

The Newcastle upon Tyne Hospitals NHS Foundation Trust

Human Resources Policies & Procedures

Pre-Employment Checks & Use of the Criminal Records Bureau Policy

Effective: November 2011

Review: February 2014

1. Introduction

- 1.1 The Trust has a duty of care to protect patients from harm, particularly children and vulnerable adults.
- 1.2 The Trust seeks to comply with the NHS Employment Check Standards: 'Criminal Record Checks', issued by NHS Employers by undertaking certain pre-employment checks on new employees before they are appointed and certain post-appointment checks on existing employees when they are changing their job.
- 1.3 The required checks cover:

Check	Process
Criminal record Checks are mandatory for all staff who have contact with children and/or vulnerable adults in the course of their normal duties.	<ul style="list-style-type: none">• All applicants to complete a model declaration form (form A for those whose role requires a CRB check and form B for those who do not – see 2.50)• Make Disclosure application to the Criminal Records Bureau (CRB)• Request Children List and/or Vulnerable Adults List check where appropriate
Employment history and reference including competence, personal qualities, disciplinary record	<ul style="list-style-type: none">• References should be obtained to check at least three full years of previous employment and/or training, a minimum of two references must be received, one of which should be the applicant's current or most recent employer
Registration and qualification (if necessary)	<ul style="list-style-type: none">• Confirm with the professional body for registration (e.g. NMC, GMC, HPC) that the individual is registered. Fitness to practice and Alert notice checks must also be carried out.
Verification of identity	View: <ul style="list-style-type: none">• two proofs of photographic identity (e.g. passport and photo driving licence), and one proof of address (e.g. a utility bill or bank statement); or

Check	Process
	<ul style="list-style-type: none"> one proof of photographic identity and two other forms of identity to verify address
Right to work	<ul style="list-style-type: none"> View right to work documents (e.g. passport of a UK or EEA citizen); validate the documents; copy and store
Occupational Health	<ul style="list-style-type: none"> Medical questionnaire sent to Occupational Health in a sealed envelope following interview and considered once confirmed an offer of employment has been made

- 1.4 **New employees.** All the above checks (where applicable) must be completed before an appointment is made. Please refer to 2.45 for exceptions to this provision.
- 1.5 **Existing employees.** All the above checks (where applicable) must be completed before employee changes job. Please refer to 2.22 for exceptions to this provision.
- 1.6 It is essential that all persons working in the NHS are trustworthy and reliable. Many problems can be avoided if thorough pre-employment checks are undertaken before a post is filled.
- 1.7 Failure by an applicant to provide accurate and truthful information at the time of applying for a position is a serious matter. Where it is found that they intentionally or recklessly provided inaccurate information or withheld information that is relevant to their appointment, they can be dismissed if they are an employee, or in the case of a person seeking employment with the Trust, have their offer of employment withdrawn. Referral will also be made to the Counter Fraud Specialist for consideration of a criminal investigation.

2. Criminal Records Bureau (CRB)

Background

- 2.1 The CRB was established by the Government in April 2002 to implement Part V of the Police Act 1997. The CRB provides background checks on individuals for employment related and volunteering purposes. These checks help facilitate safer recruitment to protect children and vulnerable adults.
- 2.2 A child is a person under the age of 18.

A vulnerable adult is a person aged 18 or over and:

- Is living in residential accommodation, such as a care home or a residential special school
- Is living in sheltered housing

- Is receiving domiciliary care in his or her own home
 - Is receiving any form of health care
 - Is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act 1999
 - Is in contact with probation services
 - Is receiving a welfare service of a description to be prescribed in regulations
 - Is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care (age-related need includes needs associated with frailty, illness, disability or mental capacity)
 - Is receiving direct payments from a local authority/HSS body in lieu of social care services
 - Requires assistance in the conduct of his or her own affairs
- 2.3 Checks are made by a Registered Body (or Person). These are defined as organisations (or persons) who are likely to ask exempted questions under the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975. The Trust is a Registered Body.
- 2.4 An exempted question is one which may not normally be asked in the recruitment process e.g. have you ever been convicted of any offence or ever received a caution, warning or reprimand?
- 2.5 All posts involving direct contact with patients as part of normal duties, and any posts which are regarded as being in a position of trust e.g. Board-level Director, staff with access to patient records, or positions in finance where the individual has access to public funds and/or internal budgets is regarded as being covered by the above Exception Order, therefore, all job applicants for such posts are required to disclose whether they have any unspent criminal convictions, bindovers, cautions, warnings or reprimands.
- 2.6 In addition to disclosure of information by applicants under 2.5 above, certain groups of staff and staff who work in certain areas are required to complete a Disclosure application to enable a background check to be carried out through the CRB.
- 2.7 All Disclosure applications are administered by the Human Resources Department with the exception of Bank Nurses which are handled by the Nurse Bank.
- 2.8 Mandatory checks include all staff who work in regulated and controlled activities and who have contact with children and/or vulnerable adults e.g. medical, nursing and other staff with direct patient contact, as well as staff whose work provides access to patients in the course of their normal duties, such as domestic staff and maintenance staff.

