**APPENDIX C (April 2021)**

**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.

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, which includes references being required and taken up in the case of all new appointments, with unexplained gaps in employment being 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 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) 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.

(ix) **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.

(x) 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.

(xi) 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.

(xii) 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.

(xiii) 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.

(xiv) 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.

(xv) 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.

(xvi) 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.

(xvii) 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 compliancy 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.

APPENDIX C (contd) (April 2021)

**FORM A – REQUEST FOR A POLICE CONVICTION CHECK**

**(To be retained by the police)**

**PART A ‑ to be completed by the applicant in BLOCK CAPITALS**

*I am aware that this employment is subject to a police conviction check and I consent to such a check being performed. This has been explained to me and I understand in assessing my suitability, spent convictions and cautions are not considered by the police. I authorise the police to inform my employer if they consider I meet / do not meet the criteria of the NPCC Security Systems Requirements document because of any information obtained from police conviction records. Where there is bail or pending prosecutions the decision to notify my employer could be delayed for some considerable time.*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
| Surname |  | | | Title | |  |
| All Forenames |  | | | | | |
| Former Names |  | | | | | |
| Date of Birth |  | | Place of Birth | |  | |
| Nationality |  | | | | | |
| Date of UK Residency  (if born outside United Kingdom) | |  | | | | |
| Position in Company | |  | | | | |

|  |  |  |  |
| --- | --- | --- | --- |
| Present Address |  | | |
|  | Postcode |  |

**Previous addresses in last 5 years (give dates):**

|  |  |  |  |
| --- | --- | --- | --- |
| Between Dates | Previous Addresses (continue on additional sheet if necessary) | | |
|  |  | | |
|  | Postcode |  |
|  |  | | |
|  | Postcode |  |
|  |  | | |
|  | Postcode |  |

|  |
| --- |
| **Note: if you live overseas or you have spent 6 continuous months or more outside the UK, you must provide evidence of a criminal record check from the relevant country or countries. The checks need to cover the 5 years prior to this application.** |

|  |  |  |
| --- | --- | --- |
| 1 | Have you ever been convicted at a court for any offence which is **not** now spent under the terms of the Rehabilitation of Offenders Act? | **YES / NO** |
| 2 | Are you currently on the Sex Offenders Register? | **YES / NO** |
| 3 | Are you about to be or are you currently the subject of a pending court case? | **YES / NO** |
| 4 | Are you currently on bail or under investigation for a criminal offence? | **YES / NO** |

|  |
| --- |
| **Note: if the answer is YES to question 3 or 4 and the offence is relevant, this request WILL be delayed pending the outcome of the investigation or court case.** |

**I AGREE TO NOTIFY MY EMPLOYER OF ANY FUTURE RELEVANT CONVICTIONS.**

**Page 1 of 3**

**Proof of identity**

**2 forms of ID are required:**

1. **Photo ID (e.g. passport or photo-card driving licence).**
2. **Another form of ID, which must show your current address and be dated within the last 3 months (not a driving licence).**

**If you do not possess a passport or photo-card driving licence then you must produce your birth certificate. Photocopies of the relevant pages of these documents must accompany this form.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Signature of Applicant** |  | **Date** |  |

**NB: Typed or electronic signature is not acceptable**

**Verification by Manager, Director or Company Secretary**

**I certify that I have examined the above-mentioned original documents and confirm that they relate to the applicant.**

|  |  |  |  |
| --- | --- | --- | --- |
| **Signature** |  | **Date** |  |
| **Print Name** |  | | |
| **Position in Company** |  | | |

**NB: Typed or electronic signature is not acceptable**

**Page 2 of 3**

**PART B ‑ to be completed by the employer**

The person identified above satisfies the conditions for requesting a police conviction check set out in the Security Systems Requirements. The particulars provided have been verified and I am satisfied they are accurate.

I confirm that **Form B** of **Appendix C** has been provided to the applicant.

I/We indemnify the Chief Officer of Police of (name of force) and all officers and police staff of the said police service against all actions, claims, costs and demands arising out of the giving of information in response to this request.

|  |  |  |  |
| --- | --- | --- | --- |
| **Signed** |  | **Date** |  |
| **Print Name** |  | **Title** |  |
| **Position in Company** |  | | |
| **Company Name** |  | | |
| **Company Address** |  | | |
|  | **Postcode** |  |
| **Address where employee is based (if different from above)** |  | | |
|  | **Postcode** |  |

**NB: Typed or electronic signature is not acceptable**

**PART C – for police use only**

PNC records only have been checked against the above details:

Tick the relevant option:

**(✓)**

|  |  |  |
| --- | --- | --- |
| **No trace of convictions on details supplied** | |  |
| **The subject appears identical with the person whose criminal conviction record is attached:** | **The record meets the requirements of this document** |  |
| **The record does not meet the requirements of this document** |  |

|  |  |  |  |
| --- | --- | --- | --- |
| **Signature** |  | **Date** |  |

**ALL FORMS TO BE RETURNED TO THE NOMINATED OFFICER IN THE FORCE FOR IMPLEMENTATION OF THE NPCC SECURITY SYSTEMS REQUIREMENTS**

**THIS FORM AND THE CRIMINAL CONVICTION RECORD MUST BE RETAINED BY THE POLICE.**

**Page 3 of 3**

APPENDIX C (contd) (April 2021)

###### FORM B - DISCLOSURE OF CRIMINAL CONVICTIONS

**(Employer to hand this form to applicant)**

**NOTICE TO THE APPLICANT**

The police, in applying the requirements on security systems, may prohibit a company from its list of compliant security systems installers and monitoring centres if a principal or employee has criminal convictions.

In connection with your employment/application for employment, you are required to supply the personal information. Any convictions, including bind-overs, should be shown. You are required to sign the form authorising the police to inform your employer if you meet/do not meet the Security System Requirements.

It should be noted that failure to provide relevant information, or to give false information, could lead to prosecution for an offence under Section 16, Theft Act 1968.

Following the checks the police may advise an employer/prospective employer that an individual does not meet the requirements, but in so doing they will NOT reveal actual details. Failure to meet these requirements may affect the conditions of your employment.

Where you believe you have been wrongly identified, you are entitled to make representation to the police. This should be done through the employer in the first instance.

If there is insufficient space on the form to fully answer any question, please continue on a separate sheet of paper.

**NB -THE REHABILITATION OF OFFENDERS ACT 1974 (AS AMENDED BY THE CRIMINAL JUSTICE AND IMMIGRATION ACT 2008) APPLIES TO THIS REQUEST FOR INFORMATION. YOU ARE NOT** **REQUIRED TO DISCLOSE A CONVICTION WHICH HAS BECOME SPENT UNDER THE ACT.**