

CRB- Overseas Criminal Record Checks

Summary

- If you are recruiting people from overseas or have people who have lived overseas for more than one year, a CRB check may not provide a complete picture of any criminal record history they may have.
- To help you get a fuller picture of the person's background, the CRB provides some guidance for specific countries on their website. If the country in question is not listed by the CRB it may be necessary for the individual to visit the Foreign and Commonwealth Office website.
- If your applicant has lived abroad there are now guidelines on how to complete the CRB form to reflect this.
- It is always important to carry out safe recruitment practices, i.e. references and Confidential Declaration Statements but where it is unlikely that you have a full picture of the person's history, safe recruitment practices and good safeguarding procedures are even more important.

Overseas Checks

The CRB cannot currently access overseas criminal records or other relevant information as part of its disclosure service. Therefore, if you are recruiting people from overseas or have people who have lived overseas for more than one year, a CRB check may not provide a complete picture of any criminal record history.

To help you get a fuller picture of the person's background, the CRB does provide some guidance on how you can get information from the country in question. However, they only provide specific advice on the countries listed below-

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| • Australia | • Hungary | • Netherlands |
| • Canada | • Irish Republic | • Philippines |
| • Czech Republic | • Italy (excl. Vatican City) | • Poland |
| • Denmark | • Jamaica | • South Africa |
| • Finland | • Latvia | • Spain |
| • France | • Malaysia | • Sweden |
| • Germany | • Malta | • Turkey |

CRB website link: (http://www.crb.homeoffice.gov.uk/guidance/rb_guidance/overseas.aspx)

If the country that you are looking for is not listed you should contact the country's representative in the United Kingdom. Contact details for those countries that have a representative in the United Kingdom can be found on the Foreign and Commonwealth Office website <http://www.fco.gov.uk/en/>, telephone **020 7008 1500**, or on a document found on the Australian Government's website. There are costs associated with enquiries to some particular countries.

The information provided by overseas authorities may be in the language of the country to which the application was made. It may therefore be necessary for the individual to have this information translated.

Safe Recruitment

As the CRB is not involved in processing the information received by overseas authorities it means that sometimes the information received from abroad may take a considerable length of time to arrive or it may not be substantial. Therefore it is extremely important to make sure that you have other safe recruitment procedures in places as well.

Safe recruitment and its associated preventative measures can include providing a job description, interviewing, requesting references, Confidential Declaration statements, having a probationary period and a written contract- whether the worker is paid or a volunteer.

You also need to consider the risk involved in the individual working with children. It may be more appropriate to use an overseas worker as an occasional helper, ensuring that the person concerned is never left alone with children and is always in the company of an approved worker.

Even though the Police National Computer only holds limited information on overseas convictions you must always require a prospective volunteer or employee to apply for an Enhanced CRB disclosure as normal.

Overseas applicant guidance- completing the disclosure application form

The purpose of these guidance notes is to explain how to complete a Disclosure application form, where an applicant's 5-year address history contains non-UK addresses.

- **Current Address**

If the applicant's current address is a non-UK address, you must still complete Section A, Items 1 - 6 as normal. However, you should:

Enter the Province, Region or State followed by the country in Section A, Item 7

Complete Section A, Item 8 if you have a postcode, otherwise leave blank

Complete Section A, Item 9 as normal

- **Previous Addresses**

If the applicant has lived at their current address for less than 5 years, you must provide the applicant's previous address in Section D. If the address is a non-UK address, you only need to provide the following information:

Enter the word 'OVERSEAS' in Section D, Item 36

Enter the town/city in Section D, Item 38

Enter the country of residence in Section D, Item 41

Complete the period of residence in Section D, Items 42 - 45, entering the 'from' and 'to' dates in MM/YYYY format.

If the applicant has more than one previous non-UK address in the last 5 years, please use a continuation sheet and record the information as above. For guidance on how to enter details of UK addresses, please refer to 'An applicant's guide to completing the Disclosure application form'.

Employing migrant workers

Your PCC has a legal duty to check that any paid employees have the right to be in the UK or undertake the work in question. Your PCC can establish whether the individual is subject to immigration control by seeing, copying and retaining the copy of certain specific documents at the point of recruitment.

As a Section X Checker you should not necessarily be involved in this part of the recruitment. However, if your PCC or any group within your parish wishes to employ a paid person, you should ask them to contact the Incumbent or a member of the PCC for specific guidance about employing migrant workers.