

# Welcome & Agenda

Brian Gorman

Head of Disclosure Scotland

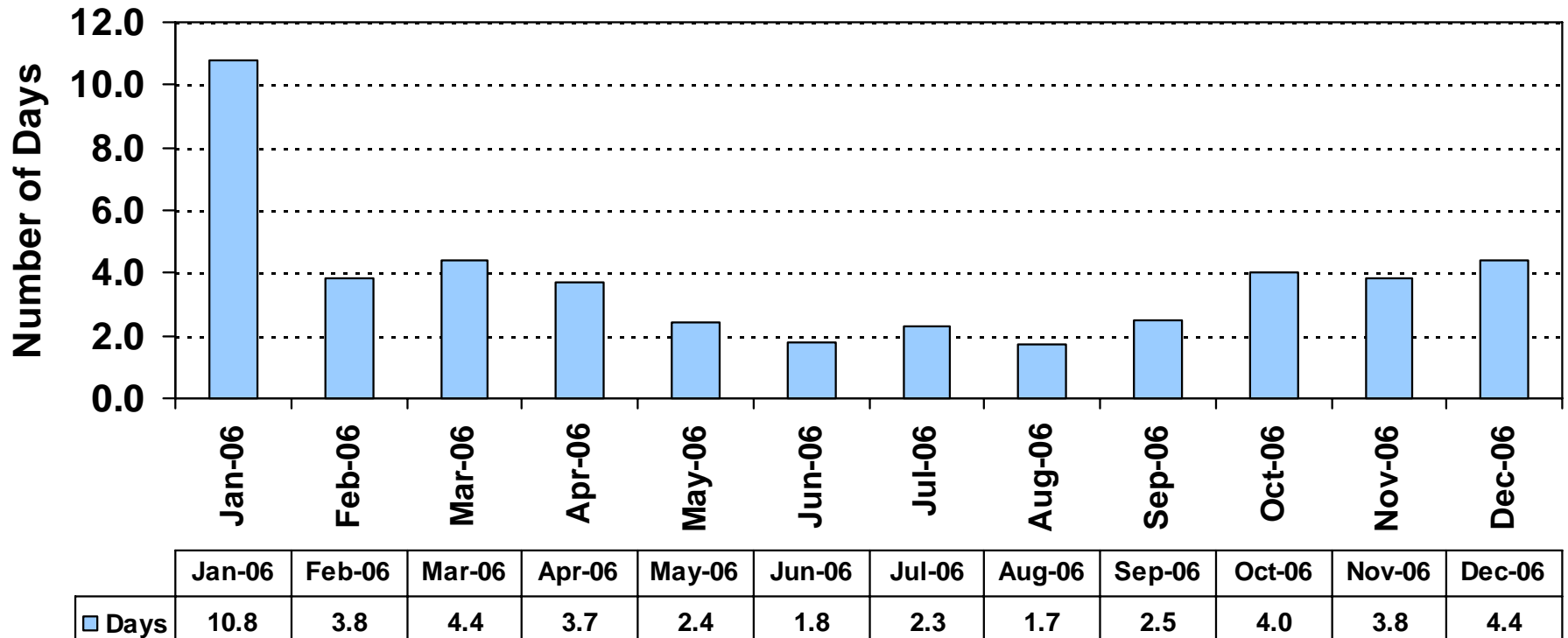
# Agenda

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- Bichard Recommendations & Progress
- New Application Form Changes
- Code of practice – changes and guidelines
- Protection of Vulnerable Groups (Scotland) Bill
- Questions & Answers

# Turnaround Times

Average Processing Turnaround (Days)



# Bichard Recommendations & Progress

Brian Gorman

Head of Disclosure Scotland

# Bichard Initial Recommendations

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## Recommendation

## Outcome

19. To create a Register of Persons suitable to work with children.

A Register of Persons unsuitable to work with children and Protected Adults will be created as proposed in the Protection of Vulnerable Groups Bill.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

20. Development of a Quality Assurance Framework for Forces.

The Quality Assurance Framework has been developed and will be introduced to the Scottish Police Service and Disclosure Scotland over the next few months.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

21. All posts, including those in schools, that involve working with children, and vulnerable adults, should be subject to the Enhanced Disclosure regime.

