



## **Fair Play for Children**

### **CHILD PROTECTION IN PLAY**



### **Information Pack for Responsible Officers**

**Fair Play for Children  
Umbrella Body Service  
The Criminal Records Bureau**

**September 2010 (New Edition)**

**Note:** The proposed Vetting and Barring Scheme, due for introduction in 2010, has been put 'on hold' pending a Government review of the Scheme. Therefore this advice does not cover the scheme or ISA (Independent Safeguarding Authority) and no questions regarding the Scheme/ISA on the CRB Application Form are to be completed. Fair Play will issue advice and amendment to this publication as and when the review results are known.

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# Child Protection in Play

This is the name of the Programme established by Fair Play for Children to encourage best practice by its members in the issues of ensuring child protection in their areas of activities and operation.

## The Programme consists of the following elements:

- **Criminal Records Checks**
- **Training events**
- **A Pack for Managements and those working with children**
- **Fact Sheets/ Guides on child protection, The Protection of Children Act etc**
- **A Model Child Protection Policy - in printed and electronic format, and published on our web site.**

The Criminal Records checks from the mid-90's to February 2002 were carried out by VOCS, the Voluntary Organisations Consultancy Service as a pilot project. This was available to member organisations of Fair Play for Children who are in the voluntary sector.

From March 2002, the Criminal Records Bureau [CRB] came into operation. Fair Play for Children opted to become an Umbrella Body under the new CRB, and the purpose of this Pack is to inform participating members about the system and how Fair Play operate in the system.

**This Pack is aimed at Member Responsible Officers operating the checks scheme on behalf of their organisations through Fair Play for Children. It is vital that this Pack is carefully consulted when checks are being prepared for submission.** If, for example, it says that forms or sections of forms must be completed in a certain way (e.g. in block capitals, in black ink, this MUST be observed. The alternative will be returned forms, a fines system and delays in getting checks completed and returned.

## The Criminal Records Bureau

Set up as a result of the Police Act 1997, the Bureau, based in Liverpool, established for the first time a central national police criminal records system, on computer.

The CRB has on record the conviction details of people who formerly would have been on the records of individual Police Forces.

## The Bureau enables access to these records in the following three ways:

**Basic Checks:** these are applied for by an individual to the CRB directly and the results are sent directly to that person. The record contains all convictions, which are not 'spent' as a result of the effects of the Rehabilitation of Offenders legislation - this enables some convictions to be considered as 'spent', that is they do not have to be declared or admitted after a specified period, which depends on a number of factors. The Basic disclosure is not yet in place, and is not the subject of the remainder of this Pack. **Basic Checks have not as yet been implemented and it seems unlikely they will be. Individuals can obtain Subject Access Checks via their local Police Force.**

**Standard Checks:** these can only be applied for via a registered organisation, that is one, which has applied for registration to CRB. Fair Play is such an organisation - and we have opted for Umbrella Body status so that we can offer other organisations that do not want to register with CRB directly access to such checks. This level of check will provide a copy of the applicant's criminal record, if any, including any spent

convictions, which would not appear on the Basic Check results above. A copy of the result also goes directly to the address provided by the applicant.

**Enhanced Checks:** again only accessible via a Registered Body, this is the level recommended for those working with children and other vulnerable groups and where contact is continuous, substantial or unsupervised. This level not only provides all the conviction information provided by the Standard Check, derived from the national computer, it also provides any additional local Police information and 'soft intelligence'. CRB now accepts only Enhanced Applications for situations where the work involves substantial access to children and the Charity Commission strongly advises trustees of children's charities that they should be checked.

Those accessing Standard and Enhanced checks have to be entitled to ask 'exempted' questions - that is, they can ask questions which normally are exempted under the Rehabilitation of Offenders legislation. That legislation provides for people with criminal convictions in certain circumstances (governed by the nature of the offence) not to have to disclose that information to prospective employers. The exemptions allow for such questions to be asked because of the nature of the work, for example, working with children and young people.

Fair Play for Children accesses at Enhanced Level, as this is very similar to the level we enjoyed via VOCS until the transition in February 2002.

## WHO CAN BE CHECKED?

Fair Play will check any employee or volunteer/unpaid worker aged 18 years and over who is working with children and young people up to the age of 16 years [and 18 years where the young people have special needs].

**The list of types of worker/volunteer below is not exhaustive:**

Play worker/leader  
Crèche Worker/leader  
Out-of-school club worker/leader  
Playgroup staff  
Nursery staff  
Youth leader/worker  
Special Needs Workers  
Home-Visit Volunteers and supporting staff  
Youth Information Workers/Counsellors  
Sports Leaders and Coaches [e.g. Soccer, Rugby, Swimming etc]  
Youth Theatre Workers and Volunteers  
Arts Project Workers (Drama, Dance, Music etc)  
City Farm staff and volunteers  
Mobile Project/Playbus Workers and volunteers  
Community Workers working with children and young people  
Internet Cafe operators  
Individual Artists and Performers working with children  
Junior Club staff and volunteers  
Staff working with Young Volunteer Projects  
Religious groups running child and youth activities  
and many more. Please consult Fair Play for Children where you have any doubt in this regard.

## WHAT KINDS OF ORGANISATION CAN ACCESS CHECKS VIA FAIR PLAY?

**Our Umbrella status with CRB enables Fair Play to accept requests for CRB checks from:**

- **Voluntary and Community Bodies**
- **Local Authorities and Other Statutory Bodies**
- **National/Regional Voluntary Organisations**
- **Commercial Organisations**

**The conditions for use of this service are that:**

- The organisation is a current Member of Fair Play for Children - full details of membership from **Fair Play**, 32 Longford Road, Bognor Regis PO21 1AG – and is up-to-date with its Annual CRB Service fee.
- The organisation's duly appointed officer has signed an Agreement with **Fair Play** to regulate their use of the system and to appoint a Member Responsible Officer [MRO] - and if an Individual, they have signed an Agreement concerning use of the results of the checks
- The Agreement will have a requirement that the Member organisation and its MRO will abide by the CRB Code of Conduct - copy at Appendix B.

- The Member Organisation must also adopt a policy statement on the secure storage, handling, use, retention and disposal of Disclosure and Disclosure Information - a model is shown at Appendix C, and adopt a Policy Statement on the Recruitment of Ex-Offenders - model shown at Appendix D.
- The Member Organisation **MUST** draw the attention of every applicant for a CRB Disclosure to the following:
  - the provisions of the CRB Code of Practice including those on recruitment of ex-offenders, preferably in recruitment literature
  - That a criminal record will not necessarily be a bar to recruitment or employment.

