

**Agenda Item 10**

**Enclosure 7**

**Paper RC 24 / 03**

**REGISTRATION COMMITTEE**

**Criminal Records Bureau**

**From : the Executive**

**FOR DISCUSSION**

## **REGISTRATION COMMITTEE MEETING**

### **Criminal Records Bureau**

## **HEALTH PROFESSIONS COUNCIL**

### **1. Introduction**

This document provides the Registration Committee with a solution for handling Criminal Records Bureau checks. This is intended for discussion and approval from the Committee.

### **2. Background Information**

The HPC cannot undertake this activity on behalf of applicants as original documentation is required. It would also add an additional 6 week delay to registration as this is the average timeline for CRB checks to be completed and returned.

### **3. HPO Implications**

Therefore, on legal advice it has been recommended to the HPC that responsibility for checks lies with the applicant. Full disclosure is a process which can only be requested by a registered organisation on behalf of an individual. It includes:

- All convictions on the Police National Computer, including 'spent' convictions;
- Any police cautions, reprimands or warnings;
- Any relevant information held on the government department lists of the Department of Health and the Department for Education and Skills, if the position involves contact with children.
- Local Police force records

The latter point, is subject to severe disparities as releasing any local police force records on an individual is at the discretion of the investigating constabulary. This is where the longest delays are incurred in the checking process. It is also information which the HPC cannot use in any decision to reject a candidate for registration as it would be an infraction of Common Law which presumes an individual is innocent until proven guilty.

### **4. Solution**

UK approved, EU, International & Grandparenting applicants must apply in advance of making their application to the HPC for registration to either the CRB or SCRO for a disclosure of criminal offences.

This can be included with their application or sent in whilst the application is in progress. An applicant will not be approved for registration until the information is provided.

Overseas applicants must include information from their own country, if it is available. At present, the CRB has published a list of 15 Countries where CRB services are in operation, similar to that which is provided in the UK. Countries are being added on a monthly basis and the HPC has been advised to check the website for regular updates.

It is therefore recommended to this committee that approval is given to recommend that CRB disclosures are required for all overseas applicants from the following countries. This should be included as standard documentation to their HPC application to become registered:

1. Denmark
2. France
3. Germany
4. Irish Republic
5. Netherlands
6. Spain
7. Sweden
8. Poland
9. Canada
10. Jamaica
11. South Africa
12. Malaysia
13. Philippines
14. Australia
15. New Zealand

The HPC would expect to publish links and provide details to applicants of how to obtain a CRB or equivalent overseas disclosure document.