

DISCLOSURE OF CONVICTIONS

POLICE SERVICE OF NORTHERN IRELAND*DISCLOSURE OF CONVICTIONS*

It is suggested that the procedure should only be entered into with companies on the List of Compliant Security System Installers of Police Service of Northern Ireland or a company making a bona fide application for admittance to the List.

It is emphasised the Rehabilitation of Offenders (NI) Order 1978 applies, and "spent" convictions are not a consideration in the procedure.

The intention is to curtail those with criminal convictions having access to premises and information relating to the security of premises. The offences should therefore be relevant, including (but not limited to) offences involving violence, theft, dishonestly, serious assault, drugs and offences of indecency.

PROPOSED PROCEDURE

- (i) Police checks must not take the place of normal recruitment procedures. References should be required and taken up in the case of all new appointments, with unexplained gaps in employment being satisfactorily accounted for.
- (ii) Each applicant seeking employment where their duties will include surveying, sales, installation, maintenance, monitoring and administration of security systems (in accordance with BS7858) with a company on the Police Service's list of Compliant Security Systems Installers, 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**.
- (iii) 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**.
- (iv) 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 in the surveying, sales, installation, maintenance and administration of security systems.
- (v) When a police check is required, the employer should then pass the request on to Alarms Administration, PSNI Castlereagh.
- (vi) Employers must make every effort to confirm the identity of the applicant before the police are required to process the check. Verification of identity, correct spelling of full name, current address, date of birth, and any change of name should be obtained.

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- (vii) Failure to submit criminal records check forms/employee cancellations when requested (currently every 5 years) will lead to the security company being refused URNs until 28 days after the employee has been checked as suitable or the employee cancellation has been received. The security company may also be reported to their inspectorate body and/or removed from the list of compliant companies.
- (viii) A police check will include local police records and will not be restricted to PNC only. The police reserve the right to find an applicant unsuitable for reasons other than unspent convictions should police information demonstrate that the applicant is otherwise unsuitable to have access to premises and information relating to the security of premises. Should the police hold information other than criminal convictions that renders the applicant unsuitable, the police will reply stating the individual "has not met the criteria".

Existing employees who have cases which are pending, and have been found suitable, but who have received a criminal conviction in the interim 5 year period, must resubmit their criminal record check forms upon receipt of their conviction.
- (ix) All applicants must give written permission for the police to instigate checks and also advise employers where they consider an applicant meets/does not meet the criteria of these requirements.
- (x) Police will reply stating that the applicant 'meets the criteria'/'does not meet the criteria'. Details of convictions will not be passed onto the employer.
- (xi) The Police will write directly to the applicant if they do not meet the criteria.
- (xii) 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.
- (xiii) Where a person wishes to appeal the decision this should be done in writing and forwarded to the Police within 15 days of receipt of letter confirming that they do not meet the criteria.
- (xiv) This procedure applies to all employees of existing companies on the compliant list and to any prospective company wishing to go on the list.
- (xv) Employers must ensure that they comply with the Police Requirements to regularly have existing employees police checked. Police Check forms for existing employees are to be resubmitted every five years. If someone who is working for a company on the Police Compliant List is subsequently identified as having not met the criteria through his/her convictions, police may notify the relevant employer. The subject of the report will be informed. Employers must inform PSNI Alarms Administration promptly about any staff leaving their employment. Non-compliance is a breach of Police Requirements.
- (xvi) 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 Criminal 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.

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

Please fill in Appendix C – Form A and return to Alarms Administration, PSNI Castlereagh, Form B should be retained by the applicant.

Useful Links:

www.sia.homeoffice.gov.uk

Click on – Individual Licenses>Will I Pass the Criminality Check>Overseas Criminal Records Checks.

www.commissionerofaths.co.uk

- (xix) 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.
- (xx) 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.

CONVICTION CHECK PROCESS**1. New Alarm 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.

2. Existing Compliant Security Companies

Submit Appendix C checks for new staff as required as at (ii) above to home force. If still employed after five years re-submit Appendix C.

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).