## HOW DOES THE SYSTEM WORK?

### An appropriate Fee is paid per request. This is:

- Enhanced Disclosure for Paid Person: From 10th May 2008: £48 (£36 CRB charge plus £12 **Fair Play** processing charge) for an employed person in respect of whom you are entitled to ask an exempted question.
- Enhanced or Standard Disclosure for Volunteer: from 10<sup>th</sup> May 2008: £12 (£0 CRB charge and £12 **Fair Play** processing charge) [this can only apply to requests from local voluntary and community bodies, National/Regional Voluntary Bodies, Local and other statutory bodies which utilise volunteers of whom you are entitled to ask exempted questions]

### Fees are paid with the request - invoices are not issued nor credit terms allowed.

## FOR EACH PERSON TO BE CHECKED:

The Member Responsible Officer [MRO] will ensure completion of 2 separate forms for every Applicant seeking a check:

### The CRB Disclosure Application Form

Should be completed by the Applicant in the presence of the MRO who also should be able to help those with learning difficulties, language problems etc. Checking of original documents (not copies) to be done by the MRO with applicant present.

### Fair Play Form FP1

Should be completed by the MRO **including the all-important MRO PIN number** - without this, the application cannot be processed. The MRO has to confirm s/he has seen proof of identity and also of residence. It is also important that the MRO completes an accurate description of what the Applicant will be doing. 'Volunteer', for example, is not adequate. It must say what contact the Applicant will have with children and young people.

### The MRO **'MUST'** sign and date FP1.

There is one other form, which is optional and is designed to help your recruitment process. This is the **Additional Enquiry Form**. You will find enclosed with your FP1 an Additional Enquiry Form. This is **Optional** for you to use if you wish. It is designed to ask further questions, which we believe, can and should be asked of Applicants. For example, it is important, we feel, that you should know whether an Applicant has had registration by Ofsted as a child-minder refused or removed; also, has a Court removed a

child from an Applicant's custody on child protection grounds. We recommend that this form be copied and sent to both your local Ofsted Child Care Office and your Local Authority Social Services, with the signed consent of your Applicant. Suitable letters are shown at Appendices F1 and F2.

### **Completing The CRB Disclosure Application Form.**

It is most important that the **MRO ensures the form is completed according to these following instructions which are those given by CRB. IT IS STRONGLY RECOMMENDED THAT THE APPLICANT COMPLETES THE FORMS SO THAT S/HE CAN CONSULT THE M.R.O. FOR GUIDANCE AND HELP.** It is recommended that the MRO studies the Example version of the CRB form enclosed with this Pack.

The Applicant will need to provide the Member Responsible Officer (MRO) with the following - Documents examined by the MRO MUST be originals, not copies, and the MRO must use this documentation to complete Part X of the CRB Disclosure Form:

1. **Proof of identity** - the MRO will need to take details from original documents (never copies) e.g. passport, driver's licence etc: an identity containing a photographic likeness is preferred
2. **Full postal addresses, with Post Codes, of every residence lived at for the past FIVE years**
3. **Details of the Job being applied for (including voluntary work)**
4. **A preferred Telephone contact number** at which CRB or Fair Play can contact the Applicant (8 am - 10 pm weekdays, and 10 am and 6 pm weekends)
5. **Proof of Identity:**

### **What identity documents can be used?**

The CRB has produced guidance on the type and range of identity documents that must be used by the Countersignatory or approved person, to validate your identity. These documents are divided into two groups: Group 1 and Group 2. The number of documents from each group the MRO or their agent needs to see are detailed below.

If you have insufficient identity documents, please contact the CRB Information Line on 0870 90 90 811 for further guidance.

### **How many documents does the Applicant need to produce?**

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
- UK or EU National Identity Card
- Identity Card for Foreign Nationals (ICFN)
- Driving Licence (UK) (Full or provisional) Isle of Man /Channel Islands; either photocard or paper (a photo card is only valid if the individual presents it with the associated counterpart licence; except Jersey)
- Birth Certificate (UK & Channel Islands) - 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 and Channel Islands)

## **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 & Channel Islands)
- 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 & Channel Islands)
- Store Card Statement \*
- NHS Card (UK & Channel Islands)
- Mortgage Statement \*\*
- Benefit Statement\* - e.g. Child Allowance, Pension
- Insurance Certificate \*\*
- Council Tax Statement (UK & Channel Islands) \*\*
- Work Permit/Visa (UK) \*\*
- A document from Central/ Local Government/ Government Agency/ Local Authority giving entitlement (UK & Channel Islands)\*:  
e.g. from the Department for Work and Pensions, the Employment Service , Customs & Revenue, Job Centre, Job Centre Plus, Social Security
- CRB, Disclosure Scotland and ISA Certificate (UK)\*\*
- Letter from a Head Teacher\*
- Connexions Card; including those cards carrying the PASS accreditation logo (UK & Channel Islands)
- General Medical Council (GMC) Certificate

If the applicant cannot provide passport or photographic driving licence, then s/he should provide as many of the other types listed as possible. If s/he can only provide one of the others, such as birth certificate, then s/he must write and sign a letter stating this to be the case and this letter should be sent with the CRB and FP1 forms.

6. **Proof of residence:** one or two proofs of address, in the Applicant's name, such as:

- \* Recent utility bill
- \* Recent credit card statement
- \* Recent bank statement
- \* Recent mortgage statement
- \* Recent insurance statement
- \* Current year's Council Tax demand

# COMPLETING THE CRB DISCLOSURE FORM

You will notice that the CRB Disclosure Application Form has numbering down the left hand side. These notes refer to that numbering system.

**IT IS VERY IMPORTANT THAT THE MRO ENSURES THE DISCLOSURE FORM IS COMPLETED AS ADVISED BY CRB, AS FOLLOWS.**

- \* Where a box requires a 'X' do NOT put a tick - the form will be computer scanned
- \* Forms **MUST BE** completed in **BLOCK CAPITALS** and in **BLACK INK**
- \* If an APPLICANT has reading, sight or learning difficulties, s/he may need help in completing the form, but s/he must sign the form

**General** - All applicants should pay particular attention to these when completing the form.

Area	Description	What should I do?
Correcting Mistakes	Do <u>NOT</u> use correction fluid.  Correcting wrong answers	If you make a mistake, put a line through the mistake and correct it to the right.  If you answer both <b>Yes</b> and <b>No</b> to the same question by mistake, place a <b>circle</b> around the correct answer - Do <u>NOT</u> cross out the wrong answer.
Entering Dates	Completing date fields with the following format:  DD/MM/YYY  MM/YYYY	Make sure that you complete these date fields as below:  DD/MM/YYYY - 25/12/2000  MM/YYYY - 12/2000  Be careful not to mistake the second format MM/YYYY as requiring the date, month and year.
Continuation sheets	Completing the continuation sheet	In line with the application form, when you tell us about additional names on a continuation sheet <b>you must include the Surname, Forename(s) and dates that the name was used for each additional name</b>

**Do NOT write anywhere outside the boxes** - In particular, the anchor points must be kept clear in order for us to scan and process the application. Please ensure that you do not write around these points.

