

FOI reference: 1014

Issued: 14/2/13

I note your request for information was as follows:

1. Can you tell me how many applicants for jobs at Brighton and Hove City Council successfully challenged their CRB results in a) 2012, b) 2011, c) 2010 and d) 2009?
Can you list for me on what grounds a successful appeal was made for each applicant?
2. Can you tell me how many applicants for jobs at West Sussex County Council successfully challenged their CRB results in a) 2012, b) 2011, c) 2010 and d) 2009?
Can you list for me on what grounds a successful appeal was made for each applicant?
3. Can you tell me how many applicants for jobs at East Sussex County Council successfully challenged their CRB results in a) 2012, b) 2011, c) 2010 and d) 2009?
Can you list for me on what grounds a successful appeal was made for each applicant?
4. Can you tell me how many applicants for jobs at Brighton and Sussex Universities NHS Trust successfully challenged their CRB results in a) 2012, b) 2011, c) 2010 and d) 2009?
Can you list for me on what grounds a successful appeal was made for each applicant?
5. Can you tell me how many applicants for jobs at Sussex Police successfully challenged their CRB results in a) 2012, b) 2011, c) 2010 and d) 2009?
Can you list for me on what grounds a successful appeal was made for each applicant?

Response

1. There were no upheld disputes from applicants for jobs at Brighton and Hove City Council during calendar years 2010 and 2011. However, there were fewer than 10 upheld disputes for this organisation in calendar years 2009 and 2012. We would not be able to advise on the exact grounds on why each of the disputes were successful as this would engage Section 40 (2) of the Freedom of Information Act 2000. Disclosure of this data may enable an individual to be identified from that data. We can confirm however that the upheld disputes resulted in amendments to data source information released on the Certificate (known as approved information).
2. There were no upheld disputes from applicants for jobs at West Sussex County Council in calendar year 2010. However, there were fewer than 10

upheld disputes for this organisation in calendar years 2009, 2011 and 2012. We would not be able to advise on the exact grounds on why each of the disputes were successful as this would engage Section 40 (2) of the Freedom of Information Act 2000. Disclosure of this data may enable an individual to be identified from that data. We can confirm however that the upheld disputes resulted in either an amendment to approved information or a Police National Computer match being overturned (this can include conviction, cautions, warnings and/or reprimands).

3. There were fewer than 10 upheld disputes from applicants for jobs at East Sussex County Council during calendar years 2009, 2010, 2011 and 2012. We would not be able to advise on the exact grounds on why each of the disputes were successful as this would engage Section 40 (2) of the Freedom of Information Act 2000. Disclosure of this data may enable an individual to be identified from that data. We can confirm however that the upheld disputes resulted in either an amendment to approved information or a Police National Computer match being overturned (this can include conviction, cautions, warnings and/or reprimands).
4. There were no upheld disputes from applicants for jobs at Brighton and Sussex Universities NHS Trust during calendar years 2009, 2010, 2011 and 2012.
5. We are aware of a small number of checks for Sussex Police which are submitted through East Sussex County Council. These checks would have been carried out at the request of the Local Authority where certain members of Sussex police force have been required to work with children or vulnerable adults. This can be where the role involves working in a school. Any upheld disputes would therefore be included in the answer to Q3 above however I can confirm this is nil for Sussex Police.

Standard vetting of police officers is conducted in-house. If you require information in relation to such vetting then you will need to submit a separate Freedom of Information request to Sussex Police.

Where the figure given is 'fewer than 10', the exact figure has not been provided as to do so may reveal the identity of an individual. It is the general policy of the DBS not to disclose, to a third party, personal information about another person. This is because the Home Office has obligations under the Data Protection Act and in law generally to protect this information. It has been concluded that some of the information you have requested is exempt under section 40(2) by virtue of the condition at section 40(3)(a)(i) of that Act, because disclosure would breach the Data Protection principles.

Section 40(2) is an absolute exemption that does not require any consideration of the public interest test.