

Criminal Records Bureau Disclosure and the Employment of Ex-Offenders

Last Updated Tuesday, 14 July 2009

The Real World Trust (RWT) obtains disclosures from the Criminal Records Bureau (CRB) regarding all of its staff and volunteers who are involved in the face to face contact with or supervision of vulnerable adults. Such vulnerable adults include service users of the visiting support team (known as the Positive Engagement Team), residents and potential residents of the hostel at Butler Gardens and other accommodation which we may provide or manage, users of the Workshop project and volunteers and/or workers within the Storeroom project.

John Prickett is the contact for assisting people in completion of the necessary form, which is then passed via the Riverside Centre in Newport - which acts as our "Umbrella Body" for countersignature.

Why RWT needs to have this policy:

Both the importance of protecting vulnerable adults and the fair treatment of former offenders are reflected in our mission statement ("Real World Trust Philosophy") which includes the statements:

- People suffering from substance abuse have a right to quality treatment and support
- Such treatment and support should be holistic, non-judgmental and flexible

The CRB disclosure process, we believe, addresses these statements both in terms of protecting vulnerable people whilst making decisions based upon fact and not hearsay.

The RWT Staff Handbook states (Page 5) that:

Your initial employment is conditional upon the provision of a satisfactory Criminal Records Certificate... You will be required to consent to subsequent Criminal Record checks from time to time.... In the event that such certificate(s) are not supplied your employment with us will be terminated.

The application form for employment with The Real World Trust requires that unspent convictions must be declared. According to the Rehabilitation of Offenders Act 1974, any offence for which a sentence of more than two and a half years was imposed (whether served or not) can never become spent (Ref CRB19-01/2002). RWT holds certain details regarding the periods for which lesser offences are regarded as spent - if in doubt contact RWT.

The Real World Trust is required by Supporting People - one of its main funders - to obtain the disclosures to an Enhanced level - this being appropriate when considering the suitability of persons to work with vulnerable adults. These

are required to be renewed every three years. Should any offences be highlighted by the Disclosure, the Contract with Supporting People (2006) states:

Except in the case of traffic offences which did not result in a suspension, loss or disqualification of driving licence, where a criminal offence is revealed the Provider (Real World Trust) will not allow that Staff member to come into contact with a Young and/or Vulnerable Person unless prior written permission of the Authority is obtained.

This contract also asks that RWT retains details of the disclosures for 3 years. These will be kept in a locked cabinet and destroyed after 3 years, although a note will be kept of the name and disclosure reference from the destroyed document. RWT obtains fresh disclosures on staff once the 3 years has expired.

Please note that the CRB provides the information, it does not make a "pass or fail" judgment. The RWT makes the final judgment in the light of the facts and bearing in mind the requirements from Supporting people, above.

Where possible, RWT is committed to supporting people in employment who may have experienced their own difficulties in the past.

How the CRB Disclosure is obtained

RWT will, at the earliest opportunity prior to employment, or in advance of a 3-year renewal date, carry out the following:

Check identity and address documentation for details to be passed to one of the organisations registered with the CRB to obtain disclosures (known as an "Umbrella Body").

Put the employee or candidate in contact with the Umbrella Body who can apply for the disclosure. (RWT obtained its own disclosures up to 2006 but the small number involved did not justify this continuing.)

Following the application, RWT will chase up any disclosure not received within 4 weeks.

On receipt of the details of the disclosure, contact the candidate or employee to discuss the findings and take any actions if necessary.

Every person for whom RWT obtains a disclosure will be made aware of the existence of the CRB Code of Practice and a copy will be made available on request.