## **PART A: Applicant's Personal Details**

\* \* means MUST be completed – shown in Yellow on form

Line Title

1\* **Title** - put an 'X' in the box appropriate or complete

2\* **Surname:** current surname

3\* **Forename(s):** leave a single space between each current forename

4\* **Other names used previously:** answer Yes or No

5 Previous Surname Used 6 Forenames 7 Give dates from-to when previous name Used

8-13 as 5-7 if more previous names used by Applicant

14\* **Date of birth:** in form date (DD) Month (MM) Year (YYYY)

15\* **Gender:** Male or Female

16\* **Place of birth:** Town

17\* **Place of birth:** Country

18 **e-mail address:** applicant can give own e-mail address

19 **Contact Telephone Number:** likewise

20\* **National Insurance Number:** The Applicant MUST answer this. RO MUST check this from original document and verify on FP1.

21 Give National Number if one exists

22\* **UK Driving Licence:** The Applicant MUST answer this. RO MUST check this from original document and verify on FP1.

23 Give Driving Number Licence if one exists.

***PLEASE ENSURE YOU CHECK TO SEE WHETHER THE APPLICANT HAS A SECOND FORENAME INITIAL IN THE LICENCE AND THAT THIS MATCHES WITH DETAILS AT QUESTION 3***

24\* **Current Valid Passport:** The Applicant MUST answer this

25 Write in Passport Number: RO MUST check this from original document and verify on FP1.

26 Give Nationality of Applicant

27 Country of Issue: Take details from Passport

28\* **Do you have an ISA Registration Number?** This will not apply at this time – ANSWER 'NO' Until advised otherwise.

29 Ignore for time being

30\* **Do you have a Scottish Vetting and Barring Number?** The Applicant MUST answer this.

31 Write in Number. RO MUST check this from original document and verify on FP1.

**Box on right titled 'Registered Body use only'** This is for Fair Play use ONLY. RO must NOT complete it – Fair Play will complete using information on FP1.

EXAMPLE PART A

**a applicant's details**

1 title  Mr  Mrs  Miss  Ms  Other

2 surname JOHNSON

3 forename(s) STEVEN MICHAEL

4 have you ever been known by any other names?  no  yes if 'yes' you must complete the full names in a5 - a13 as appropriate, if 'no' go to a14 Use a continuation sheet if necessary, available from [www.crb.gov.uk](http://www.crb.gov.uk)

5 surname WALTERS

6 forename(s) STEPHEN MICHAEL

7 dates from and to 08/1957 - 10/1959 (THIS FORAM WAS ADOPTED)

8 surname

9 forename(s)

10 dates from and to

11 surname

12 forename(s)

13 dates from and to

14 date of birth 23 08 1957

15 gender  male  female

16 place of birth (town) DALINGTON

17 place of birth (country) UNITED KINGDOM

18 e-mail address SMJOHNSON@ANYMAIL.COM

19 contact telephone number 01224654321

20 do you have a national insurance number?  no  yes if 'yes' you must complete a21, if 'no' go to a22

21 national insurance number YP291706C

22 do you hold a valid UK driving licence?  no  yes if 'yes' you must complete a23, if 'no' go to a24

23 driving licence number FILL THIS IN AS ON CARD - CHECK IF THERE IS MIDDLE NAME IN TITLE WITH LINE 3 ABOVE  
V3V7V7V7V7V7V7V7V7V7V7V7V7

24 do you hold a valid passport?  no  yes if 'yes' you must complete a25, a26, and a27, if 'no' go to a28

25 passport number G52085070

26 nationality UNITED KINGDOM

27 country of issue UNITED KINGDOM

28 do you have an ISA registration number?  no  yes if 'yes' you must complete a29, if 'no' go to a30 LEAVE THIS BLANK

29 ISA registration number ← LEAVE BLANK

30 do you have a Scottish vetting & barring number?  no  yes if 'yes' you must complete a31, if 'no' go to section b

31 Scottish vetting & barring number

**Do NOT COMPLETE registered body use only**

a1-a3 verified

a14 verified

a21 verified

a23 verified

a25 verified

THIS IS FOR FAIR PLAY

## PART B: Applicant's Address Details

32\* **Current address:** leave a single space between each word and start a new line as required - see example sheet

33\* **Town**            34        **County**            35\*        **Post code**        36\*        **Country**

37\* **At address since:** Applicant MUST complete this

**Box on right titled 'Registered Body use only'**        This is for Fair Play use ONLY. – Fair Play will complete using information on FP1 and form.

## PART C: Other addresses\*

**Applicant MUST provide all other addresses lived at during previous 5 years. No gaps in dates.**

38-42 Previous Address, Town/City, Postcode, Country

43        **Dates From – To:**    give Month (MM) (eg 05 for May) and Year (YY)

44-48 Previous Address, Town/City, Postcode, Country

49        **Dates From – To:**    give Month (MM) (eg 05 for May) and Year (YY)

**If there are more addresses USE the CRB Continuation Form which can be downloaded from:**

<http://www.crb.homeoffice.gov.uk/pdf/New%20Continuation%20Sheet%20july%2010.pdf>

**Or ask Fair Play to mail a copy to your RO email address.**

**DO NOT USE THE OLD PREVIOUS ADDRESSES FORM if included with new CRB Form.**

## PART D: Apply for registration with ISA

**DO NOT COMPLETE THIS SECTION AT ALL! We will tell ROs when this becomes relevant.**

## PART E:            APPLICANT DECLARATION AND CONSENT

**Note: This is a crucial section. It must be signed and dated by the Applicant.**

55\*        **Applicant MUST answer Yes or No**

56\*        Declaration by Applicant: Draw this to Applicant's attention before signing.

57\*        **Date of Signing:** to be entered as 03052002 for 3rd May 2002.

NOTES:

Under the Rehabilitation of Offenders legislation, if someone has been the subject of a criminal conviction, there are many instances where, after a designated period, the person need not disclose a previous conviction if that conviction is one that is regarded as 'spent' under the legislation - see Appendix A for details - but please NOTE the next paragraph.

HOWEVER, the legislation makes a provision that, where a person may come into contact with children and young people in employment or voluntary work, the person can be asked to declare all previous convictions.

In order to make sense of the questions asked by CRB (the form we are supplied with is used for non-sensitive disclosures as well as our Enhanced Level of Disclosure), Fair Play will need the following:

## **55 Unspent Criminal Convictions:**

Use the form attached to the FP1 to enable the Applicant to record details of any relevant details. If the Conviction was for an offence against children or young people it CANNOT be spent. A list of Schedule One Offences (which bar people from working with children) is attached at Appendix G

- 55 **Additional information:** On the Previous Unspent Convictions Continuation Sheets, the dates and results of all unspent criminal convictions must be entered. The special nature of the work the Applicant wants to undertake means that they cannot have the usual protection of Rehabilitation of Offenders legislation. The law provides that, in such circumstances, a person must declare ALL previous unspent criminal records - convictions leading to imprisonment, fines, probation, community orders cautions and bind-overs etc, and also all police cautions (that is given at a police station and not by a court), as well as pending prosecutions.
- 56 **Declaration by Applicant:** Once the Applicant has completed Parts A-H, s/he should be asked to check the form and then to sign as provided - it is an offence to make a false declaration

*SAMPLE PARTS B-E – see next page*

**b current address**

Please give details of your current address. This is the address to which all correspondence will be sent.

