



www.farehamaction.org.uk

24 May 2006

Mr Paul O'Beirne
Chief Executive
Fareham Community Action
5 Osborn Road South
Fareham
Hampshire
PO16 7DF

Dear Mr O'Beirne

Thank you for your enquiry about obtaining Criminal Record Checks or "Disclosures" through Fareham Community Action.

I enclose a registration of agreement and identification of lead personnel *form: CRB02*
Countersigning *form: CRB03*
a copy of the CRB Code of Practice
an example blank disclosure application form
Identification of people authorised to receive disclosure information *form: CRB04*

Charges are made for the administration of services as well as the fee, where applicable, of the CRB. All charges will be paid to Fareham Community Action. Credit arrangements cannot be made and the charge must be paid when the countersigning is done.

The disclosure process also highlights the need for good personnel practices. Clearly this means in recruitment, supervision and a number of other personnel areas. Fareham Community Action arranges training for voluntary and community organisations and will be happy to send you details.

Yours sincerely

M Addis
Administration Manager

*The codes of Practice and Guidance can be obtained from the CRB website
www.crb.gov.uk/ce/cop.htm and www.crb.gov.uk/ce/exp.htm*

Registration of Agreement with Fareham Community Action

Guidance Notes

Fareham Community Action has registered as an “Umbrella Body” with the Criminal Records Bureau (CRB). Therefore we can offer service to countersign criminal records check applications. These are otherwise called “disclosure applications”. This service is intended mainly, to be a service to member voluntary organisations.

Acting as an umbrella body we will be obliged to ensure that the CRB’s Code of Practice* is being complied with. Therefore we will have to ensure that organisations have processes in place to ensure that they are capable of compliance with the Code of Practice. The Agreement with Fareham Community Action starts with some basic information as requested in the Registration form [*crb 02*]. Firstly, the organisation must be eligible to require CRB disclosures of its staff. Then the organisation will have to, through its management committee or Board, decide that it can comply with the code of practice and that it can appoint persons to represent the organisation throughout the process. Fareham Community Action will only work with organisations that have the other aspects of child protection policy and good practice in place.

An agreement with Fareham Community Action, which must have corporate authority, must be then be signed [*check 04*]. A charge of £15/ £25 will be made for this registration. Evidence of the identity of the personnel involved in the organisation will be required by Fareham Community Action.

To set-up a “Trusted Identity Checker” system it will be necessary for the person or persons (maximum 2) *to visit Fareham Community Action office* for relevant training in the system.

Self employed persons including the owners of businesses cannot obtain a CRB disclosure.

* Code of Practice is available on http://www.crb.org.uk/PDF/code_of_practice.pdf

Countersigning Process

The disclosure process actually starts before the recruitment advert is placed. If the job or role requires a criminal records check, then that should be stated in the information about the post. A decision about the level of check must also be made; ie standard or enhanced.

Recommended practice includes having a policy statement on recruitment of offenders.

This outline is written in terms of paid staff but it is exactly the same process for recruiting and checking volunteers.

At a final stage of recruitment, normally after interview, the candidate is asked to obtain the disclosure application. The application can be requested by phone from the CRB, alternatively Fareham Community Action has a supply.

The Applicant must complete the application form then provide proof of their identity before we countersign the application form. There are a number of ways of providing proof of identity but it must meet the requirements of the CRB; the simplest way is to use a Passport, driving licence and a utility bill

Giving proof of Identity

There are two ways

1. Applicant Visit

The Applicant brings proof of identity to Fareham Community Action’s office. This should be by appointment through their organisation. It can usually be done without delay from 9.00am to 4.30

pm Monday to Friday. The disclosure Application form can be obtained from Fareham Community Action and completed immediately so that the whole process normally only takes 10 to 15 minutes.

2. Trusted Identity Checker

The Applicant obtains an application form from either Fareham Community Action or the CRB application line 0870 9090811 then the required documents for proof of identity are shown to the partner organisations “Trusted Identity Checker” who enters the details on to the CRB form. The form is then sent to Fareham Community Action and checked, registered on the system, countersigned and dispatched to CRB by the next working day.

Once signed and the fee paid, Fareham Community Action will post the form to the CRB.

The speed of return by the CRB is said to be, for standard disclosures, 95% within 1 week and, for enhanced disclosures, 90% within 3 weeks.

Notifying the Partner Organisation of the return

When CRB have completed their enquiries and printed the disclosure form, copies will be sent to both the applicant and to the counter-signatory. Fareham Community Action will contact the potential employing organisation by email or other method to notify the return of the disclosure application. The detail of any disclosure WILL NOT be discussed on the phone, via email or in the post. It is expected that once the Partner Organisation is alerted to the return of the disclosure that they will request sight of it from the applicant. Partner organisations may be shown the disclosure certificate by Fareham Community Action. Fareham Community Action will not take part in any employment decision.

