APPENDIX C (April 2023)

**DISCLOSURE OF CONVICTIONS**

This procedure should only be entered into with companies on the list of compliant security system installers and monitoring centres of a Police Force or a company making a bona fide application for admittance to the list.

It is emphasised that the Rehabilitation of Offenders Act 1974 (as amended by the Criminal Justice and Immigration Act 2008) applies and spent convictions, reprimands, warnings, cautions and conditional cautions (adult and youth) cannot be considered.

The intention is to curtail those with unspent criminal convictions having access to premises and information relating to the security of premises. The offences should therefore be relevant, such as involving theft, dishonesty, serious assault, drugs and offences of indecency. See **Appendix D** for clarification.

PROCEDURE

1. These requirements only apply to new employees of existing companies on the compliant list and to any prospective company wishing to go on the list.
2. Police checks must not take the place of normal recruitment procedures. BS 7858 must be complied with. Any unexplained gaps in employment must be satisfactorily accounted for.

(iii) Each applicant seeking employment where their duties will include surveying, sales, installation, maintenance, monitoring, administration, sub-contractors and any other role with access to security systems data (not fire systems) in accordance with BS 7858 with a company on a force's list of “Compliant Security Companies”, or a prospective company wishing to go on the list, will be required to complete a form. The form will be consistent with the model layout as shown at Form A. This will be done after selection, **but preferably before appointment**.

(iv) Employers may wish to make a statement available to people who may be subject to a criminal records check under these arrangements, to reassure them that ex‑offenders will not automatically be rejected. A model statement is offered at Form B.

(v) The police should not be asked to confirm criminal records where the person concerned has admitted a conviction which would clearly render him or her unsuitable for employment.

(vi) When a police check is required, the employer should then pass the request on to the alarms administration office of the police force area where the employee is based for work purposes. There should be no reason to carry out subsequent checks in other force areas.

(vii) Employers must make every effort to confirm the identity of the applicant before the police are required to process the check. They must also confirm the correct spelling of the full name, the date and place of birth and current address.

(viii) If a compliant security company outsources their HR functions they will be required to:

1. Notify the relevant police force in writing authorising the force to accept documentation from the HR supplier
2. Ensure that the HR supplier submits the correct documentation

Note: Appendix C results may be returned directly to the security company or the outsourced HR company. It is recommended that they are returned to the originator.

(ix) All applicants must give written permission for the police to instigate checks and also for the police to advise employers where they consider an applicant meets/does not meet the criteria of these requirements.

(x) **The police check will be limited to a PNC check against criminal convictions only**. The police will reply using standard letter **Appendix C Annexe A** stating the person meets/does not meet the criteria of these requirements. Details of convictions **will not** be passed on to the employer.

(xi) In the event of a pending prosecution where the offence is relevant, a decision on suitability may be delayed subject to the outcome of the case. The police will reply using standard letter **Appendix C Annexe B** stating a decision on suitability cannot be made at this time.

(xii) Where a person wishes to complain about this decision on the grounds they have been incorrectly identified, they should have an opportunity to make representations to the police. This should be done initially through the employer. Where such a complaint is received by the police, the grounds for rejection will be disclosed to the complainant, but not the employer.

(xiii) If someone who is working for a company on the police compliant list is subsequently identified as being unsuitable through his/her criminal convictions, police forces may notify the relevant employer that the subject does not meet the requirements. The subject should be informed by the employer.

(xiv) In the event of a request for a police check from a foreign national who has not been in continuous residence in the United Kingdom for the past 5 years the application will also require an attachment of the relevant Overseas Criminality Certificate/record check (OCC); this will need a form of authentication and be translated into English by a translation service that is a member of the Institute of Translation & Interpreting Companies or the Association of Translation Companies.

(xv) In the event of a British Citizen having worked/resided outside of the UK for over a period of six continuous months in the last 5 years, they will also be required to provide an overseas criminal record check.

(xvi) In exceptional cases where a government body does not exist or is unable to supply an applicant with an OCC an applicant may be able to supply a sworn oath in place of an OCC.

(xvii) Any employer knowingly employing someone with an unspent criminal record that would otherwise preclude them from working within the alarms industry will be considered for removal from the police list of compliant companies.

(xviii) Employers must have policies in place to ensure that any company personnel subsequently found guilty of a criminal offence that would naturally preclude them from working within the alarms industry must disclose this fact to their employer immediately.

**Useful Links:**

[www.sia.homeoffice.gov.uk](http://www.sia.homeoffice.gov.uk)

Click on - Individual Licenses>Will I Pass the Criminality Check?>Overseas Criminal Records Checks

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

**CONVICTION CHECK PROCESS**

1. **New Security Company**

Apply to force where the company’s head office is based submitting **Appendix C** forms for all relevant employees.

Home force to carry out all conviction checks.

1. **Existing Compliant Security Company**

Submit **Appendix C** checks for new staff as required as at (iii) above to home force.

**However**

If a compliant company has several different regional offices, then **Appendix C** checks should be processed for staff that operate from the regional office by the force where that office is based. (This mainly applies to large national companies and prevents one force having to process all checks from national companies).

1. **Police Scotland Companies**

For companies in Scotland that wish to be compliant in England and Wales they are to apply to either Lancashire or Northumbria Police Forces. They should submit Appendix B requesting compliance and Appendix C checks for the relevant staff.

For companies in Scotland that are already compliant in England Wales they should only submit Appendix C checks for new members of staff, to either Lancashire or Northumbria Police Forces.

For companies in Scotland who wish to be compliant with PSNI Appendix B & Appendix C checks should be submitted direct to PSNI.