

On The Record - Vetting Employees and Volunteers

People seeking work, whether paid or voluntary, involving regular contact with children and young people under 18, will be subject to extensive criminal record checks if the proposals outlined in a recent Government White Paper are implemented. The paper "**On The Record. The Government's Proposals for Access to Criminal Records for Employment and Related Purposes in England and Wales**", outlines proposals for a new self-financing 'criminal records agency', to carry out these checks.

The White Paper proposes the creation of three levels of record checks. The most basic

check will provide a Criminal Conviction Certificate, listing any 'unspent' convictions and costing £18. Employers will then be likely to require potential employees to produce a Criminal Conviction Certificate before employing them.

The second level will be the Full Check, which will be required by prospective employees, trainees and volunteers in occupations exempted from the Rehabilitation of Offenders Act 1974, including voluntary and paid youth work. It applies to those in regular contact with children and young people under 18. The Full Check will list both 'spent' and 'unspent' convictions and details of any police cautions.

The third level will be the Enhanced Check which will apply to all those whose work involves regular and unsupervised contact with children and young people under 18. This will involve a check of national and local police records and, in addition to listing spent, unspent convictions and cautions, it will also include details of allegations which either did not proceed or failed to result in a conviction. The cost of this and the full check is likely to be much higher, reflecting the extra time and effort spent in conducting the check.

The individual will have to apply for the record checks, but in the case of the full and enhanced checks, the application will have to be countersigned by the employer. The cost of the checks will be the responsibility of the individual. Any employers requiring access

to the full and enhanced checks will have to register with the criminal records agency. Copies of the check will be sent to the employer and the applicant so that they can verify or challenge the information disclosed.

The Government wishes to introduce the checking arrangements as soon as possible, but expects to have the processes fully operational by mid 1998. They have just completed a consultation exercise with regards to a code of practice for employers.

Although the checks will not be compulsory, it is likely that many employers will soon feel compelled to rely on them and are likely to face external pressures to demand them from prospective employees. While these proposals will significantly extend the availability of record checks, the paper stresses that '*a criminal record check in itself cannot take the place of good employment practice*'. It is vital to realise that a clean criminal record check is no guarantee of suitability, while a criminal past might have no relevance to current lifestyle or behaviour. A clean record does not prove conclusively that a person is not an abuser, for many pass unnoticed and so have no criminal record.

"On The Record. The Government's Proposals for Access to Criminal Records for Employment and Related Purposes in England and Wales" Ref. CM 3308 is available from HMSO, price £6.00.

"Criminal record checks within the voluntary sector: An evaluation of the pilot schemes" by Judith Unell (1992), price £12.50, is available from the National Centre for Volunteering. Tel 0171 388 9888. Fax 0171 383 0448.