Counter signatories

2.9 The Registered Lead Countersignatory for the Trust is the Head of Human Resource Services. Registered Countersignatories i.e. registered persons who can make a Disclosure application, are:

- Head of Human Resource Services
- Senior Human Resources Manager
- Senior Human Resources Manager (Medical & Dental)
- Human Resources Manager (Seniors)
- Human Resource Officers
- Head of Staff Engagement, HR
- HR Manager (Recruitment)
- Nurse Bank Manager

Atlantic are the company who administer eCRB's on behalf of the Trust and therefore they are also a Countersignatory.

Disclosures

2.10 There are currently two levels of checks available: **Standard Disclosure (SD)** and **Enhanced Disclosure (ED)**.

Standard Disclosures

2.11 SDs contain details of both spent and unspent convictions, including cautions, reprimands and final warnings held on the Police National Computer (PNC)

2.12 An SD cannot be used to request a check against the Independent Safeguarding Authority (ISA) maintained statutory lists barring individuals from working with children and/or vulnerable adults.

Enhanced Disclosures

2.13 EDs are required for anyone working in regulated activity and certain controlled activities where the service is provided wholly or mainly to children and/or vulnerable adults.

2.14 EDs will reveal the same information as a SD, but may also contain additional non-conviction information from local police records that a Chief Police Officer (CPO) thinks may be relevant to disclose. This additional information is sent to the Countersignatory only (denoted by an entry in red ink in the top right hand corner of the Disclosure form) and not to the applicant. It must be handled in exactly the same way as any other Disclosure information and in accordance with the CRB Code of Practice. The existence of the letter from the CPO and the information it contains must not be revealed to the applicant and must never be shown to the applicant or to any other person disconnected from the recruitment decision-making process. It is a criminal offence to pass on details of this information without written authority from the Police.

(Note: The CRB report that non-conviction information is very rare – only 4 in every 10,000 ED applications involve the release of such information.)

- 2.15 For a check to be carried out by the CRB against the ISA maintained statutory lists barring individuals from working with children and/or vulnerable adults, the relevant section must be completed on the Application Form.

Regulated and Controlled Activity – Frequently/Intensively/Overnight

- 2.16 Regulated activity is defined under the Safeguarding Vulnerable Groups Act (2006) as any activity involving working or volunteering with children and/or vulnerable adults that is of a **specified nature** providing:

- Teaching, training, instruction, care or supervision
- Advice or guidance to children
- Advice, guidance or assistance provided to vulnerable adults
- Any form of treatment or therapy (including medical professionals, therapists, and health care assistants, in both hospitals and community settings)
- Transportation which is being solely used for the purpose of conveying children or vulnerable adults (including taxi drivers used by schools and care homes to transport children, drivers taking vulnerable adults on trips from care homes, and ambulance drivers. It does not include bus drivers who drive public vehicles which may or may not pick up children en route or taxis hailed or hired by children independently).

All of the activities outlined above must be provided wholly or mainly to children and/or vulnerable adults and the activity must be carried out frequently, intensively or overnight (see 2.18 below)

or

Any activity involving working or volunteering with children or adults in a **specified place** in any of the following settings:

- Schools (educational institutions exclusively or mainly for the provision of full time education to under 18's), including nursery schools
- Children's centres
- Pupil referral units
- Childcare premises, including nurseries
- Residential homes for children in care
- Children's hospitals (hospitals exclusively or mainly for the reception and treatment of children)
- Children's detention centres
- Adult residential care homes

In specified places everyone who has the opportunity to have contact with children and/or vulnerable adults is regarded as carrying out regulated

activity, even if they are not undertaking work of a specified nature (teaching, training, caring, etc).

