

Private and Confidential

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Telephone Number : [REDACTED]

Minicom: [REDACTED]

Customer Reference:

Our Reference: 031301583

Date: 27th March 2013

Dear Mr Sangster,

It has been brought to the attention of the Disclosure and Barring Service (DBS) (formerly the Criminal Records Bureau) that your website is advising interpreters that they can contact Access Personal Checking Services (ACPS) to obtain a CRB Standard Disclosure to support their NRPSI Registration. Please find enclosed a copy of your information sheet.

It might be helpful if I explain that current legislation does not allow the self-employed or individuals to apply for a DBS check on themselves. This is because they cannot ask an exempted question of themselves. Only recruiting organisations can ask the exempted question so they can assess an applicant's suitability for a role as defined in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

A request for a person to reveal their full criminal history is known as an 'exempted question. An exempted question is any question asked by or on behalf of someone in the course of the duties of their office or employment to assess suitability for a role (described in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975) with regard to spent convictions. These roles usually involving working with children and or vulnerable adults or work in other regulated positions such as the teaching profession.

Furthermore, Home Office Circular 17/2006 - Use of interpreters within the Criminal Justice System clearly lays out the standards which are expected to be met when making suitability decisions regarding the use of interpreters. Within this document at section 5 it states:

Interpreters working in a court or police station should, wherever possible, be registered with the National Register of Public Service Interpreters (NRPSI) or the Council for the Advancement of Communication with Deaf People. If, in an individual case, it is not possible to select an interpreter from these registers, checks should be carried out to ensure that the interpreter selected meets standards at least equal to those required for registration, in terms of academic qualifications and proven experience of interpreting within the criminal justice system and professional accountability.

It goes on to state at section 8:

Interpreting as an occupation does not entail entitlement to criminal record checks under the Rehabilitation of Offenders Act 1974 Exceptions Order. However those employed "to assist the constables of a police force" are covered by the Exceptions Order.

Therefore, in line with the requirements set out in this circular, if interpreters are involved in assisting police constables, as laid out in ROA (Exceptions) Order Part II, section 6, then eligibility exists for a Standard level DBS check only. Eligibility for the Standard level check could only exist if a suitability decision was being made by an employer to employ an interpreter.

In light of the above, I would ask that you clarify the statement on your Security Clearance Information Sheet that suggests that all interpreters wishing to register with NRPSI can obtain standard checks through APCS.

I look forward to receiving your reply at your earliest convenience.

Yours sincerely,

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Senior Caseworker
DBS Customer Services

SECURITY CLEARANCE - INFORMATION SHEET

In order to comply with the requirements for registration a valid security clearance document must be provided by interpreters.

Acceptable Clearances

Some employers such as Police Forces and the Home Office will provide security clearances for personnel working on their premises the following are acceptable for inclusion on the National Register

- **Police Clearance** i.e. NPPV (Non-Police Personnel Vetting) Level 2 or 3 - please send us written confirmation (letter or e-mail) from the police force who have cleared you (this correspondence must include the date you were cleared and the expiry date of the clearance).
- **Full Counter Terrorist Check or Higher** - please send us written confirmation (letter or e-mail) from the organization who have cleared you (this correspondence must include the date you were cleared and the expiry date of the clearance).

We also accept the following Criminal Records Bureau Checks (please note that these must be dated within the last 12 months and we will need to see the original document).

- CRB Standard Disclosure Notice (Please note we also accept existing CRB Enhanced Disclosures).
 - CRB Disclosure Scotland – Standard (Please note we also accept existing CRB Scotland Enhanced Disclosures).
- IMPORTANT: Please note that we do not accept the CRB Basic Disclosure**

Applying for a CRB Standard Disclosure Notice

- 1) You may visit the Home Office website at <http://www.homeoffice.gov.uk/agencies-public-bodies/crb/about-crb/what-we-do/ub-search/>

where you can find an umbrella body in your area, through which you may be able to apply for a CRB Disclosure. Please note that individuals cannot apply directly to the CRB.

2. You can contact Access Personal Checking Services (APCS) by telephone on 0845 643 1145 (their website is www.criminalrecordchecks.co.uk). Please ensure to inform APCS that you require CRB Standard Disclosure to support your NRPSI Registration. APCS will inform us once you are cleared and you will not need to contact us or provide us with your CRB Disclosure.

It is the responsibility of the employer to make sure interpreters are appropriately checked to work in their specific circumstances. (We are currently reviewing our policy and procedure on security checks. Revised guidelines will be issued upon completion of review.)

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