In the rare event of “additional information” being provided by CRB then Fareham Community Action provide the information to the lead contact of the Partner Organisation so that an appropriate recruitment decision can be made. The Partner Organisation will be made aware of the CRB’s specific instructions about “additional information”.

Should the candidate dispute the information given in the disclosure then the CRB give a standard of 95% response within one week. Where the matter cannot be settled in one week a reply will be sent and candidates will be kept informed.

March 31st 2006

Identification of Lead Personnel

i) for Vol Sector organisations

Chairman Chief (paid) Officer:
Secretary: Treasurer:
Child Protection Officer. (may be one of above)
Total number on Management Committee

ii) For Other Sector organisations

Head of Organisation Designation:
Lead person for CRB Designation
Company Secretary Other director:
Child Protection Officer. (may be one of above)

Proposed Identity Check method: Applicant Visit * Trusted Identity Checker *

Number of staff currently working and eligible for criminal records check

Estimate of number of checks annually: Standard Enhanced

Are PoVA (protection of vulnerable adult) checks likely to be required ? Yes * No *

Establishment of agreement with Fareham Community Action for countersigning costs £15 to £40 and each countersigning will cost £7.50 vol/ community sector £10 private / public sectors. These prices could change.

I declare that the above information is correct: Date:

For completion by Fareham Community Action counter-signatory

Evidence of identity of contact person.. Date Signed

Evidence of names of personnel Date Signed

Evidence of address and contact detail. . Date Signed

Date of signing agreement.

Agreement for Acting as an Umbrella Body for CRB Disclosure

This agreement is between Fareham Community Action, which is registered as an “Umbrella Body” with the Criminal Records Bureau and Fareham Community Action which is represented by Paul O'Beirne in his / her capacity as Chief Executive.

The purpose of this agreement is to enable local organisations to undertake criminal records checks through the Criminal Records Bureau’s Disclosure process in an appropriate manner and with regard to best practice.

Fareham Community Action will..

1. operate its process in accordance with the CRB’s code of practice.
2. have available a person to countersign applications with 24 hours notice.
3. through the counter-signatory, only sign the application for disclosure once he/ she is satisfied that the applicant has verified identity according to CRB recommendations. Applicant visit or Trusted Identity Checker methods are available. The counter-signatory’s decision on this verification will be final.
4. dispatch requests for disclosure within 24 hours of signing.
5. notify the organisation of the return of the disclosure within 24 hours. This notification will normally only be by email to the signatory of this agreement.
6. provide the organisation with the detail of the disclosure but will not take part in the employment decision.
7. enquire of the organisation so that Fareham Community Action is satisfied that the post being filled entitles exempt questions to be asked. Fareham Community Action will also enquire about the organisations processes so that assurance can be made that the Code of Practice is being maintained.
8. pass disclosure information only to the signatory of this agreement or those other named individuals below and in person.
9. cease this agreement immediately, if it appears that the code of practice is not being observed. The matter will also be referred to the CRB.
10. withdraw from this agreement if, for organisational reasons, Fareham Community Action is no longer able to undertake counter-signatories or wishes to by giving one month’s notice.
11. accept changes to this agreement on written evidence of the change by the management committee of Fareham Community Action

Fareham Community Action will

1. observe the CRB code of practice
2. operate relevant appointments in accordance with its policy a copy of which has been provided to Fareham Community Action. Provide a Policy Statement on the Recruitment of Offenders to all applicants. The policy will be monitored and reviewed at least annually by the Management Committee.
3. only request a disclosure when the post entitles exempt questions to be asked.
4. pay an administrative charge per disclosure request of £ £7.50 to Fareham Community Action plus the CRB fee that is in force for paid staff and volunteers.
5. name individuals to receive disclosure information only after training and agreement to adhere to the CRB code of practice. When such individuals leave or are no longer authorised to receive disclosure information then that will immediately be notified to Fareham Community Action. Such individuals will be introduced personally to the Fareham Community Action counter-signatories and provide photo identification.

Individuals authorised to receive disclosure information (*see further identification sheet*)

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Signed
for Fareham Community Action

Signed
for Fareham Community Action

Name Paul O'Beirne

Name

Date.....

