

Currently under review

ROYAL HOLLOWAY, UNIVERSITY OF LONDON

POLICY STATEMENT ON CRIMINAL RECORDS BUREAU (CRB) DISCLOSURES FOR STUDENTS

Royal Holloway, University of London (The College) is committed to ensure that all staff, students, applicants for employment or study, visitors and other persons in contact with the College are treated fairly and not discriminated against unfairly on grounds of race, nationality, ethnic origin, gender, age, marital or parental status, dependants, disability, sexual orientation, religion, political belief, social origin or offending background.

The College requires Criminal Records Bureau (CRB) Disclosures from applicants for placement, employment and voluntary work which involve working with children or vulnerable adults. The College also uses the CRB for checks on students whose course of study has a practical element involving work with children or other vulnerable groups, or which leads to a vocational qualification involving a position of trust. To help ensure the suitability of students on these courses the College requires that a Disclosure is obtained from the CRB before an applicant is admitted to such a course, or, where CRB Disclosure is not an admission requirement, before the student commences a placement as described above.

The College complies with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure Information. It also complies with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, storage, retention and disposal of Disclosure Information. Details of these procedures are included in this policy.

The CRB

The Criminal Records Bureau (CRB) is an Executive Agency of the Home Office which provides access to criminal record information through its Disclosure service. This service aims to enable organisations to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that which involves children or vulnerable adults.

CRB Disclosures

Where a Disclosure is an admission requirement for a particular course, or where a Disclosure may be required for one or more elements of a particular course, for example a work placement, this will be made clear in the course literature, including prospectuses and web pages.

Where a Disclosure is to form part of the admission process, applicants may be asked to provide a Disclosure before they are given a firm offer of a place on the course. Applicants will be advised during the admission process when they will be required to provide a Disclosure.

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Where a Disclosure is required in relation to one or more elements of a course of study such as work placements, students will be required to provide a Disclosure prior to commencing that element of study. Students will be advised by their department when they will be required to provide a Disclosure.

Levels of Disclosure

There are two levels of CRB check available, Standard and Enhanced.

Standard checks are primarily available for anyone involved in working with children or vulnerable adults, as well as certain other occupations and entry into professions as specified in the Exceptions Order to the Rehabilitation of Offenders Act 1974.

Enhanced checks are available to anyone involved in regularly caring for, training, supervising or being in sole charge of children or vulnerable adults.

The College will advise applicants and students of the level of Disclosure they are required to provide.

Overseas Students

Where applicants / students have spent a significant amount of time living abroad it may not be possible for them to obtain a CRB Disclosure. In these circumstances applicants / students may be required to provide alternative equivalent documentation such as an overseas police check or they may be required to complete a Declaration as to whether they have a criminal record. Cases will be dealt with according to their particular circumstances and in accordance with the College's Policies and Procedures. For further information please contact the College Secretary's Office.

Dealing with Disclosures

The College may refuse admission to a course of study to an applicant who is deemed unsuitable in light of a Disclosure or where an applicant fails to provide a Disclosure when requested.

Where a student has commenced a course of study, and subsequently a Disclosure reveals information which may prevent them from undertaking one or more study elements, the College will deal with the matter in light of the particular circumstances and in accordance with the College's Policies and Procedures.

The College complies with the CRB Code of Practice, a copy of which can be obtained upon request from the College Secretary's Office or at www.crb.gov.uk

Admission of Students who are Ex-offenders

Where a CRB Disclosure is not a requirement for admission to a course of study, and where a CRB Disclosure is unlikely to be required in relation to an element of the course of study to which their application relates, applicants will be asked for details of any criminal convictions which are 'unspent' for the purposes of the Rehabilitation of Offenders Act 1974.

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The College requires all applicants to provide details of their criminal record at an early stage in the application process. Where applicants are asked to submit specific information relating to their criminal record this information will only be seen by those who need to see it as part of the admission process.

Having a criminal record will not necessarily debar you from studying at the College. This will depend on the nature of the course you are applying for and the circumstances of your offences.

Those in the College who are involved in the admissions process receive appropriate guidance in identifying and assessing the relevance and circumstances of offences and to comply with the College's policies and procedures including the Equal Opportunities Statement. The College also provides appropriate guidance in the relevant legislation relating to the recruitment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974 and dealing with personal information e.g. the Data Protection Act 1998.

Volunteers

Students and staff who volunteer for the College's Community Action Programme (CAP) or other activities which involve working with children or vulnerable adults may require a CRB Disclosure.

The CAP literature will explain the circumstances in which students and staff volunteers will require a CRB Disclosure and students can find out more from the Community Action Office.

Storage and Access

Disclosure information is kept 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. A record is kept of all those categories of people to whom Disclosures or Disclosure Information may or have been revealed and 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.

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Retention

Once a recruitment decision (or other relevant decision) has been made, Disclosure Information is not retained for any longer than is necessary. This is generally up to a period of 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, the College will consult the CRB about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, Disclosure Information is immediately destroyed by secure means e.g. shredding. While awaiting destruction, Disclosure Information will not be kept in any insecure receptacle (such as a waste bin or confidential waste sack). The College will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of the Disclosure. However, notwithstanding the above a record may be kept 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 decision taken.

College Secretary's Office

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