

## Criminal Records Procedure

PAVS' policy and procedural documents have been developed to meet the specific needs of the Association and are periodically reviewed in line with any changes in the law or statutory provision. They are provided as an example for information purposes only.

### *Other Information Sheets in this series:*

- PO1– Probationary Period Operational Procedure
- PO2– Staff Appraisal Policy
- PO3– Confidentiality Procedure
- PO4– Policy for time off for staff with Care Responsibilities
- PO5– Policy on Extended Unpaid Leave
- PO6– Volunteer Policy for PAVS' in-house volunteers
- PO8– Complaints Procedure





**PEMBROKESHIRE ASSOCIATION OF VOLUNTARY SERVICES**

**POLICY DOCUMENT HISTORY SHEET**

**Policy Ref No: CRIMREC/POL**

Written By	Kathy Strong	Department	Volunteer Bureau
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Approved By	Operational Management Team	Date	
Ratified By	Executive Committee	Date	
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**Document History**

Version	Date	Author	Reason For Change
1.0	2002	Kathy Strong	Change in PAVS' Status to Registered Body
Consultation Circulation List			
PAVS' OMT	PAVS' Staff Team		
PAVS' Executive Committee			



## **PEMBROKESHIRE ASSOCIATION OF VOLUNTARY SERVICES**

### **CRIMINAL RECORDS POLICY**

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#### **Pembrokeshire Association of Voluntary Services is:**

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- **the independent association of voluntary and community groups in Pembrokeshire**
  - **a member organisation open to individuals and all community and voluntary groups operating in Pembrokeshire**
  - **a company and registered charity, managed by trustees elected from the membership**
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## **1 SCOPE AND PURPOSE**

As an organisation using the Criminal Records Bureau (CRB) Disclosure service to help assess the suitability of applicants for positions of trust, Pembrokeshire Association of Voluntary Services 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.

Having a criminal record will not necessarily exclude a person from working or volunteering with PAVS. This will depend on the nature of the position and the circumstances and background of the disclosed offences. PAVS policy is set out in the Employing People with Criminal Records Policy. For the purposes of this document a member of staff includes both paid staff and PAVS' 'in house' volunteers.

With effect from November 2003 PAVS' became a Registered Body with the Wales Council for Voluntary Action Criminal Records Unit. PAVS' Organisation Registration Number is RG-SA-43-102.

## **2 GENERAL PRINCIPLES**

### Disclosure Categories

**Enhanced Disclosures** for the purpose of the ROA 1974 (Exceptions) Order 1975 applies to a person who regularly cares for, trains, supervises or is in sole charge of vulnerable adults and young children either on or away from PAVS' premises. This would include all PAVS' staff and volunteers whose role descriptions meet this criterion

**Standard Disclosures** would be applicable to all staff and volunteers who work for PAVS during times when vulnerable adults or young children are using the premises, or when PAVS' staff and volunteers are working at outreach bases.

#### Verification of Identify of Applicants

The applicant will be required to produce at least one item of photographic evidence (e.g. a current passport, a photocard UK driving licence or a UK Firearms Licence) would be acceptable **PLUS** two items of address-related evidence (e.g. a utility bill, P45/P60, valid TV licence or a bank statement, credit card, store card or mortgage account statement containing the name and address of the applicant). In the absence of photographic evidence, a full birth certificate would be acceptable. All documents should be originals **not** photocopies.

#### Storage & Access

Disclosure information is kept separately to personnel file and is held in a secure cabinet with access strictly controlled and limited to those who are authorised to view 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. PAVS maintain a record of all those to whom Disclosures or Disclosure information has been revealed and 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.

#### Process

- With effect from 1<sup>st</sup> January 2004 Pavs will undertake an assessment of all new posts to establish if a disclosure is needed and at what level.
- For new appointments the requirement for a Criminal Records Disclosure and the level of this disclosure will be notified in all vacancy advertisements placed after 1<sup>st</sup> September 2004.
- All new appointments to PAVS' staff team either paid or voluntary are subject to the receipt of satisfactory references and for paid staff the completion of a six month probationary period. Where it has been established that a new post will require a Criminal Records Disclosure, the offer of paid employment or voluntary work will also be conditional upon receipt of a disclosure enabling suitability to be confirmed.
- A Disclosure Application Form will be requested for the new employee or volunteer by PAVS' authorised staff member(s). This form must be completed by the new employee and brought together with proof of identity to the authorised staff member(s) for checking. Documents for proof of identity will be listed and checked by the authorised staff member(s) and will be returned to the new employee or volunteer immediately.
- PAVS will review all existing posts by 31 March 2005. Where the post holder has been in paid employment since prior to 1<sup>st</sup> January 2004 an assessment will be carried out to establish if a Criminal Records Disclosure is required and at what level it is required.

- Acceptable forms of proof of identity are listed within the guidance notes provided with the Disclosure Application Form. These include the following – Passport, UK driving licence, birth certificate, marriage certificate, address related evidence (e.g. utility bills, P45 or P60, bank or building society account statements).
- The completed form, together with relevant fee, is forwarded to the WCVA CRU
- The WCVA CRU will process the application
- The Disclosure is issued by the CRB to the applicant with a copy being sent to the authorised staff member(s) at PAVS

### Retention

PAVS will not hold disclosure information under normal circumstances. In the event of the need to resolve any disputes or complaints it will be necessary to hold the disclosure information until the dispute is resolved. If it is necessary to hold the information then full consideration will be given to the Data Protection and Human Rights issues affecting an individual subject before doing so. Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.

### Disposal

PAVS will ensure that any Disclosure information is 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 make 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 (where relevant).