32 address

23 HIGH STREET WEST

33 town/city

ANYTOWN

34 county

GREENSHIRE

35 UK postcode

AN2 4TS

36 country

UNITED KINGDOM

37 at address since

072006

registered body use only

current address verified?

MAD LEAVE BLANK

**c other addresses**

You must provide all other addresses where you have lived in the last 5 years. There must be no gaps in dates, however, overlapping dates are acceptable. Use a continuation sheet if necessary, available from [www.crb.gov.uk](http://www.crb.gov.uk) if not applicable, go to section d.

38 address

14 GAK AVENUE

HAMPTON MANOR

39 town/city

OTHERTON

40 county

GREENSHIRE

41 UK postcode

AN34 0BQ

42 country

UNITED KINGDOM

43 dates from and to

111999 072006

44 address

45 town/city

46 county

47 UK postcode

48 country

49 dates from and to

**d apply for registration with ISA**

**Leave Part D Blank until further notice**

**e declaration by the applicant**

55 have you ever been convicted of a criminal offence or received a caution, reprimand or warning? no  yes

Applicant declaration (please sign within the box provided)

56 declaration by the applicant

By signing the applicant declaration box I confirm that the information that I have provided in support of this application is complete and true and understand that knowingly to make a false statement for this purpose may be a criminal offence.

*SM Johnson*

57 date of signature

15102010

**PART W: to be completed by the Member Responsible Officer [MRO]**

**Who checks the MROs identity?** People cannot check their own i/d so the MRO, when applying for a CRB disclosure for themselves, must get someone senior in the organisation – e.g. Chair of Management Committee – to check their i/d documents, enter details in Part W etc, and their name should appear in line 58.

58 RO to complete. This need NOT be the RO but the person doing this should be fully aware of the requirements for confidentiality and security imposed by law when dealing with CRB information.

**PARTS X, Y: The Applicant MUST NOT complete any of these Parts.**

**That is lines 60 to 75, leave blank. DO NOT SIGN 'Statement by registered person. This will be someone at Fair Play.**

**PARTS X and Y: The Applicant and the Member Responsible Officer MUST NOT fill in any of PARTS X or Y. The Fair Play counter-signatory will complete this using information from the FP1 etc.**

**PART Z: leave blank The MRO and Applicant MUST NOT sign here. CRB use only**

**See Next page for Sample Parts W, X and Y**

For help and assistance in completing this page please follow CRB guidance on the website - www.crb.gov.uk  
Complete all delay this app

ENTER ON FP1

Part W: Responsible Officer or agent to complete

W evidence of identity

58 name of evidence checker MAUREEN SMITH

59 have you established the true identity of the applicant, by examining a range of documents as set out in CRB guidance, and verified the information provided by the applicant in sections a and b, by completing the verification check boxes? no  yes

X apply for a CRB check



60 is the applicant applying for a CRB check? no  yes  If 'yes' you must

61 position applied for

62 organisation name

63 level of CRB check Please cross one box only standard

64 are you entitled to know whether the applicant is registered to work with children

65 are you entitled to know whether the applicant is registered to work with vulnerable

66 does this position involve working with children or vulnerable adults at the app

67 application type application is for a new post holder application is for an existing post holder application is for an existing post holder who is being

68 is this application for a free of charge volunteer? no  yes  By placing a cross in the for a free of charge v application fee if this cancellation of your CR same as for question

Y statement by registered person

69 registered body number 20191300002 70 count number

71 do you have payment on account? no  yes  Please enclose payment

72 declaration by registered person

I confirm that the requisite documentation and information has been supplied and checked in accordance with CRB guidance. I declare that the information I have provided in support of the application is complete and true and understand that knowingly to make a false statement for this purpose may be a criminal offence. I certify that, where requested, an application for a CRB check is required for the purpose of asking an exempted question under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975; or for a prescribed purpose as defined in the Police Act 1997 (Criminal Records) Regulations 2002.

73 date of countersignature

Z CRB use only

74 payment type received cheque  postal order  mult

75 examined by

DO NOT COMPLETE PARTS X, Y or Z  
X will be completed by Fair Play from the FP1 you provide  
Y will be completed and signed by Fair Play  
Z is for CRB use

THIS IS FOR FAIR PLAY

THIS IS FOR FAIR PLAY

# WHAT TO DO WITH THE FP1 AND CRB DISCLOSURE APPLICATION FORMS

**Fair Play** should receive the 2 Forms (CRB and FP1) for each Applicant as soon as possible after date of signing - and certainly not later than 21 days after the signing by the Applicant.

Send them, with payment as appropriate, ensuring the MRO PIN number is on the FP1, to **Fair Play** at:

32 Longford Road, Bognor Regis, PO21 1AG

**The Envelope should be marked 'STRICTLY CONFIDENTIAL'** Put your address on the back to ensure return to you if not delivered to **Fair Play** for any reason.

**PLEASE ENSURE THAT THE CORRECT POSTAGE IS USED. DO NOT SEND BY RECORDED DELIVERY, we do not have staffing resource for this.. WE WILL NOT PICK UP FORMS FROM THE POST OFFICE WHERE THERE IS INSUFFICIENT POSTAGE.**

## WHAT HAPPENS WHEN THE FORMS REACH FAIR PLAY FOR CHILDREN?

*A computer record will be made of the application for a check.* This will consist of the Name of the Member Organisation, the full name of the Applicant, whether paid or voluntary, fee paid, a unique **Fair Play** number, dates forms received, checked, sent back to MRO if queries, received back from MRO, sent to CRB, queried by CRB and why, any further queries to MRO, result received from CRB, sent to MRO, if any convictions shown (but only as a 'Y', no details), and if a Schedule 1 offender, plus CRB unique reference number. This database, therefore, enables **Fair Play** to track each application. The Applicant's date of birth, first line of current address and post code are recorded until the receipt of the completed disclosure from CRB – this is to enable tracking of application progress with CRB. These details are then deleted.

When the application for disclosure has been thus registered at **Fair Play**, it is either returned to the MRO where there are queries or errors, or to CRB.

**Fair Play** then sends to the MRO disclosures received from CRB - **Fair Play** will not be keeping a copy of this. CRB, as described earlier, will send also a copy of the disclosure direct to the Applicant.

# THE MRO'S ROLE

The Member Responsible Officer is the key person to help ensure that checks from your Organisation are processed quickly and correctly.

