



East Northamptonshire Council

Policy and Resources Committee - 13 July 2009

Criminal Records Bureau Policy and Procedure for Licensing Applications

Summary

This report proposes a new policy for the handling of Criminal Record Bureau applications and disclosures as required by the Criminal Records Bureau

Attachment(s)

Appendix One - Criminal records Bureau Policy and Procedure for Licensing Applications

1.0 Introduction

1.1 The Criminal Records Bureau (CRB) has published a new code of practice. This code of practice details how local authorities should request criminal record disclosures and handle them once they have been received.

2.0 Report

2.1 The CRB code of practice requires each registered body to have a policy and procedure for handling CRB disclosures. There is a model policy on the CRB website which has been used to develop the attached policy and procedure.

3.0 Recommendation

3.1 It is recommended that the attached CRB policy and procedure be approved for licensing applications.

Implications:		
Corporate Outcomes or Other Policy/Priority/Strategy		
Good Quality of Life	<input type="checkbox"/> Good Reputation	<input checked="" type="checkbox"/>
Good Value for Money	<input type="checkbox"/> High Quality Service Delivery	<input type="checkbox"/>
Effective Partnership Working	<input checked="" type="checkbox"/> Strong Community Leadership	<input type="checkbox"/>
Effective Management	<input type="checkbox"/> Knowledge of our Customers and Communities	<input type="checkbox"/>
Employees and Members with the Right Knowledge, Skills and Behaviours		<input type="checkbox"/>
Other:		<input type="checkbox"/>
Decision(s) would be outside the budget or policy framework and require full Council approval		<input type="checkbox"/>
Financial	There are no financial implications at this stage	<input checked="" type="checkbox"/>
	There will be financial implications – see paragraph	<input type="checkbox"/>
	There is provision within existing budget	<input type="checkbox"/>
	Decisions may give rise to additional expenditure at a later date	<input type="checkbox"/>
	Decisions may have potential for income generation	<input type="checkbox"/>
Risk Management	An assessment has been carried out and there are no material risks	<input checked="" type="checkbox"/>
	Material risks exist and these are recorded at Risk Register Reference - inherent risk score - residual risk score -	<input type="checkbox"/>
Staff	There are no additional staffing implications	<input checked="" type="checkbox"/>
	Additional staff will be required – see paragraph	<input type="checkbox"/>

Equalities and Human Rights	There will be no impact on equality (race, age, gender, disability, religion/belief, sexual orientation) or human rights implications <input checked="" type="checkbox"/>				
	There will be an impact on equality (see categories above) or human rights implications – see paragraph <input type="checkbox"/>				
Legal	Power: The Local Government (Miscellaneous Provisions) Act 1976				
	Other considerations:				
Background Papers: CRB Code of Practice					
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Date: 10 June 2009					
CFO		MO		CX	

(Committee Report Normal Rev. 19)



**East Northamptonshire Council
Environmental Services**

**Criminal Records Bureau Policy and Procedure for
Licensing Applications
June 2009**

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Consultees

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Lead Member for Environmental Services	
Licensing Team	

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Links to other documents

Document	Link

Additional Comments to note

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1.0 Introduction

- 1.1 The legislation controlling the licensing of taxi and private hire drivers requires them to submit a Criminal Records Bureau (CRB) enhanced disclosure before their application can be considered.
- 1.2 The Criminal Records Bureau is an Executive Agency of the Home Office. The CRB is a central access point for information about criminal records and lists of people who are considered unsuitable to work with children or vulnerable adults. It provides information the Council needs to help assess the suitability of applicants for licenses, this is known as Disclosure.
- 1.3 The CRB helps the Council to make safer licensing decisions by identifying individuals who may be unsuitable to hold licenses.
- 1.4 The CRB operates under a strict Code of Practice. The Council adheres to the CRB Code of Practice, copies of which can be obtained from their website at: www.crb.gov.uk or from the Council's Organisational Development (OD) service area.

2.0 Scope

- 2.1 This policy applies to applicants for taxi and private hire licences as required by the relevant legislation.

3.0 Statement of Intent

- 3.1 The policy considers the procedures for handling disclosures for relevant licence applications.

4.0 Outcomes

- 4.1 The outcomes to be delivered by this policy and procedure and the links to the Council's corporate outcomes are as follows:

	Links to corporate outcomes
procedure outcomes	
<ul style="list-style-type: none">• Knowledge of the CRB Code of Practice• Effective screening of applicants to protect the public	<ul style="list-style-type: none">• Good reputation with customers and regulators• Good quality of life in East Northamptonshire – cleaner, safer, prosperous, healthier and sustainable

5.0 Levels of Disclosure

5.1 There are two types of Disclosure. They are: -

5.2 Basic Disclosure

Basic Disclosures provide all convictions held on the Police National Computer, including “spent” convictions, cautions, reprimands and final warnings. If the position involves working with children it includes checks with the Department of Health and Department for Education and Skills to see whether there are previous comments stating the person is unsuitable to work with children or vulnerable adults.

5.3 A Basic Disclosure is required for positions with regular contact with children or vulnerable adults or other positions of trust that involve work like banking or finance.

5.4 Enhanced Disclosure

5.5 Enhanced Disclosures contain all the information provided by a standard disclosure and also includes information held on local police records which the police consider relevant to the application concerned.

5.6 An Enhanced Disclosure is required for taxi and private hire licence applications

6.0 Handling Disclosures

6.1 For taxi and private hire drivers disclosure is required prior to application for a new or renewed licence.

6.2 Licence Applicants will be asked to provide a CRB Disclosure form checked by authorised ENC employees at the time of making an application.

6.3 Convictions are considered never to be spent for Hackney Carriage and Private Hire drivers, under Part V1 of Schedule 1, Rehabilitation of Offenders Act 1974 (exceptions) (Amendment) Order 2002

6.4 If offences are disclosed they will be dealt with as detailed in the Licensing procedures as approved by the Council, usually at a Panel hearing to which the applicant will be invited.

7.0 Notification of Convictions

7.1 Once an individual has been licensed they are required to notify the licensing authority of any new convictions.

8.0 Storage of Disclosure Information

8.1 Disclosure information will be kept securely in a lockable, non portable, storage container and will be shredded either once the licence has been issued or after the appeal process for refusal of a licence has been exhausted.

9.0 Monitoring

9.1 This policy and procedure will be reviewed every 12 months