



## CRIMINAL DISCLOSURE A GUIDE FOR APPLICANTS

### 1. Introduction

- 1.1 Employers have access to the criminal records of people seeking to work with children and/or vulnerable adults. This is referred to as a Disclosure and is obtained from the Criminal Records Bureau (CRB). The Disclosure will reveal whether or not the applicant has a criminal record and if so what sort.

### 2. Types of Disclosures

- 2.1 There are two types of Disclosures for people seeking to work with children and/or vulnerable adults:

The Standard Disclosure is required for positions whose duties involve regular contact with children and/or vulnerable adults.

The Enhanced Disclosure is required for positions involving a far greater degree of contact i.e. regularly caring for or training, supervising or being in sole charge of children and/or vulnerable adults.

- 2.2 Both Disclosures contain details of spent and unspent convictions (spent conviction are those that happened some time ago and normally no longer need to be revealed as specified in the Rehabilitation of Offenders Act 1974), cautions, reprimands and final warnings. The Enhanced Disclosure may also contain non-conviction information from local police records where the Chief Police Officer thinks it may be relevant to the position sought.

### 3. Purpose of Disclosure

- 3.1 The purpose of Disclosure is to facilitate safer recruitment decisions. It will help to prevent unsuitable people having access to jobs and positions that provide opportunity to harm children and vulnerable adults. It will provide information to help recruiters make more informed decisions about the suitability of those seeking to work in positions of trust.

#### **4. How do I apply for a Disclosure?**

4.1 You will be asked to:

- complete the blank Application Form sent/given to you by Shrewsbury Sixth Form College
- provide information that relates to you personally

#### **5. Blank Application Form**

5.1 Once you have completed the Application Form please forward it to the person at Shrewsbury Sixth Form College who asked you to apply for a Disclosure check.

#### **6. What information will I be asked to give?**

6.1 You will be asked for your full name, any other names that you have been known by, all addresses where you have lived during the last 5 years, your date and place of birth, your national insurance number, and other information such as passport-driving licence details. This is not a complete list as the questions asked will depend on the answers you give. The information requested is to ensure the applicant has given their true identity and current address.

#### **7. Who will receive the Disclosure?**

7.1 You will receive the Disclosure, with a copy being sent to the person at Shropshire County Council who countersigned your form. The Disclosure check will take between 1-3 weeks.

#### **8. What must applicants for employment Disclose**

8.1 Anyone applying for a position where Disclosure applies is required to disclose the details of all criminal convictions (whether spent or unspent) cautions, reprimands and final warnings. Where the work requires an Enhanced Disclosure you also need to disclose other non-conviction information that may have a bearing on your suitability for employment.

#### **9. Can I refuse to apply for a Disclosure?**

9.1 Legislation makes it compulsory for employers to ensure a check is carried out against other government lists of those banned from working with children. The offer of employment may be withdrawn if you decline to apply for a Disclosure.

#### **10. What if I have lived overseas?**

10.1 If you have lived overseas for a substantial period of time, it may still be necessary to apply for a Disclosure as checks are also done against government lists of people unsuitable to work with children or in the teaching profession.

10.2 If, as a foreign national, you have also lived in the UK for a substantial period of time, a Disclosure may be required, in addition to any overseas information deemed necessary.

## **11. What if I already have a Disclosure?**

11.1 You can provide this to Shrewsbury Sixth Form College who will decide whether it can be accepted. This will depend on the time that has elapsed since it was issued, the level of Disclosure, the position it was issued for and the nature of the position for which you are applying.

## **12. What will happen if I disclose a criminal record?**

12.1 Past convictions will not necessarily be a bar to obtaining work. (See Policy on Recruitment of Ex-offenders). Initially we will determine how well you can do the job i.e. whether you have the essential skills, knowledge and experience for the position or an ability to develop these skills. Only then will the criminal record be taken into account.

12.2 The Principal will consider the following:

- Whether the convictions or other matters revealed is relevant to the position in question.
- The seriousness of any offence revealed
- The length of time since the offence or other matters occurred
- Whether the offence was a one-off or part of a pattern of offending behaviour or other relevant matters
- Whether your circumstances have changed since the offending behaviour or other relevant matters

12.3 The failure to disclose such convictions may however, be seen as a deliberate attempt to gain employment by deception, and as such would result in the withdrawal of any offer of employment.

## **13. Will I be given an opportunity to explain?**

13.1 Any matters revealed by a Disclosure that will affect a decision to employ you will be discussed with the individual prior to a decision being made. Ultimately it is the decision of the Principal to decide whether to offer you the position. This decision is final. There is no right of appeal.

## **14. How will criminal record information be obtained from you?**

14.1 Where the position applied for involves working with children and/or vulnerable adults you will be required to complete a supplement to the initial application form which includes declaring details of any criminal record.

14.2 If you are successful in obtaining the position you will then be required to make an application for a Disclosure to the Criminal Records Bureau (CRB). Please see section above “**How do I apply for a Disclosure?**”

**15. How secure is the Disclosure information?**

15.2 Disclosure contains sensitive personal information, which must be handled very carefully and will only be seen by those at Shrewsbury Sixth Form College who need to see it in the course of their duties.

15.3 Disclosure information is stored in secure conditions. Documents are kept in a locked, non-portable storage container. Keys or combinations for storage units are restricted to named individuals. Disclosures are destroyed by suitably secure means i.e. shredding. No photocopy or other image of the Disclosure will be kept. A record of the date of Disclosure, the name of the subject, the type of Disclosure, the position applied for, the unique number of the Disclosure issued by the CRB and the recruitment decision will be retained.

**16. How long is the Disclosure information kept?**

16.1 Once an employment decision has been made the Disclosure and associated documents will be kept for a maximum of 6 months. This period allows for any disputes about the accuracy of the information or an employment decision to be made and considered. In the case of disputes the Disclosure information may be kept for a period of 6 months after the resolution of the dispute. The usual conditions in respect of storage and access remain in place during this period.

**17. What will happen if I dispute the information provided by the CRB?**

17.1 The dispute will need to be resolved before an employment decision can be made. If you think the information is incorrect please contact the Disclosure dispute line on 0870 90 90 778 immediately and ask about the disputes procedure.

**Further information**

Further information about the CRB and Disclosure can be found on:

Disclosure Application Line 0870 90 90 844

CRB Website [www.crb.gov.uk](http://www.crb.gov.uk)