## It is a condition of use of this service that:

- The MRO ensures the FP1 and CRB Forms are fully and accurately completed.
- Applicants' forms are processed so we at Fair Play receive them not later than 21 days after their signing and completion.
- Applicants are helped fill in their forms where they have any difficulty.
- The Applicant for any check has been given an offer of employment or of voluntary work **before** FP1 and CRB forms are completed.
- The Member organisation's Child Protection Policy has been drawn to the Applicant's attention.
- The Applicant has the CRB Code of Practice drawn to his/her attention, especially the commitments about recruitment of ex-offenders and that a criminal conviction may not be a bar to recruitment (unless the person is barred by statute from applying as with some criminal convictions).
- Secure records are kept and there is Confidentiality concerning the information supplied by an Applicant - any disclosure must be only on 'a need to know' basis. **This means that, where an MRO makes a recommendation to management whether to accept an applicant or not, specific details must not be given, only a broad indication that the person was or was not recommended on child protection terms.**

## HELP FOR THE MRO

**Fair Play** Advisory Line: 0845-330 7635 in normal working hours, 10am-4pm Tuesday to Friday only. **Each MRO has a unique Fair Play email address, assigned by Fair Play, which ends RO@fairplayforchildren.net and which should be checked every week at least,** probably more, as RO newsletters and other important/ useful material is published in this way. MROs who do not read their RO emails regularly may miss news and changes which will cost them delays when they send in applications. Fair Play relies on e-communications with ROs not printed/posted material. If the MRO does not have a current email address from Fair Play as above, they should get in contact immediately.

### Publications:

- \* **PlayAction Guide on Child Protection:** basic information about child protection issues - Free from Fair Play for Children - in colour
- \* **PlayAction Guide on The Regulation of Day Care Activities:** the revised arrangements for registration of activities for under-8 children - free from Fair Play - in colour. Many Guides now also on web site in PDF (Adobe Acrobat) format.
- \* **The Protection of Children Act 1999:** outlining the requirements of this legislation - free from Fair Play for Children
- \* **Model Child Protection Policy** which can be used by any organisation as the basis for their own policy - free to Fair Play Member organisations participating in the CRB scheme via Fair Play
- \* **Play Action**, Fair Play's quarterly journal, often carries articles on child protection issues. Web-site PDF version available

Fair Play's Web Site has all of the Fact Sheets and the Model Policy - when 'Child Protection in a Playwork Setting' is revised, it is intended that a version be put on the Web Site. **PlayAction Online** is our daily News Service with articles on a wide range of child-related subjects, not least Child Protection. [www.fairplayforchildren.org](http://www.fairplayforchildren.org) Our web site also carries **Publications from other sources** and there is an **OnLine PDF Library** with items about child protection as well as other topics.

During 2010 we also have published '*Out with the Bathwater?*' online, our response to the Government's decision to delay and review the scope of the Vetting and Barring Schemes.

All our Publications above are FREE.

**We can be reached at:**

**Fair Play, 32 Longford Road**

**Bognor Regis PO21 1AG**

**Tel: 0845-330 7635**

**E-mail: [child.protection@fairplayforchildren.net](mailto:child.protection@fairplayforchildren.net)**

## 'SOFT INTELLIGENCE'

Enhanced CRB Disclosures involve an extra level of checking against local Police Force records. If there is such information, the Chief Officer of the relevant Force will decide what, if any, information will be provided. This may be added as part of the Enhanced Disclosure, so that the Applicant will see this, as well as the MRO. In almost all such circumstances, we will contact the MRO to discuss the matter, and, of course, will be available to the MRO for confidential advice etc.

However, there may be a very small number of applications where the Police will release such information in a separate letter. In such circumstances, the Disclosure issued to Fair Play, to be passed onto the MRO, will indicate such a letter exists. **UNDER NO CIRCUMSTANCES MUST SUCH INFORMATION EVER BE DISCLOSED TO THE APPLICANT** or to any other person not connected with the recruitment decision. In such situations, Fair Play's Lead Counter-Signatory with CRB will consider the contents of the letter sent to him, and as to what is to be disclosed to the MRO and will discuss with the MRO the situation. The existence of such a letter must not be made known to the Applicant, nor its contents, and this also applies to any other person not connected with the recruitment process.

As a provisional offer of employment will have been made to the Applicant, any decision to rescind this will have to be made known to the applicant bearing the above in mind. It is a criminal offence to reveal such information without the written permission of the Police. In all such circumstances, Fair Play will liaise with the Police and the MRO.

Obviously, the information most likely to be of concern is where the Police believe an applicant is a possible danger to children and young people because of repeated allegations, investigations, prosecutions etc involving that person and the young. This would be in situations where there had, for example, been allegations but where children had not fully or consistently corroborated these, or where a prosecution had been withdrawn or had failed.

Whilst Fair Play is NOT in the business of telling Member Organisations whom they can employ, we will make clear any legal bar to such employment and any concern we would hold on receipt of such information. In the end, it is for the Member Organisation to use the information supplied as part of its recruitment procedures.

Appendix A1

Appendix A1

# Sample Completed FP1 form

Note: this example uses the old Group 1 and 2 Documents List – the current correct list is at pages 7/8  
**ADMINISTRATION FORMFP1 (2008-Rev): PLEASE COPY THIS BLANK MASTER**

**TO BE COMPLETED BY THE MEMBER ORGANISATION'S RESPONSIBLE OFFICER**

TO: The Responsible Officer, **Fair Play for Children**  
32 Longford Road. Bognor Regis, PO21 1AG  
Tel: 0845-330 7635, Fax: 0845-330 7635

FROM: Anytown Play Association  
Member Responsible Officer: Mrs Freda Smith  
Member Reference: Midshire/AT  
Member R.O. PIN: 1234 THIS MUST BE COMPLETED  
Address: 25 Princes Road, Anytown, Midshire AT2 9AB

Name of Applicant to be Checked\*:

John Helper

AGE: 37

Gender: Male

TITLE OF POST APPLIED FOR: *Play Worker*

UNPAID All Disclosures will now be Enhanced Disclosure

Date proposed to start: [insert]

DESCRIPTION OF POST [what will the applicant be doing?] Working with children aged 5-14 years after school and in holidays and half terms at playschemes#

**DOCUMENTARY EVIDENCE SHEET see pages 7/8**

There are **TWO** lists of documents acceptable for identity purposes overleaf. CAN THE APPLICANT PRODUCE ANY DOCUMENT FROM GROUP ONE (TICK THIS FORM AS APPROPRIATE)

IF 'YES': You will need to see THREE ORIGINAL documents:  
ONE document from GROUP ONE  
And TWO from GROUP ONE OR GROUP TWO

IF 'NO': You will need to see FIVE ORIGINAL documents from GROUP TWO

**YOU MUST MAKE SURE THAT:**

- All documents are originals: (But DO NOT send any)
- All documents are in the applicant's current name;
- At least one document shows the applicant's current address;
- At least one document shows the applicant's date of birth;
- That all documents fall within the given time limits

-----  
FORM REFERENCE NUMBER: F00012345678  
REGISTERED BODY NUMBER: 20191300002

APPLICANT'S FULL NAME: John Helper



(Give date of issue):  
 Valid NHS card [ ]  
 Addressed payslip\* [ ]  
 (Give date of issue):  
 National Insurance number card [ ]  
 Exam certificate (GCSE, NVQ) [ ]  
 Child Benefit book\*\* [ ]  
 (give date of issue):  
 Connexions card [ ]  
 The Applicant cannot provide any documentation from Group A or B [ ]

Phone Far Play for Children in this situation (0845-330 7635 - LO-CALL RATE)

The Applicant has had the Child Protection Policy of  
 My organisation to their attention: YES  
 Date this was done:

The Applicant has had a formal interview with regard to this Post: YES  
 Date of interview: 9th July 2005

The Applicant has been given an offer of paid or unpaid employment for the post: YES  
 Date of offer:  
 Is this offer conditional upon completion of the results of this enquiry process?

