

Criminal Records Bureau
Delivering Safer Recruitment?



REPORT BY THE COMPTROLLER AND AUDITOR GENERAL
HC 266 Session 2003-2004: 12 February 2004

executive summary

- 1 The programme to establish the Criminal Records Bureau (the Bureau) was initiated in 1999 and live services began in March 2002. The objective of the Bureau is to widen access to criminal records so that employers can make better informed recruitment decisions. Its main aim is to strengthen safeguards for the protection of children and vulnerable adults. A disclosure of a past criminal record is compulsory for some professions including child minders and care home workers. Employers and voluntary bodies seek checks on potential employees and volunteers through the Bureau as part of their overall recruitment process. The potential employee has to request the disclosure, although these requests are mainly submitted to the Bureau by employers.
- 2 Prior to the setting up of the Bureau, employers' ability to check whether potential employees had a criminal record was limited and inconsistent. The disclosure service offered by the Bureau is more comprehensive and consistent than the predecessor service. Most voluntary sector organisations working with children or vulnerable adults for example, have formal access to criminal record information for the first time. Other customers, such as those in education, can obtain checks on groups such as parent helpers and administrative staff who were not covered by the previous system of police checks.
- 3 The Bureau is now delivering reliably over twice the number of checks undertaken by the police each week under the old arrangements. At July 2003, the Bureau had issued over two million Disclosures, and is now generally handling between 40,000 and 50,000 applications per week and achieving its service standards for turnaround time. Bureau commissioned research in 2003 has shown that two-thirds of Registered Bodies¹ found the disclosure process useful in guiding their recruitment decisions, and 18 per cent decided not to employ a job applicant in the light of Disclosure information.
- 4 The Bureau was established as a Public Private Partnership between the Passport and Records Agency and Capita plc². The Criminal Records Bureau is now a separate Agency. Capita operates the Bureau call-centre, inputs applications for checking, collects fees due, develops and maintains the Information Technology infrastructure, and prints and issues Disclosures. The Agency sets the overall strategy, manages the Capita contract, carries out checks on the Police National Computer (to which it has the relevant level of access) and manages relationships with local police, Registered Bodies and other Government Departments.

¹ A Registered Body is an employer or voluntary organisation registered with the Bureau to verify that applications are genuine.

² The Capita Group of companies provides professional support services such as call centres, fee collection, and accounts services among others, on long term contracts in both the public and private sector. It had a turnover of £898 million in 2002.

- 5 We reviewed the scope of the Bureau's service and its role in protecting the vulnerable; the Bureau's progress towards delivering its planned services; the problems encountered and why they arose; and the solutions now being considered and actioned. Our key findings are set out below.

On planning and implementation

- 6 The Bureau was intended to start operations in September 2001 but a series of difficulties delayed commencement until March 2002. The timetable proved ambitious with twelve months for both the Agency and Capita to develop systems and processes, recruit and train staff, market the service and set up financial arrangements. There was a delay of seven months in the Bureau's operational start, caused by problems in business and technical development and the decision to conduct more extended testing and piloting prior to the start of live operations.
- 7 The three final bids received differed significantly on timescale, price and proposed mix of application channels. The Capita bid was much lower than those of competitors. One of the competitors' bids raised questions about the realism of the timetable, while another assumed a different application channel mix. Capita gave assurances, however, that they could meet the timescale; and that their business model was sound, met the Agency's specifications and assumptions and therefore that the service could be delivered for the price. These assumptions were also checked by the Agency's independent consultants and appropriate due diligence was undertaken.
- 8 Weaknesses in the business assumptions made at the start of the project, and in the delivery of systems to process all types of application, were key factors in the Bureau's problems. In particular, the Agency assumed that between 70 and 85 per cent of people would apply by telephone to a call centre and others would apply online. Both application channels were designed to be customer friendly and consistent with the Government's modernisation agenda but the assumptions had not been adequately researched with potential users. The Agency established a customer forum in 1999 but input mainly related to policy and legislation, and was not best placed to inform the development of operational processes. In January to June 2001, the Agency held 23 Registered Body Roadshows with some 5,000 participants to publicise the impending launch of the Bureau and to stimulate registration by employers. It was only at this late stage that the overwhelming preference for paper applications surfaced. Over 80 per cent of applications came in paper form. Data entry screens had not, however, been designed for keying in of data from paper forms, and the Optical Character Recognition Systems designed for telephone applications had insufficient capacity to deal with the volume of paper applications.
- 9 Additionally, the Agency had assumed that applications would be submitted individually through employers and the Bureau would then correspond with individual applicants over any errors. In practice, however, applications from potential employees were batched and submitted by prospective employers. Systems and processes had been designed around receipt of individual applications and could not cope initially when batched applications came in. Business processes also proved unable to cope with the volumes of errors and exceptions on paper applications, and the complexity of dealing with both individuals and employers.
- 10 Other capacity issues arose. There were limits on the number of users who could access the system at the same time, and links between the Bureau and Metropolitan Police systems were slow. The design of the Information Technology system was partly dictated by the need to prevent access to some

