

The Role of the Independent Monitor

The Independent Monitor is appointed by the Secretary of State under section 119B of the Police Act 1997 as a fully independent role, separate to both police and to the Disclosure and Barring Service (DBS). There are two statutory duties of the Independent Monitor that relate to the disclosure of information on an individual's enhanced criminal record certificate.

These are:

- reviewing a sample of cases in which police non-conviction information is included, or not included. This is to ensure compliance with the Home Office Statutory Guidance on disclosure, and Article 8 of the European Convention of Human Rights (ECHR). This falls under section 119B of the Police Act 1997
- reviewing cases where the police forces have included information on an enhanced certificate and the individual feels that the information is either not relevant to the workforce to which they are applying, or that it ought not to be disclosed. This falls under section 117A of the Police Act

In cases where an individual believes that information included by the police force is not relevant to the workforce applied for, or they believe the information should not be disclosed, they should first contact the DBS in line with the [DBS disputes process](#).

The DBS will then provide this information to the police who will make a decision regarding the dispute.

If the police do not agree that there is a mistake, the dispute will be referred to the Independent Monitor to carry out a review of the case.