

Criminal Records Bureau (CRB) Code of Practice



GATESHEAD COLLEGE

1 CONTEXT

The CRB Code of Practice established under section 122 of Part V Police Act 1997 determines the obligations which govern initial and ongoing registration of Registered Bodies with the Criminal Records Bureau (CRB). Gateshead College as a registered body will fully comply with and adopt this code.

2 SCOPE

Applications made by Gateshead College to CRB can be for employees, students or volunteers.

- I Applications will be made in accordance with the College staff recruitment policy, the Statement of the Recruitment of Ex Offenders and the Data Protection Policy.

3 REGISTRATION OF GATESHEAD COLLEGE WITH CRB

Gateshead College will:

- I Provide sufficient information to the CRB to allow registration to proceed. This includes information on the organisation's status, the suitability of proposed counter signatories and the purposes for which registration is requested;
- II Demonstrate the College is likely to countersign and submit applications for relevant positions and employment;
- III Demonstrate the College is likely to submit the minimum annual number of Disclosure applications determined by the CRB;
- IV Provide up-to-date information to the CRB as required in respect of the registration information and counter signatories;
- V Provide information on the organisation and nominated Lead and counter signatories as and when required by the CRB to determine suitability for initial and ongoing registration with the CRB;
- VI Give access to CRB officials to official premises, data and documentation as and when reasonably required by the CRB to determine suitability for ongoing registration;
- VII Submit Registration and Disclosure applications in the prescribed format;
- VIII Ensure that Disclosure applications are completed accurately and that all mandatory data fields are completed in full;
- IX Ensure that any electronic application system complies with CRB specifications as stipulated.

4 IDENTITY VERIFICATION

Gateshead College will:

- I Accurately and comprehensively verify the identity of the applicant prior to the submission of a Disclosure application
- II Ensure that any person undertaking identity verification checks on the College's behalf is suitable and trained accordingly.

5 MANAGEMENT AND USE OF DISCLOSURE INFORMATION

Gateshead College will:

- I Have a clear and explicit procedure on the secure handling of Disclosure information;
- II Store Disclosure information securely;
- III Retain Disclosure information, its content or any representation of the same in any format for no longer than is necessary and for a maximum of six months following the recruitment decision unless a dispute is raised or, in exceptional circumstances, where CRB agreement is secured;
- IV Ensure that no reproductions of the Disclosure or its content are made, including photocopies or scanned images, unless with the prior agreement of the CRB or as a result of a stipulated requirement relating to the e-channel service;
- V Only share Disclosure information with relevant persons in the course of their specific duties relevant to recruitment and vetting processes;
- VI Dispose of Disclosure information in a secure manner;
- VII Ensure that Additional Information, including information as to its existence, is not revealed to the Disclosure applicant and is disposed of in the appropriate manner and at the appropriate time;
- VIII Ensure compliance with CRB guidance on the portability of Disclosures and their contents.

6 SUITABILITY POLICY

Gateshead College will:

- I Have a written policy on the suitability of ex-offenders that is available upon request to potential applicants;
- II Ensure that all applicants for relevant positions or employment are notified in advance of the requirement for a Disclosure;
- III Notify all potential applicants of the potential effect of a criminal record history on the recruitment and selection process and any recruitment decision;
- IV Discuss the content of the Disclosure with the applicant before withdrawing any offer of employment;
- V Provide a copy of the CRB Code of Practice to the applicant upon request.

7 PAYMENT AND FEES

Gateshead College will:

- I Pay the prescribed registration fee before registration may proceed;
- II Pay counter signatory fees within the prescribed period;
- II Pay all subsequent Disclosure fees within the prescribed period;
- IV Pay all fees related to Disclosure applications submitted after any decision by the CRB to suspend registration or de-register the organisation;
- V Publish all fees associated with Disclosure applications in relevant documentation;
- VI Notify the CRB in writing of any change to the fees associated with Disclosure applications.

8 ELIGIBILITY

Gateshead College will:

- I Use all reasonable endeavours to ensure that the College only submits Disclosure applications in accordance with the Disclosure eligibility criteria for relevant positions or employment;
- II Correctly apply the CRB definition of a volunteer to assert eligibility for free-of-charge Disclosures.

9 ASSURANCE AND COMPLIANCE

Gateshead College will co-operate in full with the CRB Registration Management team enquiries, audits and investigations in seeking to:

- I Determine eligibility for initial registration with the Disclosure service in accordance with the prescribed processes and criteria;
- II Ensure ongoing compliance of Registered Bodies with the obligations under this Code by undertaking assurance audits on a regular basis in accordance with the prescribed processes and criteria;
- III Implement the suspension or de-registration of a Registered Body where non-compliance is established in accordance with the prescribed de-registration processes and criteria.

10 OFFENCES

Gateshead College notes that it is an offence to:

- I Disclose information contained within a Disclosure to any person who is not a member, officer or employee of the College unless a relevant legal exception applies;
- II Disclose information to any member, officer or employee where it is not related to that employee's duties;
- V 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.

Appendix 1

Procedure for Secure Handling of Disclosure Information

1. Gateshead College is committed to ensuring that CRB Disclosure information is handled and stored securely.
2. Disclosure information will be securely stored, in a locked environment in non-portable, storage containers, either within the Human Resources or Quality team areas.
3. Disclosure information, its content or any representation of the same in any format will be retained for no longer than is necessary and for a maximum of six months following the recruitment decision unless a dispute is raised or, in exceptional circumstances, where CRB agreement is secured.
4. No reproductions of the Disclosure or its content will be made, including photocopies or scanned images, unless with the prior agreement of the CRB or as a result of a stipulated requirement relating to the e-channel service.
5. Disclosure information will be shared only with relevant persons in the course of their specific duties relevant to recruitment and the vetting processes. A record will be made of all those to whom certificates or certificate information have been revealed.
6. Disclosure information will be disposed of in a secure manner by confidential waste management or shredding in a secure environment. It will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack) whilst awaiting destruction.
7. Additional Information, including information as to its existence, will not be revealed to the Disclosure applicant and will be disposed of in the appropriate manner and at the appropriate time.

Gateshead College will ensure that the above standards are met by:

- staff training, ensuring that all staff involvement in the handling of Disclosure information are aware of Gateshead College's CRB Code of Practice and practices which must be adopted to ensure the secure handling, storage and disposal of disclosure information;
- staff receiving Disclosure information are instructed of the requirement that it must be stored securely in a locked storage facility, which is only accessible to staff who are trained and act as Counter signatories in the CRB application process;
- undertaking audits to assure compliance with the Code of Practice.