Introduced by Regulations in April 2006.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

22. The Registered Bodies' precise responsibilities for checking identities need to be clarified urgently.

This Guidance is covered in the New Application Form and Completion Notes.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

23. Registered Bodies, or the CRB, should be able to check passports and driving licences presented as proof of identify against the Passport Service and Driver and Vehicle Licensing Agency (DVLA) databases.

This Guidance is covered in the New Application Form and Completion Notes. The direct access to these by Disclosure Scotland databases has not as yet been negotiated.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

24. There should be an expectation that documents produced to confirm identity should, wherever possible, include a photograph.

This Guidance is covered in the New Application Form and Completion Notes.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

25. Fingerprints should be used as a means of verifying identity.

Withdrawn

# Bichard Initial Recommendations

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## Recommendation

## Outcome

26. Guidance should be issued to Registered Bodies to verify that applicants have given a full and accurate account of their current and past addresses.

The Application Form and Guidance Notes covers this. The introduction of IPLX in the current system in Scotland will address this recommendation.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

27. Registered Bodies should be required to confirm that they have checked the information on the 'Police Check Form' in accordance with CRB guidance.

Covered in New Application Form and Guidance Notes.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

28. The consents that applicants currently give on the 'Police Check Form' should be sufficiently broad to enable the requisite checks to be undertaken.

Covered in New Application Form and Guidance Notes.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

29. Incomplete or withdrawn applications should in future be returned to the Registered Body, and not to the Applicant.

This practice has always been in place in Scotland and will continue.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

30. Proposals should be brought forward as soon as possible to improve the checking of people from overseas who want to work with children and vulnerable adults.

Negotiations ongoing worldwide, particularly within EU countries and those countries with the highest number of immigrants to this work sector.

# Bichard Initial Recommendations

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## Recommendation

## Outcome

31. As a priority, legislation should be brought forward to enable the CRB to access the following additional databases for the purposes of vetting:

- Her Majesty’s Customs & Excise;
- National Criminal Intelligence Service;
- National Crime Square;
- British Transport Police; and the Scottish and Northern Ireland equivalents of the Protection of Children Act List and the Protection of Vulnerable Adults List.

Legislation introduced in April 2006 to access databases of 15 organisations. This work is ongoing.

FOR OFFICIAL USE ONLY

- PLEASE REFER TO THE ACCOMPANYING GUIDANCE NOTES AS YOU COMPLETE THE FORM.
- Please print in CAPITAL letters within the white boxes and do not make a mark on any other part of the form. We recommend you use blue or black ink.
- Applicants should complete PARTS A, B and C on pages 1, 2 and 3 of the form which are coloured blue. The Applicant may also have to complete PART D depending on whether or not they are paying for the Disclosure. Please check payment arrangements before completing PART D.
- Mandatory fields are highlighted in yellow, you must provide information in these fields or your application will be returned to you.
- Please make a note of the Barcode Number at the top to assist with any future query.

PART A Type of Application (Read Note A)	
A1	Basic <input checked="" type="checkbox"/> Standard <input checked="" type="checkbox"/> Enhanced <input checked="" type="checkbox"/> Cross (X) one box only.
PART B Personal Details (Read Note B)	
Name(s)	
B1	Mr <input checked="" type="checkbox"/> Mrs <input checked="" type="checkbox"/> Ms <input checked="" type="checkbox"/> Miss <input checked="" type="checkbox"/> Other <input type="checkbox"/>
B2	Present Surname
B3	Present Forenames
B4	
B5	Mother's Maiden (or Family) Name
B6	Are you now, have you ever been, or were you at birth known by a different name? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/> If 'Yes', please enter the details below.
B7	Surname
B8	Forenames
B9	
B10	Surname
B11	Forenames
B12	
B13	If you require more space use a separate piece of paper and cross this box. <input checked="" type="checkbox"/>
Birth Details	
B14/B15	Date of Birth DD / MM / YYYY Gender Male <input checked="" type="checkbox"/> Female <input checked="" type="checkbox"/>
B16	Town of Birth
B17	Registration District
B18	Country of Birth
Additional Information	
B19	National Insurance No.
B20/B21	Full Passport No. Is this a UK Passport? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
B22/B23	Driving Licence No. Is this a UK Driving Licence? Yes <input checked="" type="checkbox"/> No <input checked="" type="checkbox"/>
B24	Electricity Supplier No.
B25	Previous Disclosure No.