Date

Identification of People authorised to receive disclosure information

From Fareham Community Action

photo	Lead contact with Fareham Action Name Home address Age Gender Email address :	signature
	Name Home address Age Gender	signature
	Name Home address Age Gender	signature
	Name Home address Age Gender	signature
	Name Home address Age Gender	signature

Alternative Identification Documents -- see CRB guidance for eligible documents, acceptable age and number of types of document required. Note that if Consent in section H line 69 is not given then the more forms of identification are needed.

1.

Type of Document																			
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Full Name(s) as written on document																			
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Check address is the same as on application Yes *

Issue Date	D	D	M	M	Y	Y	Y	Y
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Check address is the same as on application Yes *

Issue Date	D	D	M	M	Y	Y	Y	Y
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Full Name(s) as written on document																			
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Check address is the same as on application Yes *

Issue Date	D	D	M	M	Y	Y	Y	Y
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Full Name(s) as written on document																			
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Check address is the same as on application Yes *

Issue Date	D	D	M	M	Y	Y	Y	Y
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Prerequisites for Criminal Records Checks

Much of the information can be gained from the CRB website <http://www.disclosure.gov.uk>

Or phone the Information line on 0870 90 90 811

- * Organisation has read and understood the requirements of the CRB Code of Practice
- * Justifiable case for requesting a CRB check
- * Policy on recruitment of ex-offenders statement
- * Recruitment process to include notification of requirement for disclosure in the recruitment information, recruitment of ex-offenders including provision of relevant information to applicants.
- * Management Committee decision to request Fareham Community Action to countersign request for disclosure
- * Decision about use of either *Applicant Visit* method or *Trusted Identity Checker* method
- * Training for those involved in recruitment where a disclosure is required
- * Information security policy and implementation.
- * Completion of paperwork and agreement with Fareham Community Action

Fareham Community Action

CRB disclosure Countersigning Service

At 1st April 2006

	Voluntary / Community Sector	Private / Public bodies
Establishment of Agreement – Applicant Visit	£15	£25
Establishment of Agreement – Trusted Identity Checker	£20	£40
Later Inclusion or Training of additional personnel	£10	£20
Each Countersignature	£7.50	£10
Child Protection training for workers	About £20 per person depending on arrangements	Not available separately

Child Protection Policy Writing training is also available

Disclosure Info to be kept

However, notwithstanding the above, we are permitted to (and will) keep a record of the

Form Number

Organisation

Trusted ID checker name

Date application sent to CRB

Date received back

date of issue of a Disclosure,
the name of the subject,
the type of Disclosure requested,
the position for which the Disclosure was requested,
the unique reference number of the Disclosure
and the details of the recruitment decision taken.

Training for people authorised to receive disclosure information

The Authorised Person for Partner Organisations must understand the requirements of the CRB good practice with regard to information and be able to pass on that information to other authorised colleagues. This includes the following policy or good practice items listed below.

- ü Code of Practice
- ü Recruitment of Offenders
- ü Child Protection Policy
- ü Training of staff in Child Protection
- ü Recruitment Practices
- ü Receiving information from Fareham Community Action including “additional information”
- ü Recording of disclosure information

I confirm understand the need for our organisation to have appropriate policy, practice and training in the above areas.

Signed.....

Date.....

Authorised Person

Criminal Records Bureau

Code of Practice

[Code of Practice and Explanatory Guide for Registered Persons and other recipients of Disclosure Information.](#)

This Code of Practice is published under section 122 of the [Police Act 1997](#) ("the Act") in connection with the use of information provided to registered persons ("Disclosure information") under Part V of that Act.

Disclosure information is information

- contained in criminal record certificates under section 113 of the Act (which are referred to in this Code as "Standard Disclosures"), or
- contained in enhanced criminal record certificates under section 115 of the Act (referred to in this Code as "Enhanced Disclosures"), or
- provided by the police under section 115(8) of the Act.

Except where indicated otherwise, the Code of Practice applies to all [recipients of Disclosure information](#) - that is to say

- registered persons,
- those countersigning Disclosure applications on behalf of registered persons, and
- others receiving such information.

Where reference is made to "employers", this should be read as including any person at whose request a registered person has countersigned an application, including

- voluntary organisations and others engaging, or using the services of, volunteers, and
- regulatory and licensing bodies.

Further information in relation to the Code, and other matters relating to registered persons and others having an involvement with Disclosure information, is contained in an Explanatory Guide.

Purpose of the Code

The Code of Practice is intended to ensure - and to provide assurance to those applying for Standard and Enhanced Disclosures - that the information released will be used fairly.

The Code also seeks to ensure that sensitive personal information is handled and stored appropriately and is kept for only as long as necessary. Guidance to employers on other matters will be issued separately.