Responsible Officer Statement YES

I, being the Responsible Officer, for Anytown Play Association confirm that the Documents that I have marked above are the originals and confirm the named applicant's identity. I am satisfied that the above applicant's paid or unpaid work with my organisation places him/her in situations of substantial and/or unsupervised access to children or young people under the age of 18 years within the employment or arising directly as a result of that employment.

RO Signature: **Norma Person**  
 RO Anytown Play Association

Date: 15<sup>th</sup> May 2006

TICK

**CRB Disclosure Form Attached:** [Y]  
 Fee [Y]  
 £12 (Volunteer, Enhanced) Disclosure [ ]  
 £48 (Employee, Enhanced Disclosure) [Y]

**Name CRIMINAL RECORD DETAILS**

Please list all Convictions, Cautions, Bindovers, Conditional Discharges, (include Probation orders, custodial sentences, community service orders, care order, supervision order, Attendance Centre Order, Hospital Order, Custody or Approved School Order, Imprisonment/ Detention in Young Offender Institution, Fine etc):

<b>DATE /PLACE OF CONVICTION</b>	<b>OFFENCE</b>	<b>SENTENCE/PENALTY</b>
Anytown Magistrates 15th June 1999	Possession of Cannabis	£250 fine, costs
Anytown Magistrates November 1983	Criminal damage,	£50 fine, costs

**Statement to be signed by Applicant:**

I declare that the information given above is accurate to the best of my knowledge. I am willing for Anytown Play Association to undertake enquiries with the Police, Social Services, and other references given here (and I understand that there may be statutory requirements for checks in certain circumstances), and I hereby indemnify Fair Play for Children and Anytown Play Association against any claims which could otherwise arise as a result of the enquiry process.

Signed: John Helper

Date: 15<sup>th</sup> May 2006

## **APPENDIX B**

# **THE CRIMINAL RECORDS BUREAU CODE OF PRACTICE**

The Code of Practice is intended to ensure that information released in Standard and Enhanced Disclosures is used fairly and to provide assurance to applicants that this is the case.

The Code also seeks to ensure that sensitive personal information is handled and stored appropriately and kept for only as long as is necessary. It is a requirement of accessing CRB checks via Fair Play for Children that organisations doing so agree to adhere to this Code.

## **CONTENTS**

### **INTRODUCTION**

#### **OBLIGATIONS OF THE CODE:**

1. FAIR USE OF DISCLOSURE INFORMATION
2. HANDLING OF DISCLOSURE INFORMATION
3. FAILURE TO COMPLY WITH THE CODE OF PRACTICE

### **INTRODUCTION**

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 records 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.

## **OBLIGATIONS OF THE CODE**

These are as follows:

### **1. Fair use of Disclosure information**

#### **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 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 successful applications, 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.

Those who are in contract with Fair Play for Children shall:

- Have a written security policy covering the correct handling and safekeeping of disclosure information; and

- Ensure that a body or individual at whose request applications for Disclosure are countersigned has such a written policy; and, if necessary, provide a model for that body or individual to adopt.

### **3. Failure to comply with the Code of Practice**

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

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

This Code forms an integral part of the Agreement with Fair Play for Children.

## **APPENDIX C**

# **Policy statement on the secure storage, handling, use, retention & disposal of Disclosures & Disclosure information**

## **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 obliges them to have a written policy on the correct handling and safekeeping of Disclosure information. It also obliges them to ensure that a body or individual, on whose behalf they are countersigning Disclosure applications, has such a written policy and, 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 Code in this respect.

---

## **Sample Policy Statement**

### **General Principles**

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to help assess the suitability of applicants for positions of trust, [organisation name] complies fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

### **Storage & Access**

Disclosure information is never kept on an applicant's personnel file and is always kept separately and securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **Handling**

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosure or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

### **Usage**

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

### **Retention**

Once a recruitment (or other relevant) decision has been made, we do not keep Disclosure information for any longer than is absolutely necessary. This is generally for a period up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six-months, we will consult the CRB about this and we will give full consideration to the Data Protection and Human Rights implications

applicable to the individual applicant before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

### **Disposal**

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we may keep a record of the 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.

### **Acting as an Umbrella Body**

Before acting as an Umbrella Body (one which countersigns applications and receives Disclosure information on behalf of other employers or recruiting organisation), we will take all reasonable steps to ensure that they can comply fully with the CRB Code of Practice. We will also take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of Disclosure information in full compliance with the CRB Code and in full accordance with this policy. We will also ensure that any body or individual, at whose request applications for Disclosure are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

## Appendix D

# Policy statement on the recruitment of ex-offenders

## 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.

---

## 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 undertake 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, and 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.

## Appendix E

# Unspent Criminal Convictions Rehabilitation of Offenders Act (ROA) 1974

The Rehabilitation of Offenders Act (ROA) 1974 sets out to help people who have been convicted of a criminal offence and who have since lived on the right side of the law. In general, a person convicted of a criminal offence and who receives a sentence of no more than two and a half years in prison, benefits from the Act if they have not convicted again during a specified period. This period is called the rehabilitation period.

In general terms, the more severe a penalty is, the longer the rehabilitation period. Once a rehabilitation period has expired and no further offending has taken place, a conviction is considered to be 'spent'. Once a conviction has been spent, the convicted person does not have to reveal or admit its existence in most circumstances, including for example, when applying for a job. In most circumstances, an employer cannot refuse to employ someone, or dismiss them, on the basis of a spent conviction.

### What is an 'unspent' conviction?

If you've ever been convicted of an offence for which a sentence of more than 2 and a half years was imposed (regardless of the amount of time you actually spent in prison) this conviction can never become 'spent': it's an 'unspent' conviction which you must disclose when asked about your criminal convictions (such as when applying for a job).

### Is this the only time a conviction is 'unspent'?

No. If you were given a sentence of two and a half years or less, your conviction may still be unspent. Whether or not depends on the length of time that's elapsed since the date of your conviction. This time is called the rehabilitation period - and it differs according to the type of sentence passed.

### So, what is the rehabilitation period for my sentence?

The following tables show the range of rehabilitation periods for different sentences imposed. Until such time has passed from the date of your conviction, your conviction will remain 'unspent' and you will have to declare it to a potential employer. If this is the case, you should enter a cross in the YES box on the Disclosure application form at Section H, line 66. If your conviction is spent, you may cross the NO box.