# New Application Form Changes

Doreen Docherty  
Operations Manager  
Disclosure Scotland

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We are in it  
together

# Changes to form

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- 2 Different colours. Applicant Blue pages, Registered Person Pink page
- Mandatory fields highlighted in yellow
- 5 year address history
- Payment info now on Page 3
- 3 Forms of ID recommended be seen
- Specifics required with regards Exempted Question/Prescribed Purpose And List Searches

# Page 1

- Part A no changes

- Part B Split into 3 sections:

1. Name(s)
2. Birth Details
3. Additional information

**PART A Type of Application (Read Note A)**

A1 Basic  Standard  Enhanced  Cross (X) one box only.

**PART B Personal Details (Read Note B)**

Name(s)

B1 Mr  Mrs  Ms  Miss  Other

B2 Present Surname

B3 Present Forenames

B4

B5 Mother's Maiden (or Family) Name

B6 Are you now, have you ever been, or were you at birth known by a different name? Yes  No  If 'Yes', please enter the details below.

B7 Surname

B8 Forenames

B9

B10 Surname

B11 Forenames

B12

B13 If you require more space (use a separate sheet of paper and cross this box)

**Birth Details**

B14/B15 Date of Birth DD / MM / YYYY Gender Male  Female

B16 Town of Birth

B17 Registration District

B18 Country of Birth

**Additional Information**

B19 National Insurance No.

B20/B21 Full Passport No. Is this a UK Passport? Yes  No

B22/B23 Driving Licence No. Is this a UK Driving Licence? Yes  No

B24 Electricity Supplier No.

B25 Previous Disclosures No.

# Page 1 Part B

## Name(s) (B1-B13)

- Mothers maiden or family name now B5

Name(s)	
B1	Mr <input checked="" type="checkbox"/> Mrs <input checked="" type="checkbox"/> Ms <input checked="" type="checkbox"/> Miss <input checked="" type="checkbox"/> Other <input type="checkbox"/>
B2	Present Surname
B3	Present Forenames
B4	
B5	Mother's Maiden (or Family) Name
B6	Are you now, have you ever been, or were you at birth known by a different name? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> If 'Yes', please enter the details below.
B7	Surname
B8	Forenames
B9	
B10	Surname
B11	Forenames
B12	
B13	If you require more space use a separate piece of paper and cross this box. <input checked="" type="checkbox"/>

# Page 1 Part B

## Birth Details (B14-B18)

- Now covers:
  1. Date of Birth
  2. Gender
  3. Town of Birth
  4. Registration District
  5. Country of Birth

Birth Details														
B14/B15	Date of Birth	D	D	/	M	M	/	Y	Y	Y	Y	Gender	Male <input checked="" type="checkbox"/>	Female <input checked="" type="checkbox"/>
B16	Town of Birth													
B17	Registration District													
B18	Country of Birth													



# Page 2 split into 3 sections

1. Contact Information (B26-B29)
2. Current Address (B30-B36)
3. Address History (B37-B58)

- Additional guidance given on form
- i.e. Resident from dates - 5 years required

The image shows a form with three sections circled in black:

