

Criminal Record Checks



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0845 300 1818

Updates to this factsheet

The Association's Criminal Record Checks policy is currently under review and the Association's website should be checked frequently as this guidance may change in the near future. This factsheet will also be updated as new legislation comes into force and as further information becomes available.

Criminal Record Checks

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

Safeguarding

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

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

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, which includes a criminal record check. This includes:

- a. adult Members and Associate Members;
- b. those with unsupervised access to young people;
- c. those handling or managing funds;
- d. those assisting with overnight activities (including camping); and
- e. occasional helpers in Scouting.

Repeat criminal record checks

Criminal record checks provide a snapshot in time and have a limited validity. In the Association a criminal record check is valid for up to five years.

Those with appointments lasting more than five years should undergo a repeat criminal record check, ideally, at the time of an appointment review.

In any event it must be repeated at five years for all those described in this factsheet.

Line managers and individuals both have responsibility to ensure that criminal record checks are valid.

Additional criminal record checks may be required in certain circumstances. For instance 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 of the nature of the information that may be disclosed on a Scout criminal record check may be different from that provided to another organisation. The exception to this is joint activities with Girlguiding UK. In these instances factsheet FS120007 should be referred to.

A further criminal record check is not necessary if an individual is simply moving from one appointment to another within the same County or its Districts, provided there is a valid check for the initial appointment, and the individual has had no break in service.

Which form should be used?

- England and Wales – Criminal Records Bureau (CRB)
- Scotland – Disclosure Scotland (DS)
- Northern Ireland – Access Northern Ireland (ANI)

The Scout Information Centre

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Helpers and criminal record checks

The Occasional Helper form (England, Wales and Northern Ireland) is designed for those who help on an informal basis, such as a parent rota, and do not have an appointment in Scouting.

This form must be returned with the relevant criminal record check form.

In Scotland, regular helpers i.e. those helping monthly or more frequently, are required to complete a Disclosure. This also applies to any occasional helpers that meet a childcare 'normal duties' test. Further information is available from SHQ.

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.

Future changes to legislation

Across the United Kingdom new legislation will soon be introduced that will affect the way that all organisations, including the Association, check individuals that work with young people.

Vetting and Barring Scheme England, Wales and Northern Ireland)

From 12 October 2009 the Vetting and Barring Scheme comes into force in England, Wales and Northern Ireland.

This is a new scheme that will bar those convicted of the most serious offences and other unsuitable individuals from working with children or vulnerable adults. It will make it a criminal offence for barred individuals to work with children or vulnerable adults.

It will also place a legal requirement on organisations that work with children and vulnerable adults to register their employees and volunteers on the scheme.

This will mean that anyone involved in Scouting more than once a month or assisting with overnight activities will have to register on the scheme.

The scheme may also affect the process for the recruitment of volunteers and occasional helpers.

Guidance from the government is not yet fully finalised. The Association will be publishing updates and its own internal guidance as soon as information is available.

Protection of Vulnerable Groups (Scotland)

In 2010 in Scotland the Protection of Vulnerable Groups Act comes into force.

This will be similar in nature to the Vetting and Barring Scheme and will bar those with the most serious offences from working with children and vulnerable adults.

There are some significant differences in who is covered by the legislation in Scotland. Only those responsible for the supervision of children or vulnerable adults within their "normal duties" will be required to register on the scheme in Scotland.

As with the Vetting and Barring Scheme, government guidance is not yet finalised. The Association will be publishing updates and its own internal guidance as soon as information is available.

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
- Family Camps factsheet.

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