TYPE OF SENTENCE IMPOSED On adults aged 18 years and over at the time	NUMBER OF YEARS from date of conviction BEFORE CONVICTION BECOMES 'SPENT'
Imprisonment or detention in a young offender Institution (previously known as youth custody) Between six months and two and a half years	10 years
Imprisonment or detention in a young offender Institution (previously known as youth custody) Of six months or less	7 years
A fine or any other sentence for which a different Rehabilitation period is not provided (e.g.: a Compensation or community service order, or a Probation order received on or after 3 February	5 years

1995)

An absolute discharge

6 months

Except an absolute discharge, all the periods above are halved if the person convicted was under 18 at the time. If you were under 18 and received a probation order on or after 3 February 1995, the rehabilitation period is two and a half years or until the order expires - whichever is longer.

In the past, there were sentences that could be imposed only on young people. The rehabilitation periods for sentences like this are as follows.

---

TYPE OF SENTENCE IMPOSED On young people aged under 18 years at the time	NUMBER OF YEARS from date of conviction BEFORE CONVICTION BECOMES 'SPENT'
---	--

---

Borstal

7 years

Detention Centre

3 years

An order for custody in a Remand Home or an  
Approved School order

1 year after the order  
expires

Some sentences like this carry variable rehabilitation periods.

---

TYPE OF SENTENCE IMPOSED On young people aged under 18 years at the time	NUMBER OF YEARS from date of conviction BEFORE CONVICTION BECOMES 'SPENT'
---	--

---

A probation order received before 3 February 1995  
a conditional discharge or a bind over  
or until the order expires

1 year,  
(whichever is longer)

A care order or supervision order

1 year, or until the order  
expires (whichever is  
longer)

An Attendance Centre order

1 year after the order  
expires

A Hospital order (with or without a  
Restriction order)

5 years, or two and a half  
years after the order  
expires (whichever is  
longer)

In Scotland, supervision requirements made by Children's Hearings have the same rehabilitation periods as care or supervision orders.

---

What about people in the armed Services?

Rehabilitation periods for imprisonment in the Services are the same as in civilian life. For specific offences, the periods are as follows:

TYPE OF SENTENCE IMPOSED On men or women in the armed Services	NUMBER OF YEARS from date of conviction BEFORE CONVICTION BECOMES 'SPENT'
---	--

---

A sentence of cashiering, discharge with Ignominy or dismissal with disgrace from Her Majesty's service	10 years
---	----------

A sentence of dismissal from Her Majesty's Service	7 years
--	---------

A custodial order under the relevant Schedules And sections of the Army, Air Force and Naval Discipline Acts - where the maximum Period of detention specified in the order is More than six months	7 years
---	---------

A sentence of detention in respect of a conviction In Service disciplinary proceedings	5 years
--	---------

A custodial order under the relevant Schedules And sections of the Army, Air Force and Naval Discipline Acts - where the maximum Period of detention specified in the order is Six months or less	3 years
---	---------

These periods are halved if the offender was under 18 at the time.

---

### **What if I've been convicted again after the original offence?**

It depends. Later convictions only affect the rehabilitation periods of earlier convictions if they are imposed before the first conviction is completely 'spent'.

If it is one of the less serious offences, which can be tried only in a magistrates' court (some more serious offences can be tried both by a Crown Court and by magistrates) the first conviction becomes spent at the time originally fixed. The rehabilitation period for the second offence will then run its normal length.

But if the later conviction is for an offence, which could be tried in a Crown Court (for example, stealing) then neither conviction will become spent until the rehabilitation periods for both offences are over.

If, however, the second conviction is so serious that it incurs a prison sentence of more than two and a half years, then neither the second nor the first conviction will ever become spent.

**Appendix F**  
**ADDITIONAL INFORMATION FORM for Employer Use**

Member Organisation: Anytown Play Association

**NAME IN FULL OF APPLICANT TO BE CHECKED:** John Helper  
[The Criminal Records Disclosure Form MUST also be completed and both forms signed and dated by the Applicant]}

ADDRESS: 34 Green Street  
TOWN: Anytown  
COUNTY: Midshire Post Code: AT2 3BY  
Telephone with STD: 01234-211990 date of birth: 5th June 1967

Post Applied for: Playworker

**QUESTIONS TO BE ANSWERED BY THE APPLICANT**

1. **Have you ever been convicted of a criminal offence, or had a caution, or a bind-over, or is any prosecution pending?**

YES

If 'YES' to 1. above, please give dates and details on the Convictions form, and also answer questions 1.a to 1.c. Otherwise, please proceed to question 2.a.

1.a Did the offence involve a person under the age of 18 years?

NO

1.b Did the offence involve drugs or alcohol?

YES

1.c Did the offence involve violence?

NO

2.a **Have you ever been a registered childminder?**

NO

2.b **Have you ever run a facility for children, which required registration under the Children Act or Education legislation?**

NO

2.c **When was registration granted? [give date]:**

2.d **Have you ever had registration for activities under 2.a or 2.b above refused or revoked?**

NO

2.e When was it refused or revoked? [give date]

**GO TO NEXT PAGE**

3.a **Have you ever had one of your own children taken into care either voluntarily or as a result of a court order?**

NO

3.b **Have you ever had a child placed in your care as a result of a court order or other proceedings or arrangements removed from your care as a result of a Court Order?**

NO

3.c When was this? [give date(s)]

4.a **Are you in good health?**

YES

4.b please list any medical conditions you have or have had which might affect either your health or that of children with

whom you might work:

I suffer from back-ache and have some problems lifting.

- 4.c **May we contact your General Practitioner** to obtain his/her professional opinion as to your fitness to carry out the work intended? YES

Name of GP/Doctor: Dr Roberts  
Address: The Health Centre, Town Centre  
Town: Anytown  
County: Midshire Post Code: AT1 1AA

- 5.a **May we contact a referee concerning your fitness to undertake this work:** YES

Name of referee: Mr R. Brown  
Address: Childcare Providers Ltd, 25 Care Street  
Town: Anytown  
County: Midshire Post Code: AT14 3XA

- 5.b Nature of relationship of referee to applicant: [circle as appropriate]

Friend                  Neighbour                  Local Councillor                  Current Employer  
Former Employer          Work Colleague                  Other (describe status)

[A relation of the Applicant is not acceptable]

6. **Are there any other factors, which might affect your working with children?**

Please describe: NONE

### **Statement to be signed by Applicant:**

I declare that the information given in questions 1-6 above is accurate to the best of my knowledge. I am willing for Anytown Play Association to undertake enquiries with the Police, Social Services, and other references given here (and I understand that there may be statutory requirements for checks in certain circumstances), and I hereby indemnify Fair Play for Children and Anytown Play Association against any claims which could otherwise arise as a result of the enquiry process.