- Contact Information** (B26-B29):
  - B26: Home Phone No. (incl. Area Code)
  - B27: Business/Mobile Phone No. (incl. Area Code)
  - B28: Email Address
  - B29: (Empty)
- Current Address** (B30-B36):
  - B30: Address (Number, Street)
  - B31: (Empty)
  - B32: Post Town
  - B33: County
  - B34/B35: Post Code (Year is the minimum required)
  - B36: Country (Blank if UK)
- Address History** (B37-B58):
  - B37: Address (Number, Street)
  - B38: (Empty)
  - B39: Post Town
  - B40: County
  - B41/B42: Post Code (Year is the minimum required)
  - B43: Country (Blank if UK)
  - B44: Address (Number, Street)
  - B45: (Empty)
  - B46: Post Town
  - B47: County
  - B48/B49: Post Code (Year is the minimum required)
  - B50: Country (Blank if UK)
  - B51: Address (Number, Street)
  - B52: (Empty)
  - B53: Post Town
  - B54: County
  - B55/B56: Post Code (Year is the minimum required)
  - B57: Country (Blank if UK)
  - B58: If you require more space use a separate piece of paper and cross this box.

# Page 3 split into 2 sections

1. Part C  
Declaration(C1-C2)  
(Applicant)
2. Part D Payment(D1-D10)

Although this page is blue if D2 is crossed the Registered Person will complete payment details.

**PART C Declaration (Read Note C)**

Information you have supplied on this form and on the Disclosure record to which this relates may be passed to other Government organisations and law enforcement agencies.

I declare that, to the best of my knowledge and belief, all of the information that I have given in connection with this application is full and correct in every respect. I undertake to supply any additional information that may be required by Disclosure Scotland to verify the particulars given and also to inform Disclosure Scotland immediately of any alterations in these particulars.

**WARNING** It is an offence if you knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain, a Disclosure. The work of Disclosure Scotland includes checking that all the information given is genuine.

By signing at C1 you are agreeing to the above conditions of application.

C1/C2 Applicant's Signature  PLEASE KEEP SIGNATURE WITHIN BOX Signature Date DD / MM / YYYY

**Standard and Enhanced Disclosures** - If you are an applicant or payee for this Disclosure, complete PART D before forwarding the form to the Registered Body for countersignature. If the Registered Body is paying for it on your behalf, leave PART D blank and forward the form directly to them.

**Basic Disclosures** - Applicants should complete PART D and send the form directly to Disclosure Scotland.\* (See Guidance Notes.)

**PART D Payment (Read Note D)**

D1 Is this application in respect of a volunteer in the voluntary sector working with children or adults at risk? Yes  No

D2 If this Disclosure is to be paid for by a Registered Body, the Registered Person should cross this box and complete this PART.

**D3 Method of Payment**

Registered Body Invoice  Cheque  VISA  Master Card  Switch   
Maestro  Solo  Delta  Postal Order  Voucher

Please make cheques payable to 'Disclosure Scotland'. We recommend the cheque is completed in blue or black ink.

**Credit/Debit Card Payments**

D4 Card Number  This is the large number written across the middle of your card. Do not leave blank spaces.

D5 Expiry date MM / YY

D6 Issue Number  If your card has one.

D7 Name of Cardholder

D8/D9 Signature of Cardholder  PLEASE KEEP SIGNATURE WITHIN BOX Signature Date DD / MM / YYYY

**Voucher Payments**

D10 Voucher Number

**STANDARD AND ENHANCED DISCLOSURES**  
- send completed application forms to the Registered Body countersigning your application

**BASIC DISCLOSURES**  
- send completed application forms to: Disclosure Scotland, PO BOX No: 250, GLASGOW G51 1YU

**FOR DISCLOSURE SCOTLAND USE ONLY. DO NOT WRITE BELOW THIS LINE**

Correct Payment  Amount  Sort Code

Account Number  Cheque Number

Other

Initials



# Page 4 (Part E) To be completed by Registered Person

Split into 7 areas:

5. Confirmation of Identity (E13-E15)

6. Umbrella Body (E16)

7. Registered Person Declaration (E17-E18)

**Confirmation of Identity**  
The Registered Person must satisfy themselves as to the identity of the Applicant. It is recommended that at least three forms of identity are checked, if possible, at least one should be photographic. These should confirm the name, the date of birth and the current Home Address of the Applicant. Cross the appropriate boxes below to confirm what has been checked.

E13 Birth Certificate  Passport  Driving Licence (with photograph)  Driving Licence (without photograph)  Other

If 'Other' then please state the other form of identification seen.

