

## *Policy Circular*

### Document No 15/08

**Owner:** Strategy & Communications Directorate

**Subject:** Criminal Records Checks

**Version:** 2 of 2

**Last Amended:** 12 October 2010

**Date Reviewed:** 12 October 2010

**Next Review:** 12 October 2012

### 1.0 Background

The CRB is an executive agency of the Home Office and provides access to criminal record information through its disclosure service for England and Wales. In Scotland disclosures are made available through Disclosure Scotland and in Northern Ireland through Access NI.

Employers may make it a requirement of a job offer that a satisfactory disclosure is obtained before a position may be taken up.

Whilst there is a statutory requirement for all registered care providers to only employ people who have had a satisfactory criminal record check the same is not true of a person who is to employ a PA directly themselves to provide their care.

Disclosures are commonly referred to as CRB checks and there are two types of check available, standard and enhanced.

Enhanced disclosures are more appropriate for positions that involve a significant amount of contact with vulnerable adults or children.

#### Independent Living Fund

Equinox House, Island Business Quarter, City Link, Nottingham NG2 4LA

Tel: 0845 601 8815 or 0115 945 0700, Fax: 0115 945 0945, Textphone: 0845 601 8816

Email: [funds@ilf.org.uk](mailto:funds@ilf.org.uk), Website: [www.dwp.gov.uk/ilf](http://www.dwp.gov.uk/ilf)

The Independent Living Fund is an Executive Non-Departmental Public Body of the Department for Work and Pensions

Only organisations that are directly registered with the CRB, Access NI and Disclosure Scotland are able to forward a disclosure directly. All other employers must use the services of an umbrella group who will countersign the application form and forward it to the CRB, Access NI or Disclosure Scotland on their behalf. Umbrella groups will usually make a charge for the service they provide, this is in addition to the fee for the disclosure itself.

## **2.0 Policy**

The ILF would like to support users who are to directly employ their own PAs by reimbursing them the costs of disclosures. The ILF will also reimburse users who use the services of a self-employed PA where they wish for a disclosure to be applied for.

The costs that the ILF will pay for are the actual disclosure costs and also the costs levied by the umbrella group they choose to use for their checks. It is very unlikely that an ILF user would personally become registered with the CRB or its equivalent body, so it is expected that all users who require a disclosure to be paid for will also have umbrella costs that need to be met (unless the organisation provides the service free of charge).

Disclosure fees vary depending on location. Actual costs for England, Wales, Scotland and Northern Ireland can be found on the relevant website via the links below. A user may choose to undertake either a standard or enhanced disclosure and the ILF can pay for whichever check the user has decided to have.

Umbrella groups often charge a fee for making the initial arrangements with the employer this cost will fluctuate from provider to provider (£40 may be a typical cost). The Umbrella group may then charge a fee for every disclosure application that is made. Again this fee will be different from organisation to organisation and could vary from nothing up to £70 however it is likely that most fees will be around £15 per disclosure.

In addition the user may be required to attend a meeting or training session run by the umbrella group and may require assistance from a PA in order to attend. In this situation the ILF can consider paying for the PA time to assist the PA. (The new Threshold sum of £340 per

week would not need to be met in order for this extra to be paid for as it would be considered to be part of an employers on-cost)

### **3.0 Procedure**

When a user makes a request for the ILF to reimburse the costs of a disclosure the user must provide the following information:

- The number of PAs to be checked
- The level and cost of each disclosure request
- The name of the umbrella group who will deal with the request
- The details of the initial registration fee and disclosure processing fees levied by the umbrella group

The user must also provide copies of documentation from the umbrella group they are using to undertake the check on their behalf before a payment can be made.

If the requested costs when added to the users ongoing award do not take the user over the maximum sum then a lump sum should be calculated and the extra payment made to the user. (N.B as this is an on-cost and not a request to fund additional hours of care it will not be necessary for the LA to reach the new threshold sum in order for these costs to be met.)

If there are concerns about the costs being levied by the umbrella group more information about a particular organisations fees should be available on the CRB website for England and Wales and the Disclosure Scotland website for Scotland and the Access NI website for Northern Ireland.

### **3.1 Websites**

England and Wales <http://www.crb.gov.uk/>

Scotland <http://www.disclosurescotland.co.uk/>

Northern Ireland <http://www.accessni.gov.uk/>

### **4.0 Source**

Trustees meeting 11 June 2008 and 9 July 2008

## **5.0 History Date Reviewed**

10 June 2010

12 October 2010

# Equality Impact Assessment

## Screening Template

This preliminary impact assessment form is to help you screen your policy, project, function or new service. It should help you consider whether a full Equality Impact Assessment is required by looking at whether there is a potential negative or positive impact on any of the equality groups, if there is an opportunity to promote equality, and whether further data is needed.

**Title of policy, project, function or service:**

Criminal Record Checks (CRB) Policy-Users

**Short description of aims and objectives**

This policy enables users to receive monies to pay for CRB checks

**Thinking about each group below, does (or could) the policy, project, service or function have an impact on members of each equality group? If so, how?**

Equality Group	Yes – negatively	Yes – positively	Unclear	No impact
Age	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Disability	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Race	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Gender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Transgender	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Sexual orientation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Religion or belief	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Socio-economic groups	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

## What information or research has been considered in judging these impacts?

This policy can be applied to any user who directly engages Personal Assistants.

You should consider a full Equality Impact Assessment (EIA) if:

- (a) you feel one or more equality groups will be negatively impacted by the policy, project or service, or
- (b) there is an opportunity to promote equality and eradicate discrimination.

You may also consider further research if it is unclear, at this stage, what the impact may be.

**Based on your findings, is a full EIA required?**

Yes

No

**Please provide a short summary of your decision-making below:**

The policy applies to all users and aims to ensure all costs are covered to enable them to be good employers. There is no evidence that this policy discriminates against anyone as a result of his or her membership of one of the equality groups.

**Notes:**

- The completed EIA Screening Template should be sent to Jon Duckworth, User Liaison Manager for approval by the Equality Impact Assessment Board (EIAB).
- We will contact you with any comments or queries about the completed form.

**This form was  
completed by:**

Helen Sanderson
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