parts by non-civil service staff, which slowed up processing of applications and made the tracking of applications difficult as non-civil servants handling customer queries could not access the whole system. These errors have now been rectified.

- 11 The Bureau's systems and processes were developed on the basis of dealing with applications strictly in date order. They were not designed to prioritise particular groups or urgent applications, which required manual sorting. When the Department for Education and Skills announced in August 2002 that people working in schools had to be vetted by the Bureau before taking up post, the Bureau's normal processes had to be disrupted to accommodate this approach, causing additional delay.

On the partnership between the Agency and Capita

- 12 The Agency and Capita began the development of the business processes and systems in a constructive way but the relationship came under stress as problems mounted. Matters were complicated by the lack of single operational ownership of the whole process. Capita believed that they were given inadequate opportunity for their operational experience to be brought to bear on decisions made by the Agency, particularly the late introduction of bulk paper forms. The Agency's view is that it did not have a sufficiently strong intelligent customer function and placed too much reliance on Capita to deliver the required functionality and performance.
- 13 The Agency put in place mechanisms to follow best practice, including the use of consultants to audit its procurement processes and manage implementation. It also undertook Gateway reviews.³ The Office of Government Commerce Gateway Review Team raised questions about the readiness of the Bureau to go live, but accepted that there was 'no turning back' and that on balance the operational service launch should go ahead in March 2002.
- 14 Immediately upon recognising the problems after go-live, the Agency and Capita put in place a Service Improvement Plan. Since June 2003 the Bureau has met published Service Standards in terms of turnaround times for Disclosures. Backlogs have been effectively eliminated. The turnaround in the Bureau's performance shows that the key to running a complex, greenfield operation with a private sector partner is to work together as a team to solve operational problems. The Service Improvement Plan began to yield results within six weeks and the situation was stabilised in six months.
- 15 An Independent Review Team appointed by the Home Secretary presented ten recommendations for improvement. These included rationalising the roles of Registered Bodies, the Agency, Capita and local police forces to increase efficiency, moving to mandate that all applications should be electronic, and making the Bureau a separate Executive Agency of the Home Office. In February 2003, the Home Secretary announced that the Government had accepted nine of the ten recommendations for potential implementation and would consult on the tenth (the routing of applications for Basic Disclosures⁴ through Registered Bodies) before coming to a final view. On December 22, 2003, contract renegotiation was concluded between the Bureau and Capita, putting the Bureau on a sounder footing.

³ Formal independent reviews of major projects introduced by the Office of Government Commerce. These are conducted by independent assessors at key stages of procurement and implementation projects. A Gateway may now be applied at the start of high risk projects.

⁴ A Basic Disclosure comprises unspent convictions on the Police National Computer.