E14

E15 Authentication Reference No.

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**Umbrella Body Details**  
If you are signing this application on behalf of another organisation, please supply the name of that organisation here.

E16 Organisation Name

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**Registered Person Declaration**  
As Registered Person, I declare that, to the best of my knowledge and belief, all of the information that I have given in connection with this application is full and correct in every respect. I undertake to supply any additional information that may be required by Disclosure Scotland to verify the particulars given and also to inform Disclosure Scotland immediately of any alterations to these particulars.

**WARNING** It is an offence if you knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain, a Disclosure. The work of Disclosure Scotland includes checking that all the information given is genuine.

E17/E18 Countersignature  Signature Date  /  /   
PLEASE KEEP SIGNATURE WITHIN BOX

The signature you supply here will be checked against the sample you supplied on the Registration application.

# Biggest impact on Registered Bodies

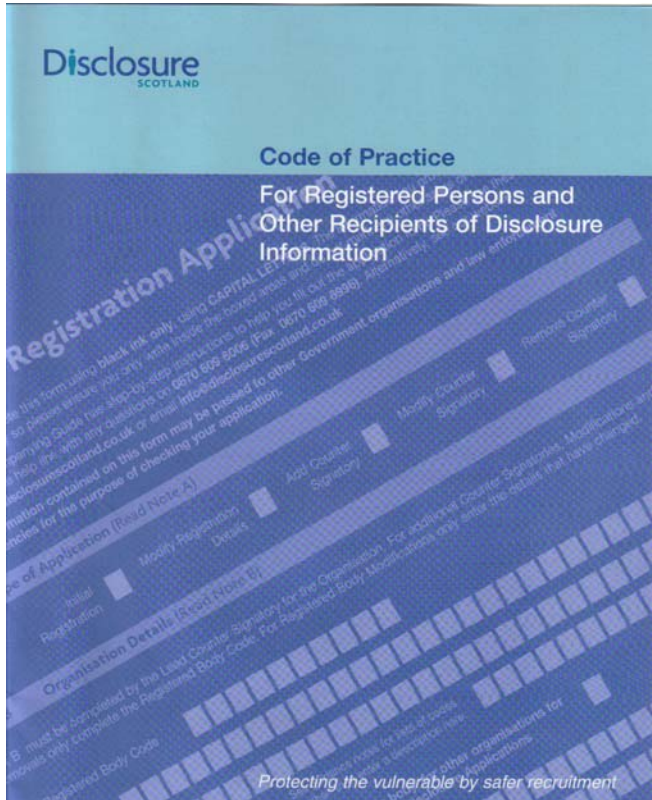
- ALL questions must be answered
- Specific Questions relating to:
  - Working out of the home of the applicant
  - Exempted Question/Prescribed Purpose
  - List Searches

E4	Will the work be carried out at the Home Address of the Applicant?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>Exempted Question/Prescribed Purpose</b>			
E5	As Registered Person, do you confirm that the certificate is required for the purposes of an Exempted Question?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
E6	As Registered Person, do you confirm that the certificate is required for a Prescribed Purpose?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
<b>List Searches</b>			
E7	Does this role qualify for a search of the Lists of Individuals Disqualified from Working with Children?	Yes <input type="checkbox"/>	No <input type="checkbox"/>
E8	Does this role qualify for a search of the Lists of Individuals Disqualified from Working with Adults at Risk?	Yes <input type="checkbox"/>	No <input type="checkbox"/>

- 3 forms of ID seen
- Authentication reference number

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# Thank You



# The Code of Practice

Ann Hamilton  
Compliance Manager  
Disclosure Scotland

**Disclosure**  
SCOTLAND

# Key Roles

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- Deciding the level of Disclosure
- Authenticating applicant's identity
- Advising about payment
- Checking Parts A to D are completed correctly
- Completing Part E including countersigning

# Key Responsibilities

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- Complying with the law and the Code of Practice
- Handling, using, storing and destroying Disclosure information as required
- Nominating additional countersignatories (Lead signatory only)