Signed:

Date:

## **Appendix F1**

### **Model Letter to Ofsted Local Office**

You will find your nearest Ofsted office address by dialling 0845-601 4771. You will be diverted to your nearest Ofsted office if you use a landline - calls charged at local rate. [Note, if you dial from a mobile you will be diverted to the least busy line in the country.]

- Headed paper -

Mr A.N. Inspector  
Ofsted Office  
The Centre  
Anytown  
Midshire AT2 3BY[date]

Dear Mr Inspector

Mr John Helper of 34 Green Street, Anytown, Midshire AT2 3BY, has applied to work as a [post] with this organisation, a post which involves substantial access to children/young people.

It would help us comply with our child protection good practice if you could let me know if there is any reason at all you are of the opinion that we might exercise caution in employing this person on child protection grounds.

Mr Helper is aware that we are contacting Social Services and Ofsted regarding such matters, and has given his written consent as per the attached questionnaire form.

We have also called for a Criminal Records Bureau check and taken up a personal reference. We have assured the applicant that, apart from contacting persons to check suitability, we will hold and treat any information provided by or about the applicant in strictest confidence - our records are open only to our designated officer and the actual person to whom the particular record relates (if appointed).

Your help in this matter will be greatly appreciated. A copy of Mr Helper's checklist is enclosed in confidence.

Yours sincerely,

Norma l'Person  
Responsible Officer

## **Appendix F2**

### **Letter to Social Services.**

This is identical to F1 for Ofsted. You will need to locate which will be the appropriate Social Services Office. Our suggestion is that initial attempts are sent to the Director of Social Services, and that it should be left to them to direct you to a more local office, such as Area Managers, or to a designated Child Protection officer of the Department.

## Appendix G

### OFFENCES LISTED IN SCHEDULE ONE OF THE CHILDREN AND YOUNG PERSONS ACT 1933 (SCHEDULE ONE OFFENCES)

#### Common Law offences

- \* The murder of a child or young person under 18
- \* Common assault and battery

#### Offences under the Offences against the Person Act 1861

- S5 Manslaughter of a child or young person under 18
- S27 Abandonment or exposure of a child under two so as to endanger its life or health

#### Offences under the Infant Life (Preservation) Act 1933

- S1 Child destruction

#### Offences under the Children and Young Persons Act 1933

- S1 Cruelty (including assault, ill-treatment or neglect) to a person under 16
- S3 Allowing a person under 16 to be in a brothel
- S4 Causing or allowing a person under 16 to be used for begging
- S11 Exposing a child under 7 to risk of burning
- S23 Allowing a person under 16 to take part in a dangerous performance

#### Offences under the Infanticide Act 1938

- S1 Infanticide

#### Offences under the Sexual Offences Act 1956

- S1 Rape (or attempted rape) of a girl aged under 18
- S2 Procurement (or attempted procurement) of a girl under 18 by threats
- S3 Procurement of a girl under 18 by false pretences
- S4 Administering drugs to a girl under 18 to obtain or facilitate intercourse
- S5 Intercourse (or attempted intercourse) with a girl under 13
- S6 Intercourse (or attempted intercourse) with a girl between 13 and 16
- S7 Intercourse (or attempted intercourse) with a mentally deficient girl under 18
- S10 Incest (or attempt to commit incest) by a man against a female, where the victim is under 18
- S11 Incest (or attempt to commit incest) by a woman, where the victim is under 18
- S12 Buggery (or attempt to commit buggery) with a person under 18
- S13 Indecency between men where one or both is under 18
- S14 Indecent assault on a girl under 18
- S15 Indecent assault on a male under 18
- S16 Assault with intent to commit buggery
- S19 Abduction of unmarried girl under 18 from parent or guardian
- S20 Abduction of unmarried girl under 16 from parent or guardian
- S22 Causing (or attempting to cause) prostitution of girl under 18
- S23 Procuration (or attempted procuration) of girl under 18
- S24 Detention of girl under 18 in brothel or other premises
- S25 Permitting girl under 13 to use premises for intercourse
- S26 Permitting girl between 13 and 16 to use premises for intercourse
- S28 Causing or encouraging prostitution of, intercourse with, or indecent assault on girl under 16

### **Offences under the Indecency with Children Act 1960**

S1 Indecent conduct towards a child under 14

### **Offences under the Suicide Act 1961**

S2 Aiding, abetting, counseling or procuring the suicide of a person under 18

### **Offences under the Protection of Children Act 1978**

S1 taking, permitting to be taken, distributing or showing any indecent photograph of a Person under 16, having such indecent photographs with a view to their being distributed or shown publishing or causing to be published any advertisement likely to be understood as conveying that the advertiser distributes or shows such indecent photographs or intends to do so.

### **Offences under the Child Abduction Act 1984**

S1 Taking or sending out of the United Kingdom a child under 16 by a person connected with the child, without appropriate consent (abduction of a child by a parent etc)

S2 Without lawful authority or reasonable excuse, taking or detaining a child der the age of 16 so as to remove him from the lawful control of any person entitled to lawful control of the child, Or so as to keep him out of the lawful control of any person entitled to lawful control of the Child (abduction of a child by other persons).

## Appendix H

### CRB Overseas Information Service

#### Overseas applicant guidance

**More and more organisations are recruiting from overseas. The purpose of these guidance notes is to explain how to complete a Disclosure application form, where an applicant's 5-year address history contains non-UK addresses.**

#### Current Address

If the applicant's current address is a non-UK address, you must still complete Section A, Items 1 - 6 as normal. However, you should:

Enter the Province, Region or State followed by the country in Section A, Item 7  
Complete Section A, Item 8 if you have a postcode, otherwise leave blank  
Complete Section A, Item 9 as normal

#### Previous Addresses

If the applicant has lived at their current address for less than 5 years, you must provide the applicant's previous address in Section D. If the address is a non-UK address, you only need to provide the following information:

Enter the word 'OVERSEAS' in Section D, Item 36  
Enter the town/city in Section D, Item 38  
Enter the country of residence in Section D, Item 41  
Complete the period of residence in Section D, Items 42 - 45, entering the 'from' and 'to' dates in MM/YYYY format.

If the applicant has more than one previous non-UK address in the last 5 years, please use a continuation sheet and record the information as above. For guidance on how to enter details of UK addresses, please refer to 'An applicant's guide to completing the Disclosure application form'.

Please note: The CRB can only access criminal records (convictions, cautions, reprimands and warnings) held on the Police National Computer. A CRB check may not provide a complete picture of any criminal record that may exist for overseas applicants. To help organisations access this information the CRB has set up a dedicated advice service. Please refer to the guidance notes on our [Overseas Information Service](#). Failure to comply with any of the above will result in the application form being returned for correct completion and may delay the application.

#### Further information

The CRB has details concerning criminal records information re a number of countries. MROs should consult the appropriate country information – a list of countries can be viewed at:

[http://www.crb.homeoffice.gov.uk/guidance/rb\\_guidance/overseas/overseas\\_applicants.aspx](http://www.crb.homeoffice.gov.uk/guidance/rb_guidance/overseas/overseas_applicants.aspx)