On protection of the vulnerable

- 16** The Bureau's problems have impacted adversely on the intended level of service for customers which is not yet as extensive as the Government had planned. Checks on existing social care and health care workers, due to commence by 31 March 2003, began only in October 2003. The Government also intended that, from early 2003, the Bureau would undertake checks against the Department of Health's list of persons considered unsuitable to work with vulnerable adults, provided for in the Care Standards Act 2000, but implementation of these checks has also been deferred. The issue of Basic Disclosures has been delayed until at least the end of 2004.
- 17** The level of Disclosure sought is not always commensurate with the risk. Eighty seven per cent of applications have been for Enhanced Disclosures⁵ which take longer and cost more to produce, and yet only a few (0.17 per cent⁶) have uncovered local police non-conviction intelligence relevant to the application, and which would not have been shown on a Standard Disclosure⁷. Requests for Enhanced Disclosures have been partly driven by the lack of price differential between Disclosure types and partly by a desire to minimise perceived risks when employing people in sensitive positions or situations. A £5 price differential has now been introduced.
- 18** The Bureau cannot currently access all potential sources of data such as that held by HM Customs & Excise, and the British Transport Police. The Bureau's procedures might not identify an applicant who has been, for example, under investigation by HM Customs & Excise for smuggling drugs or pornography but who has never come to the attention of the police in the UK. Additionally the Bureau cannot access overseas crime databases, an issue for sports organisations who are concerned about the number of sports coaches working internationally who cannot be checked. To its credit, the Bureau has taken the initiative to launch an overseas advice service and to create links to the Channel Islands and Isle of Man. The Home Office is planning to seek amendments to legislation to widen access to such sources of information in the UK.
- 19** The Bureau constitutes only one source of information and risk management for employers in making employment decisions. To minimise the risks of abuse, employers need to use a variety of methods of protection such as public surveillance, education and training, good practice codes, and monitoring and supervision. This has been correctly emphasised by the Bureau in its publicity and guidance material. Sixty six per cent of sexual offenders, for example, have no previous criminal history⁸, and one third of cases of abuse against children are committed by adolescents⁹.

⁵ Covering all convictions, cautions, reprimands or warnings on the Police National Computer and any relevant intelligence held by local police forces in whose areas the applicant has lived in the previous five years.

⁶ The Bureau analysis of a sample of one-third of applications in December 2002.

⁷ A Standard Disclosure is based on checks of unspent and spent convictions and of cautions, reprimands or warnings on the Police National Computer. Checks may be made on lists held by the Department for Education and Skills.

⁸ Home Office.

⁹ Police Research Series Paper - Sex Offending Against Children, 1998.

On performance

- 20 The effectiveness of the Bureau is currently monitored by output volumes, Disclosure accuracy statistics and turnaround times. These measures show that the service is more comprehensive and consistent than before, but only limited research has been commissioned on the overall impact of the Bureau's activity on outcomes for the vulnerable.
- 21 The Bureau will not break even until 2005/06, a year later than originally planned. The original Business Plan was based on fee levels of up to £18 for all applications including volunteers. In spring 2001, fee levels were set at £12, and volunteer applications were processed free. Subsequently, new fee levels have been announced of £28 for a Standard Disclosure and £33 for an Enhanced Disclosure effective from April 2004, to achieve breakeven within five years. The taxpayer is funding residual deficits for 2002/03 through to 2004/05 which are forecast at £68.2 million in total.

Enhanced Disclosure
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disclosure

Applicant Personal Details
Surname:
Forename(s):
Other Names:
Date of Birth:
Place of Birth:
Gender:

Disclosure Number:
Date of Issue:
Employment Details
Position applied for:
Name of Employer:
Countersignatory Details
Registered Person/Body:
Countersignatory:

Police Records of Cautions, Cautions, Reprimands and Warnings

Department for Education and Skills information

Department of Health information

Other relevant information

Enhanced Disclosure
This document is an Enhanced Criminal Records Certificate within the meaning of sections 115 and 116 of the Police Act 1997.

Use of Disclosure information
This Disclosure must be used in accordance with the Code of Practice and any other guidance issued by the Criminal Records Bureau (CRB). Particular attention must be paid to the guidance on the fair use of information in respect of those whose Disclosures reveal a conviction or similar matter.
This Disclosure is issued in accordance with part V of the Police Act 1997, which creates a number of criminal offences. These offences include forgery or alteration of Disclosures, obtaining Disclosures under false pretences and using a Disclosure issued to another person as if it were one's own.

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