# Code of Practice

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- Published by Scottish Ministers under section 122 of the Police Act 1997
- Supplemented by an Explanatory Guide issued by Disclosure Scotland

# Purpose of the Code

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- Disclosure information must be used properly and fairly
- Disclosure information must be handled, stored and destroyed as set out
- Assurance will be provided to Disclosure subject by compliance visits

# Disclosure Information

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- Disclosure information is what appears on the Certificate namely:
  - Convictions
  - Cautions (from England, Northern Ireland and Wales)
  - Non-conviction information from the police
  - Information about disqualifications from working with children (and Vulnerable Adults England/Wales)

# Standard Disclosure

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- Available only for certain posts
- Posts must be in The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003
- Countersignatory must answer 'Yes' to question E5 on the new application form

# Enhanced Disclosure

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- Available only for certain posts
- Posts must be in The Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003 *and* The Police Act 1997 (Criminal Records) (Scotland) Regulations 2006
- Countersignatory must answer 'Yes' to question E6 on the new application form

# Umbrella Bodies

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- If acting as an Umbrella Body:
  - have knowledge of the organisation you are countersigning for
  - advise them about the Code and the Guide
  - get a written assurance that organisations are adhering to the Code of Practice

# Fair Use of Disclosure Information

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- Recipients of Disclosure information must:
  - Not use the information for purposes other than for which it was provided
  - Have regard to the Guide and other advice issued by Disclosure Scotland
  - Not unfairly discriminate against the applicant on the basis of and information on the Disclosure

# Handling Disclosure Information

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- Recipients of Disclosure Information must:
  - Have a written policy on the handling, holding and destroying of Disclosure Information
  - Not disclose it to persons who are not entitled to see it in the course of their duties
  - Not disclose to the applicant or a third party, information provided under section 113B(5)
  - Securely store all Disclosure Information
  - Not retain Disclosures or Disclosure information for more than 30 days after the relevant decisions have been made
  - Dispose of Disclosure Information in a secure manner

# Assurance

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- Recipients of Disclosure Information shall at the request of Disclosure Scotland:
  - Undertake an audit of their handling, holding and destruction of Disclosure Information
  - Report to Disclosure Scotland any failure to comply with the Code of Practice
  - Report to Disclosure Scotland any reasonable suspicion of an offence under section 123 and 124 of the 1997 Act
  - Co-operate with Disclosure Scotland on any Compliance Audit visit
  - Scottish Ministers can refuse to issue a Disclosure if they believe any person has failed to comply with the Code of Practice

# Suspension/Termination of Registration

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- Request from Registered Person to be withdrawn from the Register
- Individuals deemed unsuitable to access Disclosure Information
- Removal from Register by Disclosure Scotland
- Suspension of Service

# Considering Suitability of Applicants

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- It is the responsibility of the Employer whether to offer the applicant the position
- The following may be considered:
  - Is the information relevant to the position
  - The seriousness of any offence
  - Is the person fully listed on a 'Disqualified List'
  - Length of time since the offence/matter occurred
  - Whether the applicant has a pattern of offending behaviour

# Protection of Vulnerable Groups (Scotland) Bill

Michael Proctor  
Children & Families Division  
Scottish Executive

# Aims of the Vetting & Barring Scheme

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- Keep unsuitable people out of the children and protected adults workforce
- Remove people who become unsuitable
- Streamline the disclosure process and reduce bureaucracy

