbrella Body has responsibility to ensure as far as possible, that we comply with all the requirements of the CRB Code of Practice, this and other policy statements, and in other CRB procedures and processes. We understand that the Diocese will store, handle and retain disclosures on our behalf and dispose of them as per the CRB Code of Practice and the Data

Protection Act. We undertake to keep the Diocese informed of any changes in our organisation, which could materially affect our ability to work within these expectations.

Policy Statement on the Recruitment of Ex-offenders

It is a requirement of the CRB's Code of Practice that all Registered Bodies must treat Disclosure applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed. It also obliges Registered Bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to Disclosure applicants at the outset of the recruitment process.

To help you meet this requirement the CRB has produced the following sample policy statement which can be used or adapted for this purpose.

This policy statement can also be included within your company's Equal Opportunities policy.

Policy Statement

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to assess applicants' suitability for positions of trust, [Organisation Name] complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

[Organisation Name] is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

We have a written policy on the recruitment of ex-offenders, which is made available to all Disclosure applicants at the outset of the recruitment process.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

Where a Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within [Organisation Name] and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.

Unless the nature of the position allows [Organisation Name] to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

We ensure that all those in [Organisation Name] who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from working with us.

This will depend on the nature of the position and the circumstances and background of your offences.