

Disclosure Information - Code of Practice

Our Responsibilities of being a Registered Body and an Umbrella Body

A Registered Body is one specifically registered with the CRB to countersign applications for Standard and Enhanced Disclosures which are available only in relation to posts and positions within the terms of the Exemptions Order under the Rehabilitation of Offenders Act 1974.

An Umbrella Body is simply a Registered Body and as well as accessing the Disclosure service for its own purposes it may also decide to countersign Disclosure applications on behalf of others where there is a Borough affiliation.

As an Umbrella Body we must however take reasonable steps to ensure that any organisation to which the Disclosure service is provided can comply with the relevant obligations of the Code of Practice.

Responsibilities

The **CRB Code of Practice** binds all recipients of Disclosure information. It is the responsibility of the individual organisations to ensure that they comply with the obligations set out in the CRB Code of Practice. A requirement of being a Registered/Umbrella Body is that we have a written Policy on the Recruitment of Ex-Offenders. This policy is available on SBC Insite or for schools and external partners via www.slough.gov.uk. Individual organisations operating within our Umbrella Body should also ensure that they have a similar written policy. If this is not the case then a copy of our policy will be provided for their use.

When countersigning applications on behalf of organisations, as an Umbrella Body we must always satisfy ourselves that an organisation is genuinely **likely to ask exempted questions** under the Exemptions Order to the Rehabilitation of Offenders Act (ROA). In order for us to countersign any application for a client organisation you are required to confirm that you have referred to the Rehabilitation of Offenders Act of 1974 prior to submitting applications for countersigning (see Appendix 1). If we have any particular queries in this respect then we will seek further clarification from the organisation in question.

It is strongly recommended that evidence checking to support a Disclosure be carried out on a face-to-face basis. This is particularly relevant when using photographic ID. (Refer to Appendix 1 for further guidance).

Any passing of information between the Umbrella Body and individual organisation will be fair, reasonable and balanced. We will ensure upon the transmission of any correspondence that it is marked strictly private and confidential and for the nominated contact only. Any email data received by the organisation would need to be securely retained and destroyed as per our Secure Storage, Handling, Use, Retention & Disposal of Disclosures policy, a copy of which will be provided to you.

The CRB normally processes applications within a timeframe of approx 4-6 weeks upon receipt of a completed application form, however, there are peak times of the year such as August/September when the turnaround time may increase due to volume. As an Umbrella body we cannot influence the timescale/turnaround of any checks, but will ensure that we monitor the status on an organisation's behalf.

Disclosure information is always kept securely within Slough Borough Council and only those entitled, in the course of their duties, will have access. We would therefore expect individual organisations to follow this practice accordingly. The security and confidentiality of all Disclosure information is closely regulated under the Police Act 1997. Only those entitled to see the information as part of the recruitment decision are allowed access to it. Failure to observe the proper security procedures can be a criminal offence.

As an Umbrella organisation we would expect that any organisation handles and stores Disclosure information sensibly, therefore each organisation will have suitable arrangements for the handling and storage of this data which we supply to them.

Registered Bodies and Umbrella Bodies are required to have a written Security Policy to govern the handling of Disclosure Information. As an Umbrella Body we will provide a copy of our Secure Storage, Handling, Use, and Retention & Disposal of Disclosures Policy to those individual organisations. This policy outlines in detail the usage and handling of Disclosures by Slough Borough Council and in what form we provide Disclosure data to those organisations, upon which we provide an umbrella service.

As an Umbrella Body we have a responsibility to contact the CRB should we have any concerns about the behaviour of any organisation we are acting on behalf of.

As a registered Body /Umbrella Body we will also keep a **record** of all the names of all people to whom we have revealed any Disclosure information.

As an Umbrella Body countersigning Disclosure Applications for paid or unpaid applicants we will be required to see original documentary evidence of an applicant's identity. If as a counter signatory where we are not involved in the recruitment process, we will need to ensure that before countersigning the application that the recruiter/named contact for that organisation has seen suitable original documents and that they verify that this is the case.