- 2.17 Controlled activity relates to positions that are ancillary to, or carried out wholly or mainly to, the provision of health and social care services for children and/or vulnerable adults eg primary care, hospitals services, domiciliary care or where arrangements are made for adult placement schemes, and community care services.
- 2.18 To meet the criteria for a regulated or controlled activity, the activity must be carried out frequently, intensively or overnight as outlined below:
- Frequently – in health and social care services providing personal care the activity must be carried out once a month or more
 - Intensively – in all sectors this is where the activity is carried out four days or more in any 30 day period
 - Overnight – in all sectors this is where the activity is carried out between the hours of 2.00am and 6.00am

Children’s List and Vulnerable Adults List

- 2.19 It is an offence for any person who is barred from working with children and/or vulnerable adults to apply for, or engage in regulated activity with that vulnerable group, or for an employer to ‘knowingly’ offer such a person this type of work or to allow them to engage in regulated activity.
- 2.20 Checks against the ISA’s Children’s and/or Vulnerable Adults Lists apply to any regulated and certain controlled activity that involves the individual working or volunteering with children or vulnerable adults. There is a legal requirement to carry out a check against the Children’s List and/or the Vulnerable Adults List (where applicable) before the individual is appointed.
- 2.21 A new ED including the relevant barred List check must be obtained before a new employee is allowed to start work. For exceptions, please see section on Portability below.

For current employees appointed internally from a position that did not require a CRB and relevant barred List check to one that does, a new ED including the relevant barred List check must be obtained prior to them starting in the new post.

- 2.22 Where an employee is in a post they were CRB checked for including a Children’s List and/or Vulnerable Adults List check (where applicable), and is appointed internally to another position that requires the same, they do not need a new Disclosure provided their role, responsibilities and level of contact with vulnerable groups has not changed significantly AND all of the following conditions are met:
- At the time the offer of appointment is made the individual is employed by the Trust

- The Trust has evidenced (via a previous ED and relevant barred List check) that the individual is not included in a relevant statutory List barring them from working with children and/or vulnerable adults and their ED is fit for purpose
- The Trust has not discovered (e.g. from another source) that the employee in question is included in a relevant statutory List barring them from working with children and/or vulnerable adults
- The employee accepts the appointment and at no stage thereafter does it come to the Trust's attention that the individual is included in a relevant statutory List barring them from working with children and/or vulnerable adults
- There are no concerns about the individuals suitability
- The employee has not had a break in service of more than 3 months between leaving their old post (with the Trust) and starting the new one, e.g. if they have taken a career break, secondment, retired returner

2.23 All staff who are in positions that are ancillary to, or carried out wholly or mainly to, the provision of health and social care services for children and/or vulnerable adults and where the duties are carried out frequently or intensively are subject to a satisfactory ED and where appropriate a relevant barred List check, e.g. secretarial staff, receptionists, staff who have access to patient records

2.24 All staff that will have direct clinical contact with patients as part of their normal duties (e.g. doctors, nurses, allied health professionals), are subject to a satisfactory ED and relevant barred List check.

2.25 Each post must be assessed against the relevant criteria (see section 2.20) to identify the circumstances where an ED/SD application will be made. These include:

- Pre-employment of a new employee appointed to a post in an area or staff group where a risk assessment has identified the requirement for a CRB check
- Pre-employment of an employee in another role where he/she is currently working in an area or staff group where the requirement for a CRB check has been identified, and has not had an *appropriate ED
- Pre-employment of an employee who is currently not working in an area or staff group where a CRB is required, and is appointed to an area or staff group where a CRB is required, and has not had an *appropriate ED
- Pre-placement of a person undertaking observer/clinical access status in an area or staff group where the requirement for a CRB check has been identified.
- Before a person undertakes voluntary work in an area where the requirement for a CRB check has been identified. Volunteers include Santa Claus, Magical Merlin and Wonderful Wanda who regularly visit children's areas

(* An example of an 'appropriate' ED is where an individual was checked for working with children and/or vulnerable adults and will be working with children and/or vulnerable adults in their new post. An inappropriate ED is where an individual was not previously checked against a relevant barred List for working with children and/or vulnerable adults).

