

Criminal Record Checks



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0845 300 1818

Updates to this factsheet

This factsheet will be updated as new legislation comes into force and as further information becomes available. The factsheet should be checked frequently as this guidance may change in the future.

Criminal record checks

This factsheet describes the use of criminal records checks within The Scout Association. It details when members, associate members and others involved in Scouting should undergo a criminal record check.

Safeguarding

The Association considers the safety of young people its paramount concern. Criminal record checks are an important part of the Association's approach to safeguarding young people.

The fact that adults in Scouting are subject to checks reinforces that Scouting is a safe organisation.

Which form should be used?

- England & Wales: The Scout Association's own AA/OCH/Repeat CRB Check
- Scotland: Disclosure Scotland (DS)
- Northern Ireland: Access Northern Ireland (ANI)

Who should undergo a criminal record check?

Policy, Organisation and Rules (POR) states that no person aged 18 or over may be permitted to undertake any responsibilities or involvement within Scouting until the appropriate enquiries have been made.

In England, Wales and Northern Ireland, the enquiries must include a criminal records check in the case of a person who:

- wishes to become a member or associate member; or
- may have unsupervised access to young people; or
- will have involvement with the handling or management of funds; or
- will be assisting with overnight activities (including nights away); or

- may be helping out more than once a month.

In Scotland, the enquiries must include a PVG check in the case of a person who:

- will be taking on an adult appointment and wishes to become a member or associate member; or
- will be carrying out a 'childcare role' (as defined by the Protection of Children (Scotland) Act) as part of their 'normal duties'; or
- will be trustees of a scout body registered as a Scottish charity (OSCR); or
- will be assisting with overnight activities (including nights away); or
- will be helping out more than once a month.

People under 18 years

Generally The Scout Association does not require those under 18 to undergo a criminal record check. Explorer scout young leaders and others under 18 should not be given sole responsibility for young people and must be under the supervision of an adult leader at all times.

Young people over 17½ moving into the scout network, may undertake a criminal record check before they reach their 18th birthday.

Repeat criminal record checks

Criminal record checks provide a snapshot in time and have limited validity.

In the Association a criminal record check is valid for up to five years. It must therefore be repeated at five year intervals for all those described in this factsheet. Line managers and individuals both have a responsibility to ensure that criminal record checks are valid.

Criminal record checks may also be required in certain circumstances (e.g. following a suspension or on the request of a commissioner or Headquarters).

Where are criminal record checks valid?

The Scout Association does not accept criminal record checks from other organisations. This is because the nature of the information that may be

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disclosed on a scout criminal record check may differ from that provided to another organisation.

A further criminal record check is not necessary if an individual moves from one appointment to another within England and Wales; within Scotland; or within Northern Ireland, provided there is a valid check for the initial appointment, and the individual has had no break in service.

Joint activities with Girguiding UK

Disclosures are portable between Scouting and Girlguiding UK, provided: it is for a joint activity; that the leaders of both organisations have been checked by their respective bodies; and that the local commissioners of both organisations have mutually agreed this course of action.

Helpers and criminal record checks

Adults helping out more than once a month should be made aware of the opportunities available to them and should be considered for the role of section assistant.

The occasional helper (OH) form, used in England, Wales and Northern Ireland, is designed for those who are required to undertake a criminal record check but who are not taking on a formal role or appointment (for which an Adult Application (AA) Form would be completed).

The OH form must be returned to the appointments secretary with the relevant criminal record check form so that the adult can be recorded on the database.

In Scotland, the role of occasional helper is not available. Adults who offer service more frequently than once a month should be encouraged to become a section assistant and are required to undertake a PVG check. Adults who assist less frequently than monthly should complete the Self Declaration Form, that can be found in the Parent Welcome Pack available from Scottish Headquarters.

Who should not be checked?

Only those individuals covered by categories a-e overleaf may have criminal record checks carried out. Parents should not be routinely checked unless they are involved as described above.

Providing that they do not have any functional or trustee responsibilities, honorary presidents are not required to undergo a criminal record/PVG check.

What is included in a criminal records check?

All spent and unspent recordable convictions (including police cautions) together with any relevant police intelligence will be shown on a criminal records check disclosure. In England, Wales and Northern Ireland this will be from the age of 10 and in Scotland this will be from the age of 8.

In England & Wales minor traffic offences will not generally be disclosed, however in Scotland and Northern Ireland they will.

What happens with the information from a criminal records check?

The Criminal Records Bureau / Disclosure Scotland / Access Northern Ireland send a copy of disclosures to both the applicant and to The Scout Association's Headquarters.

In cases where the disclosure does not contain any relevant information (i.e. "is clear"), Headquarters informs the district of that fact.

Where the disclosure contains relevant information, Headquarters will inform the relevant commissioner in order that an appropriate appointment decision may be made. The relevant commissioner may inform members of the local appointment advisory committee as part of the decision making process.

Information obtained from a disclosure must be erased from all records within six months of a recruitment decision for England and Wales and three months for Scotland and Northern Ireland

Further information

This factsheet should be read in conjunction with:

- POR chapters 3, 4, 5 and POR: The Appointment Process;
- (for Scotland also) Scottish Variations from POR;
- CRB, DS and ANI factsheets; and
- Factsheet FS120083 Family Camps.

Please contact the Information Centre on 0845 300 1818 if you have any queries concerning criminal record checks.