What is a Volunteer?

The definition of a 'Volunteer as set out in the Police Act 1997 (Criminal Records) Regulations 2002 is:

'Any person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third party other than or in addition to a close relative'

Relationships with Volunteer Organisations/those that SBC has agreed/ established an affiliation with

As there is no relationship between the Registered/Umbrella body and the unregistered body then the most appropriate course of action is for Slough Borough Council as the Umbrella Body to forward the Disclosure information received to the user organisation. We are entitled to do this and are under a duty to do so, under the Police Act.

In the event of any conviction information that may be discussed between the Borough's HR Business Partner Team and the organisation via the telephone, then conviction details/nature of offence details are not to be documented as the CRB considers this duplication of Disclosure (conviction) information.

In such circumstances no liability lies with the Registered Body/Umbrella Body if a claim were subsequently made on the basis that the user organisation had acted unfairly against the applicant.

An individual organisation is advised to make recruitment decisions/decisions to appoint or not to appoint as soon as possible after receiving their Disclosure information. No Disclosure carries an absolute guarantee of accuracy; neither does it carry a pre-determined period of validity. Organisations should take further advice from their respective HR providers.

The Relationship with our Schools in Slough

As an LEA, Slough Borough Council has a different relationship with our Schools. It provides a Disclosure service to all Slough schools and we ensure, upon receipt of any Disclosure information causing concern, that our advice to the HeadTeacher is fair and reasonable; it reflects the guidance of the CRB; it does not discriminate unfairly against a person because of a previous criminal conviction or other information provided by the CRB. We will take into account a number of factors in accessing the suitability of an applicant and we work closely to ensure that our HR Business Partner Team provides the appropriate advice and guidance as necessary.

Charging for Umbrella Body Services

It remains at the discretion of each Umbrella Body to decide whether or not to make a charge for providing the Disclosure Service to other organisations. This commercial agreement to pass on any administrative charges remains Slough Borough Council's decision. The current administration charge per disclosure application including volunteers, independent schools and Academies is £10.00. (Please note that Slough Schools are exempt from this charge.)

Slough Borough Council will invoice the external organisation for the charge of a CRB disclosure (as set by the CRB) together with the administration fee (as set by SBC).

Useful Information

CRB Information Line: **0870 90 90 811**
Websites: www.disclosure.gov.uk
<http://www.crb.gov.uk/>

As an umbrella body, once Slough Borough Council have established that we are prepared to act on your behalf, you will be requested to sign your agreement to adhere to abide by the guidelines and provide where requested, information as discussed in this document. Failure to do so will mean that the Council will withdraw from acting on your behalf as an Umbrella Body.

I hereby accept to abide by the conditions as stated above

Named Contact:

Organisation:

Signed:

Date:

Appendix 1

CLIENT ORGANISATIONS

CRB Applicant Log

You will be charged for the CRB applications submitted. Therefore, we require the following information to be completed.

Name of Applicant	
Position Applied For * (Have you checked the R of O Act 1974 to see if you comply) YES/NO	
Organisation	
Volunteer (Y/N)	
Name of Evidence Checker	
Position of Evidence Checker	
Date	

* When countersigning applications on behalf of organisations, as an Umbrella Body we must always satisfy ourselves that an organisation is genuinely likely to ask exempted questions under the Exemptions Order to the Rehabilitation of Offenders Act

DOCUMENTARY EVIDENCE FOR APPLICANT:
REGISTERED BODY NO: – FORM REF:

The person who completes Section X of the CRB Disclosure Application Form needs to see ORIGINAL evidence only (photocopies are not acceptable under any circumstances) and must complete the applicant log (on reverse of this form). This form should then be forwarded with the application form.

The minimum requirement is ONE document from GROUP 1 plus TWO documents from either group OR FIVE documents from GROUP 2 only, if none available from GROUP 1.