If necessary, a person may start pre-ED provided their role is not subject to a Children's List and/or Vulnerable Adults List check, and a risk assessment has been completed and signed off by the Directorate Manager (or person of equivalent or higher authority e.g. Operational Services Manager) – see Appendix 2.

Students

- 2.26 The Education Provider will carry out a CRB check on students before they commence training. Written assurance must be sought that the Education Provider has carried out an appropriate check at the correct level. Where this assurance cannot be obtained a new CRB check should be obtained.
- 2.27 Students may take up their placement before a Disclosure is obtained provided a risk assessment is completed (see Appendix 2) and appropriate measures are in place e.g. full supervision.
- 2.28 A student who takes up employment with the Trust after training is subject to fresh pre-employment checks in accordance with the Trust's Recruitment and Selection policy.

Bank Nurses

- 2.29 A Bank Nurse could potentially work in any area within the Trust; therefore, they are subject to an ED application including a Children's List and/or Vulnerable Adults List check.
- 2.30 The Nurse Bank will handle all matters relating to CRB checks for Bank Nurses.
- 2.31 If an employee with an ED that includes a relevant barring List check joins the Bank, they will be subject to satisfaction of the conditions contained in paragraph 2.21 above before they can start.
- 2.32 If an employee joins the Bank and does not have an ED, an ED application must be made including a Children's List and/or Vulnerable Adults List check prior to the individual commencing work
- 2.33 If a Bank Nurse is recruited from outside the Trust, a new ED including a Children's List and/or Vulnerable Adults List check must be obtained before he/she starts

- 2.34 Bank Nurses who do not hold a substantive NHS contract must have the necessary level of check carried out on an annual basis.

Agency Staff

- 2.35 Authorised bookers of agency staff should ensure that agency staff booked to work in a post which requires an ED/SD have a satisfactory Disclosure including a relevant barring List check (where applicable) for the work they will be doing before they undertake that work. The agency must confirm to the authorised booker:

- a) Level of Disclosure obtained (Standard or Enhanced)
- b) Date Disclosure was issued
- c) Barred Lists checked
- d) Result of checks
- e) Whether any 'additional information' was disclosed

The authorised booker must confirm (or otherwise) that all checks are satisfactory and fit for purpose.

- 2.36 Agency staff providers are required to carry out the necessary level of check on an annual basis.

Observers and Clinical Access Placements

- 2.37 See 2.25 above.

Voluntary Workers

- 2.38 See 2.25 above.

Honorary Contract Holders

- 2.39 See 2.25 above.

Doctors in Training

- 2.40 Guidance from NHS Employers in relation to doctors on an educationally-approved training rotation states they should be checked, as a minimum, once every three years rather than each and every time they change rotation. In general, if a check at the correct level has been carried out within the last three years and written assurance is obtained from the 'host' organisation or previous employer of this, no further checks should be required provided the new post does not change the level of check required. Where the new post does change the level of check (and/or barred List requirement) a new Disclosure must be obtained.

- 2.41 An ED and relevant barred List check will be obtained at the start of the training programme and it will be ensured that it is fit for purpose for the full rotation.

For information, Doctors appointed to training programmes before 12 October 2009, who hold a valid enhanced CRB check (within the last three years), will not normally be required to have a fresh check against the Vulnerable Adults List until that three-year period elapses. For doctors who started their training programme post-October, written assurances must be sought from the host/previous employer that a check has been obtained against the Vulnerable Adults List.

Contractors

- 2.42 Standard or Enhanced CRB checks are only legally permitted for positions that are exempt under the Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975 i.e. where individuals have contact with patients in the course of normal duties. The trigger for a Disclosure and the level of Disclosure is dependent upon the work to be carried out. Managers must ensure that contract workers have the necessary type and level of Disclosure including a relevant barring List check (where applicable) before work is undertaken – see below:

Enhanced Disclosure – Required where contractor will be working in a regulated or controlled activity as defined in paragraph 2.16 above. To meet the criteria for a regulated or controlled activity, the activity must be carried out frequently, intensively or overnight as follows:

- Frequently – the activity must be carried out once a month or more
- Intensively – the activity must be carried out 4 days or more in any 30 day period
- Overnight – the activity is carried out between the hours of 2.00am and 6.00am

Note Any activity involving children or adults in a *specified place* (e.g. Children’s Hospital) will require an Enhanced Disclosure, subject to the criteria above, regardless of the work that will be undertaken.

