

Brooksby Melton College
Criminal Records Bureau (CRB)
Checks Policy

BROOKSBY MELTON COLLEGE CRIMINAL RECORDS BUREAU (CRB) CHECKS POLICY

PURPOSE

- As part of the compulsory pre-employment screening process to ensure “Fitness for Work”, (which also includes Occupational Health screening and reference checks), prospective employees are subject to a check on any possible criminal background. Checking is very strictly regulated under the Data Protection Act, and is undertaken by the Criminal Records Bureau (CRB) Disclosure Service.
- Working at Brooksby Melton College, a further education institution, will involve employees and workers having regular contact with persons under the age of 18, and therefore CRB checks will be carried out on all prospective employees.

BACKGROUND

- There are at present two levels of CRB checks – Standard and Enhanced checks. Most posts in the College are subject to Enhanced Checks, especially where there is potential for unsupervised access to young and vulnerable students, both inside and outside the College and because employees are viewed by students as being in a position of trust.
- Having a criminal record will not automatically rule out a person from employment; in fact in most cases it is unlikely to affect the decision to appoint. All employers using the services of the CRB are required by their Code of Practice to have a Policy on the employment of ex-offenders to ensure that all applicants that have a Criminal Record are treated fairly and are not discriminated against unfairly on the basis of conviction or other information revealed.
- The Secretary of State has the power to bar anyone from employment as a teacher, and from work involving regular contact with children or young people under 19 years of age, in Schools and Colleges. The college is under a statutory duty not to employ anybody that is barred by the Secretary of State and whose name appears on “List 99” (A confidential document maintained by the Department for Education and Skills). The CRB also carries out a check against “List 99” and this will be included in any disclosure requested by the College.
- All offers of employment are conditional upon receiving a satisfactory CRB Disclosure Certificate. A CRB application form and guidance notes are enclosed with the conditional offer letter. It is for the prospective employee to complete and sign the form and return it to the HR Officer with original documentation, as required by the CRB. The documentation and form are checked and the form countersigned by either the College’s Lead Signatory (the Head of HR and Legislative Services) or a Registered Counter-signatory (HR Manager, HR Officer, Head of Division of Health and Social Care), before being Dispatched to the CRB for processing.

- This policy applies to all staff (full or part time) agency staff, consultants and other contracted person (either contracted directly or through another employer), and students undertaking work experience which involves working with young and vulnerable people.

POLICY STATEMENT RECRUITMENT OF EX-OFFENDERS

- As an organisation using the Criminal Records Bureau (CRB) Disclosure Service to assess applicants' suitability for positions of trust, Brooksby Melton College 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 CRB check on the basis of conviction or other information revealed
- Brooksby Melton College 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, or learning disability or offending background.
- The College has a written Recruitment and Selection Procedure, which does not discriminate against ex-offenders, and is available to all upon request.
- The College actively promotes equality of opportunity and diversity for all with the right mix of talent, skills and potential, and welcomes applicants from a wide range of candidates, including those with criminal records. Candidates are selected for interview based on their relevant skills, qualifications and experience.
- All application forms, job adverts and recruitment packs contain a statement that a CRB Check will be requested in the event of the individual being offered the position.
- The College encourages applicants to provide details of their criminal record at an early stage on the application process. This information may be sent under separate, confidential cover to the Lead Signatory (the Head of HR and Legislative Services). The College policy is that this information is only seen by those who need to as part of the recruitment process, will be kept strictly confidential and destroyed within two months of receipt of the disclosure.
- The College will ensure that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of the offences, and 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 (and its exceptions) as part of the College's Recruitment and Selection Training.
- The College will 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, at interview, or in a separate discussion. Applicants will be informed that failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

- The College will make every subject of a CRB Disclosure aware of the existence of the CRB Code of Practice and make a copy available on request.
- The College will undertake to discuss any matter revealed in a CRB Disclosure with the applicant before withdrawing a conditional offer of employment.

SECURE STORAGE, HANDLING, USE, RETENTION AND DISPOSAL OF DISCLOSURES AND DISCLOSURE OF INFORMATION.

- The handling of Disclosure information provided by prospective employees, either directly from the prospective employee or from the CRB, is restricted to the Lead Signatory (the Head of HR and Legislative Services), the Counter-Signatories (the HR Manager and HR Officer) and the HR Administrator.
- The handling of Disclosure information provided by work experience students, either received directly from the student or from the CRB, is restricted to the Lead Signatory (The Head of HR and Legislative Services) the Counter Signatory (Departmental Head of Health and Social Care)

Storage and Access

- Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in locked filing cabinets with access strictly controlled and limited to those who are authorised.

Handling

- In accordance with Section 124 of the Police Act 1997, disclosure information is only passed to those who are authorised to receive it. The College recognises that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

- Disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

- Disclosure certificate numbers are noted on the individual's personal file and on the computerized personnel records system. Disclosure certificates are retained for a period of up to six months from receipt, to allow for the consideration and resolution of any disputes or complaints.

Disposal

- Once the retention period has elapsed the College will ensure that any Disclosure information is immediately destroyed by shredding. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). The College will not keep any

photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure.

WORK/VOLUNTEER PLACEMENTS

- Before placing students with other employers, the College will take all reasonable steps to ensure that they fully comply with the CRB Code of Practice.