- ALL documents must be in the Applicant's CURRENT NAME.**
- At least ONE document must show the Applicant's CURRENT ADDRESS.**
- At least ONE document must show the Applicant's DATE OF BIRTH.**

GROUP 1

- Valid passport (any nationality)
- UK or Isle of Man Driving Licence (either photo card or paper)
- Original UK Birth Certificate (issued within 12 months of the date of birth) (full or short form)
- Adoption Certificate
- Valid photo identity card (EU countries only)
- UK Firearms licence
- HM Forces ID Card (UK)

GROUP 2

- Marriage certificate
- Non-original UK birth certificate (issued after 12 months of date of birth) (full or short form)
- P45/P60 statement**
- Bank or building society statement*
- Utility Bill (electricity*, gas*, water*, telephone* – inc mobile phone contract/bill*
- Valid TV licence
- Credit Card statement*
- Store card statement*
- Mortgage statement**
- Valid insurance certificate
- Certificate of British nationality
- British work permit/visa**
- Correspondence or a document from:
Central/Local Government/Government Agency/Local Authority giving entitlement (UK)
- Financial statement (e.g. pension, endowment, ISA)**
- Valid vehicle registration document
- Mail order catalogue statement*
- Court summons**
- Valid NHS Card
- Addressed payslip*
- National Insurance number card
- Exam certificate (e.g. GCSE, NVQ)
- Child benefit book**
- Connexions card
- CRB Disclosure Certificate **
- Letter from a Head Teacher *
- Council Tax Statement
- One of the following documents from the Borders and Immigration Agency (BIA) (formerly the Immigration and Nationality Directorate – IND) (UK): Convention Travel Document (CTD), Stateless Person's Document (SPD), Certificate of Identity (CID), Application Registration Card (ARC)

***Documentation should be less than three months old months**

****Issued within past 12**

Please tick the relevant boxes above to indicate which original evidence has been seen

Extract from DIP002 – CRB Guidance

(This will be continually updated as CRB guidance changes – this is monitored by SBC HR unit on a regular basis and by reference to Disclosure updates)

Registered Bodies play an important role in the provision of the Disclosure service, in particular they must

- Check and validate the information provided by the applicant on the application form; and
- Establish the true identity of the applicant, through the examination of a range of documents as set out in this guidance; and
- Ensure that the applicant provides details of all names by which they have been known and all addresses where they have lived in the last 5 years; and
- Ensure the application form is fully completed and the information it contains is accurate.
- Failure to do this may compromise the integrity of the Disclosure service. If you are unsure about any part of the ID checking process, please contact us.
- Please note that:
 - You must only accept valid original documentation.
 - You must not accept photocopies.
 - You must not accept documentation printed from the internet e.g. internet bank statements.
 - Identity information (e.g. name, date of birth, address etc.) recorded in Section X on the Disclosure application form must be cross-matched with those provided by the applicant in sections A-C.
 - You should where possible, ask for photographic identity (e.g. passport, photocard Driving licence, etc. and for this to be compared against the applicant's likeness).
 - All documents must be in the applicant's current name as recorded in Section A (see below for guidance on recent changes of name).
 - One document must confirm the applicant's date of birth as recorded in Section A.
 - **You must see at least one document to confirm the applicant's current address as recorded in Section A. Only place a cross (x) in Section X15 if you have seen two documents.**
 - You must provide a full and continuous address history covering the last 5 years. Where possible you should seek documentation to confirm this address history.
 - You should cross match the applicant's address history with any other information you have been provided with as part of the recruitment, such as their CV. This can highlight if an address has not been given e.g. if the applicant's CV shows that they have worked in Liverpool in the last 5 years but the application form only shows London addresses, you may wish to question the applicant further about this.
 - Only one document from each of the subgroups in Group 2 should be included in the document count e.g. do not accept two bank statements as two of the required documents, if they are from the same bank.
 - If the applicant has completed any part of Section X on the application form, you must cross out any information that has not been seen by the Counter signatory or the approved document checker.
 - You cannot accept the foreign equivalent of an identity document if that document is listed as '(UK)' on the list of valid identity documents.
 - If an identity document is provided in a foreign language, you must obtain a translation of that document, certified by a Notary Public.

