

**WORCESTERSHIRE MENTAL HEALTH
PARTNERSHIP NHS TRUST**

**PROCEDURES FOR STAFF COMMENCEMENT PRIOR TO RECEIPT OF
A CRIMINAL RECORDS BUREAU DISCLOSURE**

Worcestershire Mental Health Partnership NHS Trust Policy Data

Unique Identifier:	TC0089
Ratified by:	Joint Local Negotiating Committee
Ratification Date:	14th May 2007
Review Interval:	Three Years
Version Update:	
Review Date:	May 2010
Owner:	Head of Human Resources
Reviewer:	Head of Human Resources
Responsible Forum:	Joint Local Negotiating Committee
Document Type:	Corporate Policy
Superseded Policy:	

Search Criteria

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PROCEDURES FOR STAFF COMMENCEMENT PRIOR TO RECEIPT OF A CRIMINAL RECORDS BUREAU DISCLOSURE

Once a verbal offer of a post has been accepted the Identity Verification Form should be faxed to the Recruitment office immediately.

This will start the CRB process, which can take a minimum of 4 weeks.

If it becomes essential for a candidate to commence employment prior to the CRB Disclosure being received it is necessary to carry out the following. However, this should happen only in exceptional circumstances and in low risk areas.

1. The Recruiting Manager should contact the Recruitment Unit to ensure that the CRB Disclosure Application has been processed and to establish the date the application has been sent to the CRB.
2. A CRB Declaration Form (Appendix 1) should be completed by the applicant and retained in their personal file.
3. A Commencement Pre CRB Disclosure Checklist (Appendix 2) should be completed by the Recruiting Manager and signed by both the Recruiting Manager and the Head of Service.
4. Clear arrangements should be put in place to ensure that the applicant should not work alone with clients/patients until CRB Clearance is received, unless the Risk Assessment has identified robust supervision and review arrangements to allow this to happen. This is the responsibility of the Recruiting Manager.

DECLARATION

As you are aware the post you have been offered is subject to a satisfactory Criminal Records Bureau Disclosure. An application to the Criminal Records Bureau has already commenced and we are awaiting the outcome.

A request has been made for you to commence your post prior to the outcome of your Disclosure and in order for this request to be considered you are required to complete and sign the attached Declaration.

Please note you will only be permitted to work under supervision, and will not be allowed to work alone with a service user/patient until such time as a satisfactory Disclosure is received.

Please read the following notes carefully before completing the Declaration Form. If you require further information, please contact the Recruitment Unit. All enquiries will be treated in confidence.

Please note that in the event that a CRB clearance raises cause for concern your employment with the Trust may be terminated.

The Trust aims to promote equality of opportunity and is committed to treating all applicants for positions fairly and on merit regardless of race, gender, marital status, religion, disability, sexual orientation, age, or offending history. We undertake not to discriminate unfairly against applicants on the basis of criminal conviction or other information declared.

The Data Protection Act 1998 requires us to provide you with certain information and to obtain your consent before processing sensitive data about you. Processing includes: obtaining, recording, holding, disclosing destruction and retaining information. Sensitive personal data includes any of the following information: criminal offences, criminal convictions, criminal proceedings, disposal or sentence.

The information that you provide in this Declaration Form will be processed in accordance with the Data Protection Act 1998, and will only be used for the purpose of determining your application for this position. Once a decision has been made concerning your appointment, we will not retain this Declaration Form longer than is necessary.

This Declaration Form will be kept securely and in confidence, and access to it will be restricted to designated persons within the Human Resources Department and other persons who need to see it as part of the selection process and who are authorised to do so.

Please will you answer all of the following questions. If you answer "Yes" to any of the questions, please provide full details in the space indicated. Please also use the space below to provide any other information that may have a bearing on your suitability for the position for which you are applying. You may continue on a separate sheet if necessary, and you may attach supplementary comments should you wish to do so.

The position for which you have applied is exempted from the Rehabilitation of Offenders Act 1974. This means that you must declare all criminal convictions, including those that would be otherwise be considered "spent".

[With the exception of question 8*] answering 'Yes' to any of the questions below will not necessarily bar you from appointment. This will depend on the nature of the position for which you are applying and the particular circumstances relating to your conviction(s).

1. Are you currently bound over or have you ever been convicted of any offence by a Court or Court-Martial in the United Kingdom or in any other country?

Note: You do not need to tell us about parking offences or speeding offences unless a court case resulted

YES OR NO

If **YES**, please include details of the order binding you over and/or the nature of the offence, the penalty, sentence or order of the Court, and the date and place of the Court hearing.