Standard Disclosure – Required where contractor will have contact with patients in the course of their normal duties and will meet the frequency test – see above.

Portability of Disclosures

- 2.43 Portability refers to the re-use of a Disclosure obtained for a position in one organisation and later used for another position in another organisation.
- 2.44 The CRB does not endorse the use of portability due to the potential risks involved. The Trust recognizes that for some appointments there may be exceptional circumstances where portability may be necessary.
- 2.45 Portability will only apply where there is an urgent need to appoint due to an identified risk to patient safety or for induction purposes.

- 2.46 Exceptional circumstances do not include: agency/locum cover; absence cover (unless statutory obligations and/or patient safety cannot be met); difficulty in meeting targets; gaps due to vacancies in doctor's on-call in non-acute specialties (e.g. pathology).
- 2.47 Exceptional circumstances should be identified to Human Resources by the recruiting manager. These should be passed to the relevant HR Officer to decide each case on its merits. The Senior HR Manager should be involved in decisions as necessary.
- 2.48 New employees will be allowed to start work in exceptional circumstances before a new CRB check is completed, provided **all** of the following safeguards are met:
- a) HR has applied for a new Disclosure
 - b) The employee's current Disclosure (not a photocopy) has been evidenced by HR
 - c) The Disclosure is fit for purpose i.e. Standard or Enhanced with relevant Barred List check where appropriate
 - d) The Disclosure is dated within the last 30 months from the date of the conditional offer letter from the Trust (no exceptions)
 - e) The employee's continuous employment (in any employment) between the date of the current Disclosure and present day has been evidenced from references
 - f) The employee has signed a declaration stating they have not had any police cautions, convictions, warnings or bindovers since the date the current Disclosure was issued
 - g) The current Disclosure has been verified by HR by contacting the Countersignatory (confirm reference number, identity details, and whether 'additional information' was included). If any details cannot be confirmed, the new employee cannot start work until the Trust's CRB checks are completed
 - h) A risk assessment (see Appendix 2) has been completed and appropriate arrangements (e.g. no access to patients and/or full supervision) will be in place when the employee starts
 - i) The candidate's consent to contact the Countersignatory on the Disclosure must be obtained and the Countersignatory must be written to by a Countersignatory of this Trust using the standard letter at Appendix 1

Length of Time a Disclosure is Valid

- 2.49 A Disclosure carries no period of validity. They are designed for use immediately after issue i.e. at the point of recruitment for a particular position only. A Disclosure will be of most use the closer to the date of issue it is used.

Model Declaration Forms

- 2.50 All positions within the Trust are regarded as 'positions of trust' and therefore all prospective employees and current employees transferring internally are required to complete a Model Declaration Form prior to commencement. Where the position meets the criteria for a CRB check the applicant must complete Form A, and where it does not they must complete Form B.

Recruitment Process

- 2.51 To avoid any delays in processing a Disclosure application, only successful candidates at interview for whom a Disclosure is required will be required to attend HR/Nurse Bank to complete an electronic Disclosure Application Form together with their necessary proofs of identity.
- 2.52 Proofs of identity must be checked to verify original documentation has been provided and that they verify the identity of the individual. Photographic evidence is particularly important e.g. passport, photo-driving licence.
- 2.53 Once HR/Nurse Bank have completed the appropriate sections of the form they will email this to the applicant so that they can complete the remainder of the form and submit electronically once complete.

Record Keeping

- 2.54 The Trust recognises its responsibilities to comply fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures, Disclosure information and Model Declaration Forms. It also complies fully with its obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and information provided on a Model Declaration Form.
- 2.55 When a Disclosure is received, the date of receipt, Disclosure Number, level of check and List checks undertaken will be recorded on ESR and in the individual's personal file. The date the Disclosure was issued will also be recorded on the individual's personal file. A record will be retained on the individual's personal file to confirm that a Model Declaration Form had been completed and received. The Disclosure and Model Declaration Form will be retained centrally for six months then be destroyed by secure means i.e. shredded, then pulped or burned. Access to Disclosure information will be strictly controlled and limited to those who are entitled to see it as part of their duties.
- 2.56 In accordance with section 124 of the Police Act 1997, Disclosure information will only be passed to those who are authorised to receive it in the course of their duties. It is recognised that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Staff Recruited from Overseas