What identity document can be used?

The CRB has produced guidance on the type and range of identity documents that must be used by the Counter signatory or approved person, to validate the applicant's identity. These documents are divided into two groups: Group 1 and Group 2. The number of documents from each group the Counter signatory or approved person needs to see is set out in the following flow diagram.

If you have insufficient identity documents, please contact the CRB Information Line on 0870 9090 811 for further guidance.

How many documents do I need to see?

Can the applicant produce any documents from Group 1?

- Yes - 3 documents must be seen. One document from Group 1 plus any two from Groups 1 or 2.
- No - 5 documents to be seen. Five documents from Group 2

List of Valid Identity Documents

Group 1	
Passport	EU National Identity Card
Driving Licence (UK) (Full or provisional) -England/ Wales/ Scotland/ Northern Ireland/ Isle of Man; either photo card or paper (a photo card is only valid if the individual presents it with the counterpart licence)	Birth Certificate (UK) - issued within 12 months of date of birth – full or short form acceptable including those issued by UK authorities overseas, such as Embassies, High Commissions and HM Forces
HM Forces ID Card (UK)	Firearms Licence (UK)
Adoption Certificate (UK)	

Group 2	
Marriage/Civil Partnership Certificate	Financial Statement ** - e.g. pension, endowment, ISA
Birth Certificate	Vehicle Registration Document (Document V5 old style and V5C new style only)
P45/P60 Statement (UK) **	Mail Order Catalogue Statement *
Bank/Building Society Statement *	Court Claim Form (UK) ** - Documentation issued by Court Services
Utility Bill* - electricity, gas, water, telephone – including mobile phone contract/bill	Exam Certificate e.g. GCSE, NVQ, O Levels, Degree
TV Licence **	Addressed Payslip *
Credit Card Statement *	National Insurance Card (UK)
Store Card Statement *	NHS Card (UK)
Mortgage Statement **	Benefit Statement* - e.g. Child Allowance, Pension
Insurance Certificate **	Certificate of British Nationality (UK)
Council Tax Statement (UK) **	Work Permit/Visa (UK) **
A document from Central/ Local Government/ Government Agency/ Local Authority giving entitlement (UK)*: e.g. from the Department for Work and Pensions, the Employment Service,	One of the following documents from the Borders and Immigration Agency (BIA) (formerly the Immigration and Nationality Directorate – IND) (UK): Do not use more than one of the

Customs & Revenue, Job Centre, Job Centre Plus, Social Security	following documents Convention Travel Document (CTD) Stateless Person's Document (SPD) Certificate of Identity (CID) Application Registration Card (ARC) Letter from a Head Teacher *
CRB Disclosure Certificate ** Connexions Card (UK)	

*Documentation should be less than three months old

**issued within past 12 months

At least one document must confirm the applicant's current address and at least one document must confirm the applicant's date of birth.

This list is subject to amendment.

What do I do if I can't record all of the documents that I have seen in Section X?

Where it is possible, try to record the identity documents seen in Section X. Where this is not possible, list all documents seen on a continuation sheet, as attached, and return with the application form.

How can I check Driving Licences?

Do not accept licences other than those stated in the list of valid identity documents. English, Welsh and Scottish driving licence numbers contain information about the applicant's name, sex and date of birth. This information is written in a special format but can be gleaned and matched against the information provided by the applicant in Section A-C.

Please note that the date of birth on English, Welsh and Scottish driving licences, issued before 1977, is not recorded as a separate entry on the licence. The date of birth must be deciphered from the driving licence number and entered in the relevant field on the application form.

For example the format of the number for Christine Josephine Robinson, born 2 July 1975

ROBIN 757025 CJ99901
NNNNN YMMDDY IICCC C

N = 1st five letters of the surname (if the surname begins MAC or MC it is treated as MC for all).

Y = YEAR of birth.

M = MONTH of birth (In the case of a female, the number represented by the first M will have the value 5 added to the first digit e.g. a female born in November (i.e. 11) would display '61' in the MM boxes) or if born in February (i.e. 02) would display '52').