Obligations of the Code

These are as follows:

1. Fair use of Disclosure information

2. Recipients of Disclosure information shall:

- observe guidance issued or supported by the Criminal Records Bureau ("the Bureau") on the use of Disclosure information - and, in particular, recipients of Disclosure information shall not unfairly discriminate against the subject of Disclosure information on the basis of conviction or other details revealed.

In the interest of the proper use of Disclosure information and for the reassurance of persons who are the subject of Disclosure information, registered persons shall

- have a written policy on the recruitment of ex-offenders, so that a copy can be given to all applicants for positions where a Disclosure will be requested.
- ensure that a body or individual at whose request applications for Disclosures are countersigned has such a written policy and, if necessary, provide a model for that body or individual to use.

In order that persons who are, or who may be, the subject of Disclosure information are made aware of the use of such information, and be reassured, Employers shall

- ensure that application forms for positions where Disclosures will be requested contain a statement that a Disclosure will be requested in the event of a successful application, so that applicants are aware of the situation;
- include in application forms or accompanying material a statement to the effect that a criminal record will not necessarily be a bar to obtaining a position, in order to reassure applicants that Disclosure information will not be used unfairly;
- discuss any matters revealed in Disclosure information with the person seeking the position before withdrawing an offer of employment.
- make every subject of a Disclosure aware of the existence of this Code of Practice, and make a copy available on request; and
- in order to assist staff to make appropriate use of Disclosure information in reaching decisions, make available guidance in relation to the employment and fair treatment of ex-offenders and to the Rehabilitation of Offenders Act 1974.

2. Handling of Disclosure information

Recipients of Disclosure information

- must ensure that Disclosure information is not passed to persons not authorised to receive it under section 124 of the Act. Under section 124, unauthorised Disclosure is an offence;
- must ensure that Disclosures and the information they contain are available only to those who need to have access in the course of their duties;
- must securely store Disclosures and the information that they contain;
- should retain neither Disclosures nor a record of Disclosure information contained within them for longer than is required for the particular purpose. In general, this should be no later than six months after the date on which recruitment or other relevant decisions have been taken, or after the date on which any dispute about the accuracy of the Disclosure information has been resolved. This period should be exceeded only in very exceptional circumstances which justify retention for a longer period.

Registered persons shall

- have a written security policy covering the correct handling and safe-keeping of Disclosure information; and
- ensure that a body or individual at whose request applications for Disclosures are countersigned has such a written policy, and, if necessary, provide a model for that body or individual to adopt.

3. Assurance

Registered persons shall:

- cooperate with requests from the Bureau to undertake assurance checks as to the proper use and safekeeping of Disclosure information.
- report to the Bureau any suspected malpractice in relation to this Code of Practice or any suspected offences in relation to the misuse of Disclosures.

4. Umbrella Bodies

(a) An Umbrella Body is one which has registered with the Bureau on the basis that it will countersign applications on behalf of others who are not registered.

(b) Umbrella Bodies must satisfy themselves that those on whose behalf they intend to countersign applications are likely to ask exempted questions under the Exceptions Order to the Rehabilitation of Offenders Act 1974.

(c) Umbrella Bodies must take reasonable steps to ensure that those to whom they pass Disclosure information observe the Code of Practice.

5. Failure to comply with the Code of Practice

The Bureau is empowered to refuse to issue a Disclosure if it believes that

- a registered person, or
- someone on whose behalf a registered person has acted has failed to comply with the Code of Practice.

For further information see

<http://www.disclosure.gov.uk/index.asp?fuseaction=codeprac>

Information about the POLICY STATEMENT ON THE RECRUITMENT OF EX-OFFENDERS

1. Background

All individuals or organisations using the Criminal Records Bureau (CRB) Disclosure service to help assess the suitability of applicants for positions of trust and who are recipients of Disclosure information must comply fully with the CRB Code of Practice. Amongst other things, this requires them to treat all applicants for positions who have a criminal record fairly and not to discriminate unfairly against the subject of a Disclosure on the basis of conviction or other information revealed. It also obliges them to have a written policy on the recruitment of such individuals, which can be given to all applicants for positions where a Disclosure is requested and to ensure that a body or individual at whose request applications are countersigned has such a written policy. Also, if necessary, to provide a model for that body or individual to use or adapt for this purpose.

To assist individuals/organisations to meet this requirement the CRB has produced a [sample] policy statement, which can be used or adapted for this purpose. Adherence to this policy will ensure compliance with the CRB Code of Practice in this respect.

If appropriate, this policy statement may, optionally, be included within a Company Equal Opportunities policy.

2. **SAMPLE** 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 conviction or other information revealed.
- [Organisation's 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 is 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.