- 2.57 The CRB cannot access criminal records held overseas and are only able to access criminal records held on the Police National Computer (PNC) in England, Wales and Scotland (and some conviction data held on the PNC in Northern Ireland), therefore, it is important when recruiting from overseas that an overseas police check is carried out. This is in addition to any requirement in this policy to obtain a CRB Disclosure. In a small number of cases overseas criminal records are also held on the PNC and these would be revealed as part of a CRB check.
- 2.58 A CRB Disclosure, including relevant barred List check (where applicable) must be obtained even if the applicant claims they have never lived in the UK before.
- 2.59 Guidance on how to access criminal record information from other countries is available from the following websites:
- a) CRB at: www.crb.homeoffice.gov.uk
 - b) Security Industry Authority at: www.the-sia.org.uk or
 - c) Foreign and Commonwealth Office at: www.fco.gov.uk (Tel 020 7008 1500)

Employing People with a Criminal Record

- 2.60 The Trust undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.
- 2.61 A criminal offence will not automatically disqualify a person, nor automatically result in dismissal in the event of employment.
- 2.62 In accordance with the Trust's Recruitment & Selection Policies, at least one member of a recruitment panel should have received appropriate training in recruitment and selection practice.
- 2.63 If a Disclosure contains information previously not disclosed, or gives cause for concern, the matter will be investigated by the recruiting manager in conjunction with the Human Resources Department. A decision will be made concerning the suitability of the candidate for employment.
- 2.64 Careful consideration will be given to the following key points:
- a) The nature of the offence(s)
 - b) When it occurred i.e. how long ago and at what age
 - c) Whether the applicant has a pattern of offending behaviour, for example, if there are multiple offences
 - d) Whether these, or other factors, such as the individual's failure to disclose relevant information, make them unsuitable

- 2.65 If following the investigation the candidate is deemed to be unsuitable for employment, the recruiting manager shall withdraw the conditional offer of employment. In the event that the individual has commenced in employment, a disciplinary hearing will be convened in accordance with the Disciplinary Procedure. The officer conducting the hearing shall have authority to consider dismissal.

3. Acting as an Umbrella Body

The Trust acts as an umbrella body and retains all processing, administration and records associated with Disclosures within the Human Resources Department in accordance with this policy.

4. Audit & Monitoring

- 4.1 Compliance with this policy will be monitored by the Director of Human Resources. Information will be presented to the Heads of Human Resources Meeting on an annual basis who will identify an appropriate action plan to address areas of non-compliance and will continue to monitor the plan until its completion.

- 4.2 Monitoring will include reporting of information on ESR and personal file audits to identify:

- a) The number and type of Disclosures requested
- b) That Disclosures and any Barred List checks are requested in accordance with the requirements of this policy
- c) That all appointments are made in accordance with the necessary pre-employment CRB checks required in this policy
- d) That a risk assessment is recorded for all posts where it is applicable
- e) The number of returned Disclosure application forms and the reason

5. Further Advice and Guidance

Please contact a Human Resources Officer in the Human Resources Department.

Author: Director of Human Resources

Confidential – Addressee-Only

Dear

Criminal Records Bureau

The person named below has applied for a position with this Trust that requires a valid Standard/ Enhanced (*delete as appropriate*) Disclosure from the Criminal Records Bureau (CRB). He/she has a Standard/Enhanced (*delete as appropriate*) Disclosure and given his/her consent (see Section1 below) to contact you to verify certain details.

I would be grateful if you could provide me with the information requested in Section2 below by return. This will be treated in strict confidence and handled in accordance with the CRB Code of Practice.

If you wish to verify the source of this letter, please contact:

Name: _____

Tel Number: _____

Section 1

To be completed by person giving consent

I _____ *full name*, Date of Birth _____

Having been offered the position of _____

with The Newcastle upon Tyne Hospitals NHS Foundation Trust, consent to

_____ *countersignatory*, who countersigned my original

disclosure application, confirming such details relating to the Disclosure issued to me

by the Criminal Records Bureau on _____, reference

number _____ to _____

Trust countersignatory,

as may be necessary to assist with an assessment of my suitability for the position.

Signed: _____ Date: _____

Section 2

To be completed by the Countersignatory named on the Disclosure Form

1. Did you employ the above person between _____ and _____? YES/NO
2. Did you carry out a Standard or Enhanced Disclosure check? SD/ED
3. If ED, was additional information provided by the Police? YES/NO
4. Did you check the children's Barred List? YES/NO
5. Did you check the Vulnerable Adults Barred List YES/NO
6. Did you follow the CRB Guidance when considering their suitability? YES/NO
7. Did the above person's behaviour give you cause for concern? YES/NO
8. Date of Disclosure _____

Thank you for your assistance.

