



# Home Office

**Application processes for obtaining overseas criminality information to provide to employers in the United Kingdom or to meet the requirements of the United Kingdom Immigration Rules to provide an overseas criminal record certificate in support of a visa application**

Frequently Asked Questions

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## Contents

	<b>Query</b>	<b>Page</b>
1	I am a foreign national / UK national who has spent time abroad. My prospective employer in the UK is asking for a criminal record check for my time spent abroad. Who should I contact?	3
2	I am a UK national who needs to get a police certificate for visa application purposes? Who should I contact?	3
3	I am about to start work as a volunteer / teacher at a nursery / school abroad. They have asked for a police certificate. How do I get this?	3
4	I am starting a new job abroad and my overseas employer has asked for a UK police clearance check. Where do I go for this?	4
5	What are the statutory requirements for carrying out checks on foreign nationals and UK nationals who have spent time abroad and want to work in the UK?	5
6	I am applying for a visa to come to the UK do I need to produce a criminal record certificate?	5
7	I cannot obtain a criminal record certificate from the relevant country? What happens now?	5
8	Other useful links	6

**1. I am a foreign national / UK national who has spent time abroad. My prospective employer in the UK is asking for a criminal record check for my time spent abroad. Who should I contact?**

Details of how to obtain such a check from the relevant authorities abroad are available online at:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

If the country concerned is not listed, please contact the relevant embassy or consulate for further details. Contact details can be found online at:

<https://www.gov.uk/government/publications/foreign-embassies-in-the-uk>

If you a national of the Netherlands or Latvia and you are going to be working, or volunteering, with children and your employer is making an application for an enhanced criminal record certificate through the Disclosure and Barring Service (DBS), then the DBS can request a check through the authorities of your home country under a pilot that began on 1 October 2015 (see relevant country guidance).

**2. I am a UK national who needs to get a police certificate for visa application purposes? Who should I contact?**

The ACRO Criminal Records Office (ACRO) issues Police Certificates to people who want to emigrate or have been required to produce a Police Certificate (sometimes known as a "Certificate of Good Conduct") by an Embassy, High Commission or Consulate. The certificate details whether or not the applicant has a criminal record in the United Kingdom.

- Call: 0845 60 13 999 (International Callers: 0044 1962 871 111)
- Email: [customer.services@acro.pnn.police.uk](mailto:customer.services@acro.pnn.police.uk) .
- Further details can be found at [http://www.acro.police.uk/police\\_certificates.aspx](http://www.acro.police.uk/police_certificates.aspx)

**3. I am about to start work as a volunteer / teacher at a nursery / school abroad. They have asked for a police certificate. How do I get this?**

It may be possible to acquire an International Child Protection Certificate (ICPC) when you are applying to work in a school or organisation outside of the UK where you will be in regular contact with children.

The ICPC is a criminal records check against police and intelligence databases in the UK that would reveal any convictions or reasons as to why someone should not work with children. It is similar to the DBS (Disclosure & Barring Service) check that is required for anyone working professionally with children in England and Wales. The certificate contains your complete conviction history, as recorded on police central records, including 'spent' and 'unspent' convictions. Additionally, the certificate contains criminal conviction information about offences committed in other

foreign countries where such information has been disclosed to the UK through existing exchange mechanisms.

**Before submitting an application, you should check that your employer will accept the ICPC. Some overseas employers use other UK disclosure services such as the DBS (formerly the CRB) or [Disclosure Scotland](#), whilst others are unable to access these services so will need to use the ICPC.**

More information and details about the application process can be found at:

<http://www.ceop.police.uk/ICPC/>

and also at:

<http://www.acro.police.uk/ICPC/>

#### **4. I am starting a new job abroad and my overseas employer has asked for a UK police clearance check. Where do I go for this?**

If your employer or employment agency is based in the UK, then your employer may be able to apply for a DBS certificate rather than a UK police clearance check.

If this is not the case, and you will be working with children then you may be able to apply for an ICPC, (see 3 above)

If these do not apply to your case, then currently the only way that an individual can obtain a formal criminal record check on themselves is by way of a Basic Disclosure which details any unspent convictions that may be recorded against them. At present Basic Disclosures are only issued by AccessNI in Northern Ireland and Disclosure Scotland. Details on how to obtain these checks can be found using the following links:

<http://www.nidirect.gov.uk/accessni>  
<http://www.disclosurescotland.co.uk/apply/>

You can also make a Subject Access Request to ACRO to obtain a copy of information held about you, under the provisions of the Data Protection Act.

Information on this process can be found using this link:

[http://www.acro.police.uk/subject\\_access.aspx](http://www.acro.police.uk/subject_access.aspx)

However you will need to verify whether your prospective employers will be content to accept the results of such a request for their purposes.

**5. What are the statutory requirements for carrying out checks on foreign nationals and UK nationals who have spent time abroad and want to work in the UK?**

There are some statutory requirements for employers to carry out such checks in the health and education sectors, but elsewhere it is only best practice to do so.

For further guidance regarding applicants who have lived or worked outside of the UK, please see paragraphs 75/76 in the Department for Education's (DfE) publication "Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges". The document can be found using this link:

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418686/Keeping\\_children\\_safe\\_in\\_education.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418686/Keeping_children_safe_in_education.pdf)

**6. I am applying for a visa to come to the UK do I need to produce a criminal record certificate?**

If you are applying for entry clearance as a Tier 1 (Entrepreneur), Tier 1 (Investor) or as an adult dependant (over 18 years old) of the main applicant in either of these routes you must provide an overseas criminal record certificate for any country (excluding the UK) where you have resided continuously for 12 months or more, in the 10 years prior to your application. More information can be found at the following links:

<https://www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-1-entrepreneur>

<https://www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-1-investor>

**7. I cannot obtain a criminal record certificate from the relevant country. What happens now?**

It is not always possible to obtain a certificate from countries that do not have functioning criminal record regimes or refuse to provide these to anyone other than their own citizens.

For visa purposes, if you are unable to obtain a certificate you must provide a letter which details your attempts to obtain a certificate and confirms why this has not been possible. You should submit this letter with your other supporting documents when you apply. UKVI will consider your explanation against the situation in those countries and decide whether to waive the requirement. If UKVI concludes that it is possible for you to obtain a certificate but you have failed to do so then you will be asked again to provide a certificate.

In the absence of available checks, we would expect employers to obtain as much information as possible in the form of references etc before deciding whether or not to make an offer of employment.

## **8. Other useful links**

### **ACRO Criminal Records Office:**

<http://www.acro.police.uk/home.aspx>

### **AccessNI:**

<http://www.nidirect.gov.uk/index/information-and-services/employment/employment-terms-and-conditions/starting-a-new-job/accessni-criminal-record-checks.htm>

### **Disclosure Scotland:**

<https://www.disclosurescotland.co.uk/>

### **Making a Subject Access Request**

<https://www.gov.uk/copy-of-police-records>

### **Subject Access Requests (Metropolitan Police area):**

<http://content.met.police.uk/Article/Making-a-subject-access-request/140000585548/140000585548>

### **Disclosure & Barring Service:**

<https://www.gov.uk/disclosure-barring-service-check>

### **How to Obtain Criminal Records Checks for Overseas Applicants**

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

Department for Education (DfE):

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/418686/Keeping\\_children\\_safe\\_in\\_education.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/418686/Keeping_children_safe_in_education.pdf)

### **Overseas criminal record certificate requirement for entry clearance applications**

<https://www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-1-entrepreneur>

<https://www.gov.uk/government/publications/guidance-on-application-for-uk-visa-as-tier-1-investor>