

PERSONNEL SERVICES

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Acting Director of Personnel and Related Services



To all heads of department and institutions, faculty board chairmen,
departmental administrators, faculty board secretaries

Ref. EMS/5

Copies to: heads of division and divisional secretaries,
Principal Administrator of the Conference of Colleges

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Disclosure and Barring: changes to the Criminal Records Bureau screening service

This circular outlines forthcoming changes to the Criminal Records Bureau (CRB) screening service and barring arrangements, as well as the launch of a new Disclosure and Barring Service (DBS) which will merge the work of the CRB and Independent Safeguarding Authority (ISA).

Since all CRB disclosure applications are made through the University's CRB and Vetting Service departments will see minimal change to their processes. This circular is therefore largely for information. The CRB and Vetting Service remains available to advise on individual cases.

The Personnel Services CRB web-pages have been updated:

<http://www.admin.ox.ac.uk/personnel/recruit/recruitproc/preempcheck/crbcreening/>

Detailed guidance on pre-employment screening and posts for requiring high level checks (HLCs) is at: <http://www.admin.ox.ac.uk/personnel/recruit/recruitproc/preempcheck/>

1. Action required by departments and divisions

Departments are asked to:

- (a) note the changes outlined below;
- (b) ensure that current local pre-employment screening arrangements are consistent, proportionate and in-line with current guidance; and
- (c) refer to the Personnel Services website, or the University CRB and Vetting Service for advice on particular cases (Vetting Administrator 2-82152, Vetting Assistant 2-82788).

2. Background

The Safeguarding Vulnerable Groups Act 2006 proposed significant changes to the vetting arrangements for those working with children and vulnerable adults. This included new definitions for two types of work involving vulnerable groups: 'regulated' and 'controlled' activity (the former involving close and unsupervised work with vulnerable groups and the latter involving those working in a less intensive or direct way with such groups). A system of registration and on-going monitoring for those undertaking regulated or controlled work was also proposed.



In May 2010 the incoming coalition government halted the implementation of the revised arrangements and launched a review with the stated aim of scaling these arrangements back to 'common sense levels'. In the interim previous arrangements for CRB screening have continued unchanged.

The review has recently concluded and recommended only minor changes to the vetting regime. Some of the changes come into force in September 2012, others in December 2012, and the rest at an unspecified date early in 2013.

The principle behind the forthcoming changes is stated as to 'rebalance the role of employer and the state; reinforcing disclosure and barring as one part of the wider recruitment and employment process'. The intention is to refocus safeguarding away from a reliance on screening which may give a false sense of confidence, and instead leave it to employers and those offering volunteering activities to take responsibility for risk assessment of activities involving vulnerable groups, and to make 'rounded decisions' about who they employ, and how they manage them, with more of an emphasis on supervision. In other words, employers are expected to follow normal good practice in recruitment by taking up references, checking gaps in CVs, etc.

Under the new arrangements only posts which give **close and unsupervised access** to vulnerable groups will be defined as 'regulated' activity and be eligible for enhanced CRB disclosures which give information on barring decisions as well as information about an individual's criminal record.

Since CRB disclosures and High Level Screening at the University are co-ordinated by the CRB and Vetting section of Security Services, departments will see minimal change to procedures - (with the changes primarily impacting on the CRB and Vetting team), although the new arrangements may cause delays in processing disclosures. Please contact the the Vetting Administrator (2-82152) for advice on particular cases.

3. Changes from 10 September 2012

- 'Regulated activity' will be redefined to only include close and unsupervised contact with a vulnerable person, such as through provision of healthcare or personal care, or working in schools or children's homes. Details of what constitutes regulated activity can be found in pages 9 - 12 of the Government document [Changes to Disclosure and barring: what you need to know](#).
- CRB checks can no longer be requested for those under 16 years of age.
- Hitherto, some CRB disclosures included a check against local police records; the police were able to release information held locally about individuals which they felt 'might be of relevance'. Under the new more rigorous 'relevancy test' they may only release information to employers if they 'reasonably believe [it] to be relevant'.
- The proposals for a category of 'controlled activity' (for less frequent or intense work with vulnerable groups), and for a process of compulsory registration and continuous monitoring have been repealed.

4. Changes from December 2012

The CRB and ISA will merge to form a single new Non-Departmental Public Body called the Disclosure and Barring Service (DBS). The CRB and ISA will continue to provide their current services under this new single banner.



It is also proposed that the outcome of applications for CRB disclosures will no longer be provided to the employer (in the case of the University, this is the CRB and Vetting Service) but to the individual about whom the disclosure has been requested. The aim of this is to ensure that individuals have the opportunity to challenge inaccurate disclosures with the CRB before they are sent to an employer. Once they have received the disclosure, individuals will then need to give authorisation for the prospective employer/other interested party to see the disclosure through an on-line system and this additional stage, particularly in the event that an individual challenges the disclosure, will create additional delays in the application process.

5. Changes from early 2013

Individuals applying for a CRB check will be able to choose to subscribe to a new Update Service so that they can re-use the CRB certificate by allowing future employers/volunteer organisations to access their online record to see whether the disclosure remains up to date. This should avoid the need for multiple CRB applications for those who hold several roles requiring CRB disclosure, or who change role. Full details will be circulated in due course when they are made available.

6. What has not changed

- Employers continue to be required to make referrals to the ISA where they believe an individual poses a risk to a vulnerable group, for example because they have dismissed someone, or would have dismissed them if they had not resigned, because they caused harm to a vulnerable person.
- It remains a criminal offence for someone knowingly to engage in regulated activity whilst barred or for an employer knowingly to engage someone in regulated activity if they are known to be barred by the ISA.
- Guidance on roles for which high level checks are required has not changed and is available at <http://www.admin.ox.ac.uk/personnel/recruit/recruitproc/preempcheck/hlc/>.

7. Changes to the ID acceptable for CRB disclosure applications

As outlined in Norman Stewart's email to departments of 21 August 2012, the number of documents that are acceptable as proof of ID for the purposes of CRB applications has been reduced. Please contact the Vetting Administrator (282152) or the Vetting Assistant (2-82788) with any questions about CRB disclosure applications.

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Copy for noticeboards: No
Website: <http://www.admin.ox.ac.uk/personnel/circulars/>

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