2. Have you ever received a police caution, reprimand or final warning?

YES OR NO

If **YES**, please include details of the caution, reprimand or final warning, including the date and reason administered.

3. Have you been charged with any offence in the United Kingdom or in any other country that has not yet been disposed of?

Please note: you must inform us immediately if you are charged with any offence in the United Kingdom or in any other country after you complete this form and before taking up any position offered to you. You do not need to tell us if you are charged with a parking offence.

YES OR NO

If **YES**, please include details of the nature of the offence with which you are charged, date on which you were charged, and details of any on-going proceedings by a prosecuting body.

4. Are you aware of any current police investigation in the United Kingdom or in any other country following allegations made against you?

YES OR NO

If **YES**, please include details of the nature of the allegations made against you, and if known to you, any action to be taken against you by the police.

5. Have you ever been dismissed by reason of misconduct from any employment, office or other position previously held by you?

YES OR NO

If **YES**, please include details of the employment, office or position held, the date that you were dismissed and the nature of allegations of misconduct made against you.

6. Have you ever been disqualified from the practice of a profession or required to practice subject to specified limitations following fitness to practice proceedings by a regulatory or licensing body in the United Kingdom or in any other country?

YES OR NO

If **YES**, please include details of the nature of the disqualification, limitation or restriction, the date, and the name and address of the licensing or regulatory body concerned.

7. Are you currently the subject of any investigation or fitness to practice proceedings by any licensing or regulatory body in the United Kingdom or any in other country?

YES OR NO

If **YES**, please include details of the reason given for the investigation and/or proceedings undertaken, the date, details of any limitation or restriction to which you are currently subject, and the name and address of the licensing or regulatory body concerned.

8. Are you subject to any other prohibition, limitation, or restriction that means we are unable to consider you for the position for which you are applying?

YES OR NO

If **YES**, please include details of the nature of the prohibition, restriction, or limitation, when and by whom it was made.

If you have answered "YES" to **any** of the questions above, please use this space to provide details. Please indicate **clearly** the number(s) of the question that you are answering:

DECLARATION

I consent to the information provided in this Declaration Form being used by Worcestershire Mental Health Partnership NHS Trust for the purpose of making a decision regarding my commencement prior to a satisfactory CRB Disclosure.

I confirm that the information that I have provided in this Declaration Form is, to the best of my knowledge, correct and complete. I understand and accept that if I withhold information or provide false or misleading information this may result in my dismissal.

Please sign and date this form below in the presence of the Recruitment Manager.

SIGNATURE **PRINT NAME**

DATE

Signature witnessed by Recruitment Manager

SIGNATURE **PRINT NAME**

DATE

Note: If you wish to withdraw your consent at any time after completing this Declaration Form, please contact the Recruitment Unit.

To be completed by Recruiting Manager**COMMENCEMENT PRE CRB DISCLOSURE CHECK LIST**

Recruiting Managers are reminded that they should only complete this form after assessing the likelihood of risk and any risk management arrangements required, if the individual commences work prior to CRB Disclosure being received by the Trust.

NAME	
POST TITLE	
POST REFERENCE NO	
Date CRB application sent to CRB (available from the Recruitment Unit)	
Have you received Medical Clearance?	YES/NO
Have you received 2 satisfactory references?	YES/NO
Give details of previous post held? Post Title: Organisation/Trust: Date Commenced: Date Left:	
Has the applicant a CRB Disclosure from a previous employer? If yes please provide details: Date of Disclosure? Level of Disclosure Reference Number of Disclosure Please attached a photocopy	YES/NO Standard / Enhanced

Has a Declaration been completed?	YES/NO
What procedures have been put in place to address any risks identified by commencing the successful applicant ahead of CRB disclosure?	
What supervision arrangements have been put in place?	
What arrangements have been put in place for review?	
Agreed start date:	

I/we agree for the above detailed applicant to commence employment prior to receipt of their CRB Disclosure.

Recruiting Manager: (Post Title)	Date:
Name:	Signed:

Head of Service: (Post Title)	Date
Name:	Signed:

Once completed this form should be kept securely in the candidate's personal file.

Matters to be Considered

Why is risk greater not to commence employment without CRB check than commencing after CRB disclosure?

Examples where it could be appropriate:

- 1 New team – start up
- 2 To undertake induction/orientation
- 3 To receive handover from someone leaving
NB Staff shortage is **NEVER** a reason for doing it
- 4 Post will not have direct service user/patient contact