

## **DBS – Overseas Criminal Record Checks**

### **Summary**

- If you are recruiting people from overseas or have people who have lived overseas for more than one year, a DBS check may not provide a complete picture of any criminal record history they may have.
- If your applicant has lived abroad, there are guidelines on how to complete the DBS form to reflect this.
- It is always important to carry out safe recruitment practices, i.e. take up references and ensure a Confidential Declaration is completed but where it is unlikely that you have a full picture of the person's history, safer recruitment practices and good safeguarding procedures are even more important.

### **Overseas Checks**

The DBS cannot currently access overseas criminal records or other relevant information as part of its disclosure service. Therefore, if you are recruiting people from overseas or have people who have lived overseas for more than one year (within the past five years), a DBS check may not provide a complete picture of any criminal record history. It is possible to submit a DBS application while the applicant is still abroad but you must still verify their identity by seeing the original documents as with any other DBS application.

### **Certificates of Good Conduct**

You should try to obtain a certificate of good conduct and any other references from potential overseas employees/volunteers. The standard of foreign police checks varies; to find out the standard, you should contact either the authorities in a particular country or their embassy.

The information provided by overseas authorities may be in the language of the country to which the application was made. It may therefore be necessary for either you or the employee to obtain a certified translation.



To help you get a fuller picture of the person's background, the DBS does provide some guidance on how you can get information from overseas however they no longer provide specific advice on individual countries.

You are advised to contact the country's representative in the United Kingdom. Contact details for those countries that have a representative in the United Kingdom can be found on the Foreign Office website. Please be advised that there are costs associated with enquiries to some particular countries.

### **Safer Recruitment**

As the DBS is not involved in processing the information received by overseas authorities it means that sometimes the information received from abroad may take a considerable length of time to arrive or it may not be substantial. Therefore it is extremely important to make sure that you have other safer recruitment procedures in places as well. Safer recruitment and its associated preventative measures include: providing a job description, interviewing, requesting references, Confidential Declaration statements, having a probationary period with regular reviews and a written contract – whether the worker is paid or a volunteer.

You also need to consider the risk involved in the individual working with children. It may be more appropriate to use an overseas worker as an occasional helper, ensuring that the person concerned is never left alone with children and is always in the company of an approved worker.

Even though the Police National Computer only holds limited information on overseas convictions you must always require a prospective volunteer or employee to apply for an Enhanced DBS disclosure as normal.

### **Overseas applicant guidance – completing the disclosure application form**

The purpose of these guidance notes is to explain how to complete a Disclosure application form, where an applicant's 5-year address history contains non-UK addresses.

#### **Current Address**

If the applicant is currently living abroad but is applying for work/a voluntary position in the United Kingdom which requires a DBS check, they can supply their full address in section b. It is this address that the DBS will use to write to them and send their certificate. However, with your agreement the applicant can also complete section b using your address as a "care of" address. If the applicant chooses to do that they must complete section C with their current address overseas making sure the address dates are correct. The applicant's certificate and any letters will be posted to the address in section b.

#### **Previous Addresses**

If the applicant has lived at an address anywhere other than the United Kingdom in the five years prior to the date they are filling out the form, they must supply some information in relation to this.

In part C write they should write the word 'OVERSEAS' in the 'address' field, the name of the country in which they were living in the 'country' field and the dates between which they lived there in the 'dates from and to' field – these should be provided using the month and full year (MM/YYYY) format.

Please ensure the applicant leaves all other fields relating to this address blank. They must not write 'not applicable' or 'N/A' or any other information in these boxes.



If the applicant has more than two previous non-UK addresses in the last 5 years, please use a continuation sheet and record the information as above.

#### Checking on an Applicant's Right to Work in the UK

This is not a service the CRB provide; your PCC has a legal duty to check that any paid employees have the right to be in the UK or undertake the work in question. Your PCC can establish whether the individual is subject to immigration control by seeing and copying (retaining the copy) certain specific documents at the point of recruitment.

As an Evidence Checker you should not necessarily be involved in this part of the recruitment. However, if your PCC or any group within your parish wishes to employ a paid person, you should ask them to contact the Incumbent or a member of the PCC for specific guidance about employing migrant workers.

To help you get a fuller picture of whether the person has a right to work or volunteer in the UK, some guidance is provided on the E-bulk online check page of the Diocesan website.