# What's Different

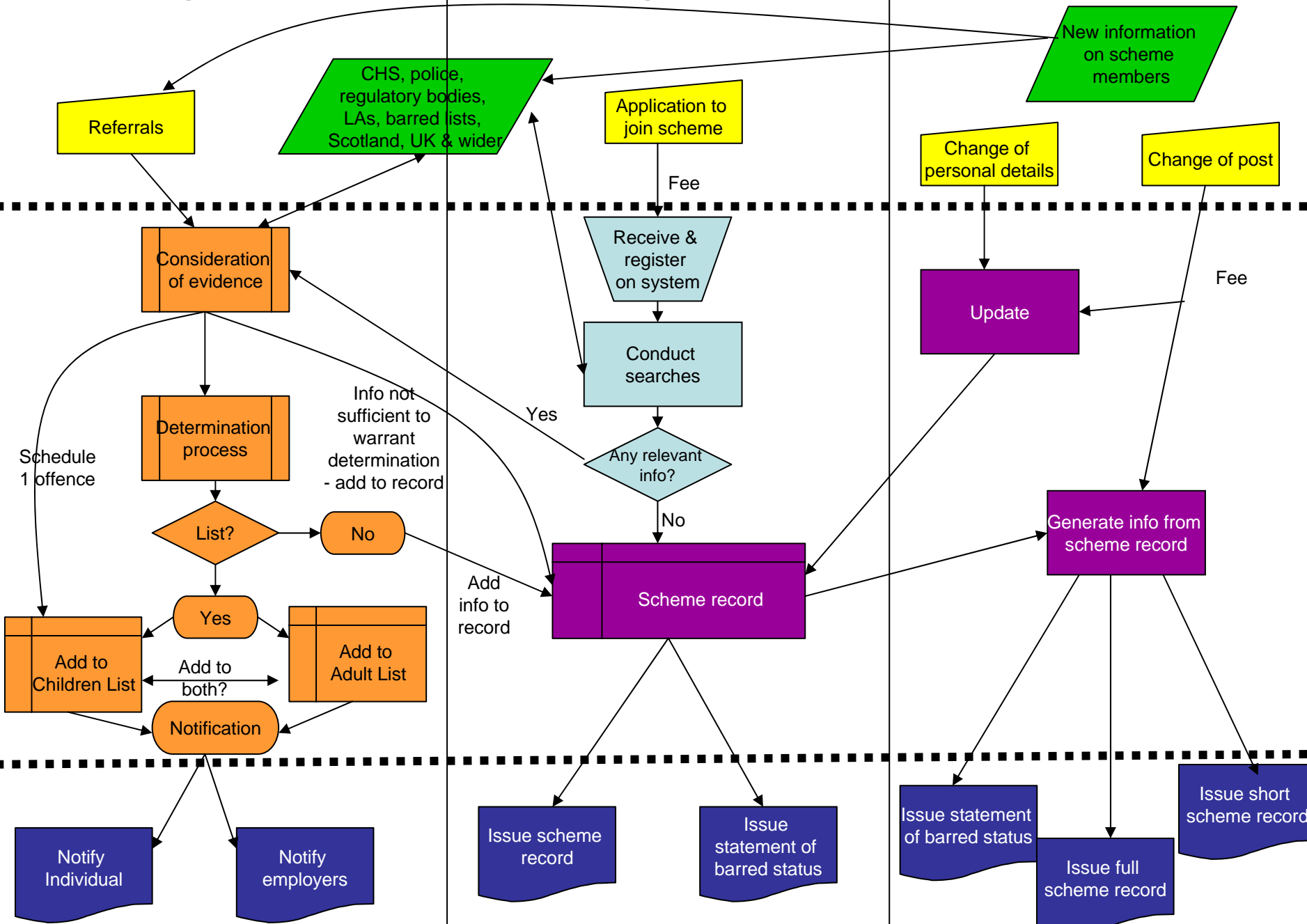
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- Vetting on initial application
- Continuous vetting of scheme members
- Vetting information from other sources
- No need for repeated applications for disclosure
- New list of people barred from working with adults

# Barring Function

# Vetting Function

# Scheme Membership



# Timescales

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- Bill passed March 2007
- Royal Assent April 2007
- New agency established in shadow form October 2007
- Secondary legislation March 2008
- Commence phased implementation April 2008

# Where can I find out more?

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- Links to all the documents relating to the Bill can be found at:

[www.scotland.gov.uk/pvglegislation](http://www.scotland.gov.uk/pvglegislation)

- Progress of the Bill can be tracked at the Scottish Parliament website:

[www.scottish.parliament.uk/business/bills/billsinprogress](http://www.scottish.parliament.uk/business/bills/billsinprogress)

- Disclosure Scotland:

[www.disclosurescotland.co.uk](http://www.disclosurescotland.co.uk)

# Questions & Answers