D = DAY of month of birth.

I = Initial letter of the first two forenames - if only one, then 9 will replace the second letter. If the licence indicates that the applicant has a middle name, ensure that one has been provided in Section A.

C = Computer generated.

Please note, for Northern Ireland driving licences the licence number is in a different format. The licence number is unique to the driver and the 'name' or 'date of birth' validation, as shown above, cannot be used.

Do not accept licences from British dependencies (e.g. Gibraltar, Channel Islands and Falkland Islands).

What if the applicant has been adopted?

Registered Bodies should inform applicants that if they were adopted before the age of 10, they do not need to provide their surname at birth in Section C of the Disclosure application form, they should give their adoptive name in this section.

This is because the age of criminal responsibility is deemed to be 10 years, under the Children and Young Persons Act 1933, Chapter 12, Section 50. This means that there is no possibility that an individual could have a criminal record in a name that was used until the age of 10.

What if the applicant has changed their name recently and cannot provide ID documents in this new name?

Documents in a previous name can be accepted ONLY where the applicant can provide documentation supporting a recent change because of:

Marriage/civil partnership {marriage/civil partnership certificate

divorce/civil partnership dissolution {decree absolute/civil partnership dissolution certificate}

deed poll {Deed Poll certificate}

In these instances, you must:

1. Return a 'Continuation Sheet' with the application form clearly stating
current and previous names
date of the change
reason for the change
the document you have seen to support this change

2. Ensure that all 'Previous names' and 'Dates used' are recorded in Section B (Other Names)

How do I check for indicators of fraud?

Always check for signs of tampering when checking identity documents. Documents should be queried if they display any signs of damage, especially in the areas of personal details such as the name and the photograph. The following guidelines should help you look out for any suspicious signs when authenticating documents.

Passport

Check the general quality and condition of the passport. Treat it with suspicion if it is excessively damaged; accidental damage is often used to conceal tampering. Photographs should be examined closely for signs of damage to the laminate or for excessive glue or slitting of the laminate; these signs would indicate photo substitution. If the photograph appears excessively large, this might indicate an attempt to hide another photograph underneath. There should also be an embossed strip embedded into the laminate, which will catch a portion of the photograph. Check

there is no damage to this area. If the passport is from a foreign national, you can still follow the same general procedures as above.

Photo driving licence

Examine the licence for evidence of photo tampering or any amendment of the printed details.

Old style driving licence (no photograph)

Remove the document from the plastic wallet and check that it is printed on both sides. It should have a watermark visible by holding the licence up to the light and there should be no punctuation marks in the name or address. The 'Valid To' date should be the day before the bearer's 70th birthday (unless the bearer is already over 70). The 'Valid To' date can therefore be cross-referenced with the applicant's date of birth detailed in Section A.

Birth certificate

Birth certificates are not wholly reliable for confirming identity, since copies are easily obtained. However, certificates issued at the time of birth are more reliable than recently issued duplicates.

Check the quality of paper used; genuine certificates use a high grade. There should be a watermark visible when the document is held up to the light. Any signs of smoothness on the surface would indicate that original text might have been washed or rubbed away. There should be no signs of tampering, changes using liquid paper, overwriting or spelling mistakes.

EU Photo Identity Card

Examine the card for evidence of photo tampering or any amendment of the printed details.

HM Forces ID Card

Examine the card for evidence of photo tampering or any amendment of the printed details.

Firearms licence

Check the licence is printed on blue security paper with a Royal crest watermark and a faint pattern stating the words 'Home Office'. Examine the licence for evidence of photo tampering or any amendment of the printed details, which should include home address and date of birth. The licence should be signed by the holder and bear the authorising signature of the chief of police for the area in which they live, or normally a person to whom his authority has been delegated.

Other forms of identification

Ensure all letters and statements are recent, i.e. within a 3 month period. Do not accept documentation printed from the internet. Check letter headed paper is used, bank headers are correct and all documentation looks genuine. The address should be cross-referenced with that quoted in Section A.