Yours sincerely

Name & Designation
& Countersignatory No. (Reg'd Body No.: 20176600008)

Risk assessment for the appointment of staff before completion of CRB and barred List checks

(NB Applicable for use only in respect of the following: students; internal appointments; as part of portability criteria used in exceptional circumstances)

<p>A: Person mostly unsupervised</p>	<p>B: Person will have access to children and/or vulnerable adults as part of normal duties</p>
<p>C: Person mostly supervised</p>	<p>D: Person will not have access to children and/or vulnerable adults as part of normal duties</p>

<p>A & B = High Risk</p>	<p>Yes/No</p>	<p>Cannot start with children and/or vulnerable adults unless 2.22 is satisfied</p>
<p>A & D = Medium Risk</p>	<p>Yes/No</p>	<p>Can start with risk assessment</p>
<p>C & B = High Risk</p>	<p>Yes/No</p>	<p>Cannot start with children and/or vulnerable adults unless 2.22 is satisfied</p>
<p>C & D = Low Risk</p>	<p>Yes/No</p>	<p>Can start with risk assessment</p>

*How will the level of risk be managed?
(Standard day and out-of-hours)*

Who will take personal responsibility?

Name: *(please print)*.....

Designation:

Signature:

Print Name:

Designation.....

Date:

THE NEWCASTLE UPON TYNE HOSPITALS NHS FOUNDATION TRUST
IMPACT ASSESSMENT – SCREENING FORM A

This form must be completed and attached to any procedural document when submitted to the appropriate committee for consideration and approval.

Policy Title:	Pre-Employment Checks & Use Of The Criminal Records Bureau Policy	Policy Author:	Mr Paul Turner – Head of Human Resources Services
		Yes/No?	You must provide evidence to support your response:
1.	Does the policy/guidance affect one group less or more favourably than another on the basis of:	No	Policy applies to all employees of the Trust. It is underpinned by Trust's overriding policy on Equal Opportunities and employment legislation
	• Race	No	}
	• Ethnic origins (including gypsies and travellers)	No	}
	• Nationality	No	}
	• Gender	No	} As above.
	• Culture	No	}
	• Religion or belief	No	}
	• Sexual orientation including lesbian, gay and bisexual people	No	}
	• Age	No	}
	• Disability – learning difficulties, physical disability, sensory impairment and mental health problems.	No	EPPCG have considered the Disability Discrimination Act to ensure employees who have a disability are not treated more or less favourably than those employees who do not have a disability
2.	Is there any evidence that some groups are affected differently?	No	
3.	If you have identified potential discrimination, are any exceptions valid, legal and/or justifiable?	N/A	
4(a).	Is the impact of the policy/guidance likely to be negative? (If "yes", please answer sections 4(b) to 4(d)).	No	
4(b).	If so can the impact be avoided?	N/A	
4(c).	What alternatives are there to achieving the policy/guidance without the impact?	No	
4(d)	Can we reduce the impact by taking different action?	No	

Comments:	Action Plan due (or Not Applicable):
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Name and Designation of Person responsible for completion of this form: Miss Ceri Liddell – HR Officer (Projects)

Date: 3 February 2010

Names & Designations of those involved in the impact assessment screening process: The Employment Policies and Procedures Consultative Group
 (If any reader of this procedural document identifies a potential discriminatory impact that has not been identified on this form, please refer to the Policy Author identified above, together with any suggestions for the actions required to avoid/reduce this impact.)

For advice on answering the above questions please contact Helen Lamont, Director of Nursing, or, Christine Holland, Senior HR Manager. On completion this form must be forwarded electronically to Steven Stoker, Clinical Effectiveness Manager, (Ext. 24963) steven.stoker@nuth.nhs.uk together with the procedural document. If you have identified a potential discriminatory impact of this procedural document, please ensure that you arrange for a full consultation, with relevant stakeholders, to complete a Full Impact Assessment (Form B) and to develop an Action Plan to avoid/reduce this impact; both Form B and the Action Plan should also be sent electronically to Steven Stoker within six weeks of the completion of this form.