



Home Office

# Guidance on the application process for criminal records checks overseas

This guidance explains the application process for obtaining overseas criminality information to provide to employers in the United Kingdom.

It includes information on meeting the requirements of the United Kingdom Immigration Rules to provide an overseas criminal record certificate in support of a visa application.

April 2017

# Contents

Query	Page
1. <a href="#"><u>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?</u></a>	3
2. <a href="#"><u>I am a UK national who needs to get a police certificate for visa application purposes? Who should I contact?</u></a>	3
3. <a href="#"><u>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?</u></a>	3
4. <a href="#"><u>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?</u></a>	4
5. <a href="#"><u>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?</u></a>	4
6. <a href="#"><u>I am applying for a visa to come to the UK do I need to produce a criminal record certificate?</u></a>	5
7. <a href="#"><u>I cannot obtain a criminal record certificate from the relevant country? What happens now?</u></a>	6
8. <a href="#"><u>Other useful links</u></a>	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 on [GOV.UK](https://www.gov.uk).

If the country concerned is not listed, please contact the relevant embassy or consulate for further details. Contact details can be found on [GOV.UK](https://www.gov.uk).

**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 on the [ACRO Criminal Records Office](https://www.acro.police.uk) website.

**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](https://www.disclosure.scot.nhs.uk), 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 on the [ACRO Criminal Records Office](https://www.acro.police.uk) website and [CEOP Command](https://www.ceop.gov.uk) website.

**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](#), although DBS plan to introduce them from April 2017.

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 on the [ACRO Criminal Records Office](#) website.

However you will need to verify whether your prospective employer 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](#)".

**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 under any of the following visa routes, you must provide a criminal record certificate for any country (excluding the UK) where you have lived for 12 months or more (whether continuous or in total), in the 10 years prior to your application, while aged 18 or over.

- Tier 1 (Entrepreneur)
- Tier 1 (Investor)
- Tier 2 (General) Worker in education, health or social care sectors (see below)
- Dependent partner (over 18 years old) of the main applicant in any of the above routes, either together with the main applicant or separately.

All those applying under the Tier 2 (General) route to take employment under one of the Standard Occupation Codes listed below are subject to this requirement:

**1181** - Health services and public health managers and directors  
**1184** - Social services managers and directors  
**2217** - Medical radiographers  
**2218** - Podiatrists  
**2219** - Health professionals not elsewhere classified.  
**2221** - Physiotherapists  
**2222** - Occupational therapists  
**2211** - Medical practitioners  
**2212** - Psychologists  
**2213** - Pharmacists  
**2214** - Ophthalmic opticians  
**2215** - Dental practitioners  
**2223** - Speech and language therapists  
**2229** - Therapy professionals not elsewhere classified  
**2231** - Nurses  
**2232** - Midwives  
**2312** - Further education teaching professionals  
**2314** - Secondary education teaching professionals  
**2315** - Primary and nursery education teaching professionals  
**2316** - Special needs education teaching professionals  
**2317** - Senior professionals of educational establishments  
**2318** - Education advisers and school inspectors  
**2319** - Teaching and other educational professionals not elsewhere classified  
**2442** - Social workers  
**2443** - Probation officers  
**2449** - Welfare professionals not elsewhere classified

When a certificate of sponsorship is issued, an applicant applying for entry clearance in the Tier 2 (General) route will be informed by their sponsor whether they will be required to provide a criminal record certificate.

Note that visa applicants in all other sub-categories of the Tier 2 route are not currently required to provide criminal record certificates. Also, those already in the UK seeking to extend their stay in one of the above categories are not presently included.

More information can be found on [GOV.UK](https://www.gov.uk).

## **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 an explanation with your visa application, which details your attempts to obtain a certificate and confirms why this has not been possible. 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 your application is likely to be refused.

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](#)
- [AccessNI](#)
- [Disclosure Scotland](#)
- [Making a subject access request](#)
- [Subject access requests \(Metropolitan Police area\)](#)
  
- [Disclosure & Barring Service](#)
- [How to Obtain Criminal Records Checks for overseas applicants](#)
- [Department for Education \(DfE\)](#)
- [Overseas criminal record certificate requirement for entry clearance applications](#)