



Overseas Criminal Record Check

Frequently Asked Questions

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Safeguarding guidance and Ofsted inspections have highlighted the requirement for us to obtain criminal record checks on employees who have lived overseas.

When an applicant completes their address history as part of an online application, the Online DBS system will identify applicants who have lived abroad and send them a separate e-mail explaining how to obtain a Certificate of Good Conduct from each relevant country. The application for a UK Enhanced DBS Disclosure will continue as normal, but a final recruitment decision cannot be made until the Certificate of Good Conduct is also received.

This document answers the following FAQs about the overseas criminal record check:

- [From what age and for how long will you have to have lived overseas in order to obtain a Disclosure from that country?](#)
- [How will we know if they need overseas criminal record checks?](#)
- [How will the time abroad be proved?](#)
- [What will happen if the applicant has lived abroad in a country that does not issue Disclosures?](#)
- [Who will pay for overseas criminal record checks? How much will they cost?](#)
- [Will the applicant be able to work while they wait for the overseas clearance?](#)
- [Should we accept a Disclosure/letter of good conduct from the applicant? Should a responsible applicant get a Disclosure from their country before they leave?](#)
- [What will actually show on the Overseas Disclosure/letter of good conduct? Is it as comprehensive as the UK's?](#)
- [Will the applicant be allowed to work/live in the UK if they have a criminal record overseas?](#)

1. From what age and for how long will you have to have lived overseas in order to obtain a Disclosure from that country?

Hackney Education will endeavour to obtain an overseas criminal record check on any new applicant who has lived overseas within the last **five years** for a period of **six months** or longer. This does not apply to existing staff applying for their three-yearly renewal.

2. How will we know if they need overseas criminal record checks?

When a new applicant completes their address history as part of an online application the Online DBS system will identify applicants who have lived abroad and sends them a separate e-mail explaining how to obtain a Certificate of Good Conduct from each relevant country.

3. How will the time abroad be proved?

We will follow the existing DBS guidelines; in addition to naming the countries they have lived in, overseas staff will have to provide their addresses of the last five years but only have to prove their current address.

4. What will happen if the applicant has lived abroad in a country that does not issue Disclosures?

We should follow the safeguarding guidelines. If we have exhausted all avenues regarding obtaining overseas criminal record checks, a risk assessment needs to be undertaken and the recruitment decision recorded on the Online DBS system. In most cases, by the time all avenues have been exhausted, the UK Enhanced Disclosure will have been received.

5. Who will pay for overseas criminal record checks? How much will they cost?

The cost of overseas criminal record checks varies, according to which country they are being applied for from. Schools will continue to pay for the relevant checks for their staff, in line with existing practice.

6. Will the applicant be able to work while they wait for the overseas clearance?

Headteachers will have the discretion to allow an individual to begin work pending receipt of the overseas criminal record checks, providing they have a clear UK Enhanced Disclosure.

7. Should we accept a Disclosure/letter of good conduct from the applicant? Should a responsible applicant get a Disclosure from their country before they leave?

In many countries, the process is quicker, simpler and cheaper if the individual applies themselves before leaving the country. If we are presented with a Disclosure/letter of good conduct from the applicant, it should have been issued no longer than six months before the date the applicant left the country and we should check its authenticity by contacting the issuing agency.

8. What will actually show on the Overseas Disclosure/letter of good conduct? Is it as comprehensive as the UK's?

This varies from country to country and largely depends on how robust their systems are. As an employer, we can only obtain the information available to us. As long as we have followed the appropriate procedure, this is as far as we can realistically go.

9. Will the applicant be allowed to work/live in the UK if they have a criminal record overseas?

We should follow our existing policy regarding an applicant's suitability to work if they have a criminal record. This will largely depend on the offence committed, the position they will be undertaking and the timing of the offence. The ultimate decision rests with the Head of HR.

The UKBA request that applicants from many countries obtain a criminal record check before being given permission to work in the UK. Individuals may be able to present us with a copy of the check they obtained for this reason, which we could verify. However many staff from overseas do not require a visa to work in the UK and may have lived here for some time, so this will not apply to them.

The Disclosure and Barring Service (DBS) provides wider access to criminal record information through its Disclosure service. This service enables schools to make safer recruitment decisions by identifying candidates who may be unsuitable.

Further information

Please contact the DBS Operational Lead (hackneyeducation.dbs@hackney.gov.uk).