Overview Document 1

Overview of the Quality Assurance Framework
Please note
It should also be noted that QAF does not govern the returning of cases via the CRM system (i.e. use of the CRM ‘Response Buttons’ in the completion and closure of cases).

The use of the ‘Response Buttons’ (Conflict; No Trace; Not Relevant; Relevant No Info Disclosed etc.) is covered by separate guidance that is owned and maintained by the Disclosure and Barring Service (DBS) - In brief:

- No Trace – You hold no record of this applicant on your systems (no AT2 generated)
- Not Relevant – You hold information which results as ‘Not Relevant’ under QAF (no AT2 generated)
- Relevant Info… No Info Disclosed – You hold information which, although ‘Relevant’ under QAF, you concluded ought not be disclosed (AT2 generated; & possibly AT3)
- Relevant Info… Approved only – You hold information which is relevant under QAF and which you are disclosing on the face of the certificate (AT2 & AT3 generated)
Introduction
The Quality Assurance Framework (QAF) is the prescribed decision-making framework, agreed by ACPO, for the processing, consideration and disclosure of police information for Enhanced Disclosure and Barring Service Checks. QAF was developed following the Bichard Enquiry (Recommendation 20) and reflects Part V of the Police Act 1997 (as amended) and the direction of the courts following consideration of challenges to disclosure.

The objective of QAF is to deliver a standard process and audit trail across all Disclosure Units for individual Chief Officer responsibilities when considering information for disclosure under 113B (4) of the Police Act 1997. QAF is the agreed standard for decision-making, risk assessment, relevance considerations and audit-trail provision.

Disclosure Unit compliance with the QAF process is assessed by the Standards and Compliance Unit (SCU). SCU comprises of DBS staff operating within a joint working arrangement with police colleagues; SCU operate under a joint working agreement between ACPO and DBS. The primary functions of the SCU are:

- to provide information to individual Disclosure Unit Management as to their Disclosure Units (DUs) compliance with the prevailing Quality Assurance Framework (QAF)
- to support DUs in their efforts to achieve and maintain QAF compliance
- to identify, and promote, good practice and VFM (re QAF and processes)
- to maintain the Quality Assurance Framework, as agreed or directed by DPG and so ensure that it reflects prevailing legislation and case law

The SCU will not interfere with the individual disclosure decisions of a Chief Officer under section 113B (4) Police Act 1997 (‘reasonably believes to be relevant and ought to be disclosed’). SCU will not direct the Chief Officer in respect of

- what disclosure decision the Chief Officer should ultimately make
- how to make the decision (other than where they or the Disclosure Unit have not adhered to the QAF process, to draw that fact to the attention of the Chief Officer)

This document provides an overview of the Audit Trail documents, Method Products and related supporting Guidance Documents that, together, form the QAF. In summary, QAF serves to;

- Document the search criteria used by Disclosure Units when searching their local intelligence systems and the circumstances under which they are to be used
- Standardise the process used to determine whether or not information is relevant and ought to be disclosed
- Provide an audit trail for a decision to disclose or not disclose; recording the all information, considerations and rationales engaged when reaching this decision
- Promote a minimum standard for a quality assurance regime to be in place at each Disclosure Unit, to promote the monitoring/improvement/maintenance of quality standards

To support Disclosure Units in this work, a library of relevant Judicial Review cases is maintained by SCU. The library can be found at:

These cases can provide a useful insight into the view of the courts in cases where legal challenge was brought against aspects of Part V disclosure. Whether you choose to familiarise yourself with these cases is, of course, your choice but we would recommend that you do so. Should you require interpretation of aspects of any particular case and its impact upon your particular decision, you are advised to approach the legal services within your force.
OV1 – QAF Overview Product
This document, the OV1, should be the ‘first port of call’ for anybody who is new to QAF as it gives an overview of the objectives of QAF, together with an overview of how it is structured, and how each piece of the QAF product set is designed to be used. It also gives an example of the QAF process for a ‘generic’ Enhanced Application.

Another document, the ‘Applicant’s introduction to QAF’ may also be of use to anyone who is new to the QAF process or who simply wishes to know a little more. It can be found at: https://www.gov.uk/government/publications/an-applicants-introduction-to-the-decision-making-process-for-enhanced-criminal-record-checks
Document Structure

This document contains the following sections in the order listed;

- An overview of QAF Audit Trail Document set
- An overview of QAF Method Product set
- A description of the flow of work through a ‘generic’ Disclosure Application

Product Set Overview

QAF consists of a number of products that will assist Disclosure Unit staff in processing Local Information Search Requests received for Enhanced applications. Other than this Overview Product, these products fall into four distinct categories:

- ‘AT’ Audit Trail Products (AT1, AT2, AT3)
- ‘MP’ Method Products (MP1 MP2, MP3, MP4, MP5 MP6, MP7a &7b)
- Quality Assurance Products (Author’s Note: to be revised)
- ‘GD’ Guidance Documents (GD1, GD2, GD3, GD4, GD5*, GD6**)

*GD5 is incorporated into the GD2
** GD6 was formerly known as MP8

Reference documents that will provide further assistance are also signposted throughout QAF. These documents are held and made available as resource material through this website page link.

The Audit Trail documents (ATs)

The three Audit Trail documents have three separate functions:

- **AT1** – a record of all local police intelligence databases, detailing when and how each should be searched (this is specific to each and every Disclosure Unit). Each AT1 is unique - it is specific to your Disclosure Unit and records:
  - The information sources (databases; physical files etc.) that are to be searched
  - When these information sources are to be searched
  - The search criteria to be used during searching
  - Force-specific policies

- **AT2** – used to record all intelligence records (‘Hits’) that pass the MP Filtering stage, after being found by following the processes detailed in the AT1

- **AT3** – used to record the thought process (the rationales) and decisions made when evaluating information; if disclosure is to be made, it also records the wording of the disclosure
The Method Products (MPs)
There are seven MPs, seven of which are step-by-step flow charts, accompanied by associated guidance. The seven each cover a different aspect of the assessment and decision-making process.

The Method Products are split into information filtering and information assessment.

Filtering Stage Method Products (6)
The first stage of the process; some information will be thrown out at this stage as it is not of interest. The AT2 (see Page 5) records the outcomes from this filtering stage:

- MP1 – general QAF workflow process
- MP2 – used when attempting to match the applicant with the information held
- MP3 – used when considering relevance of non-conviction information
- MP4 – used when considering 3rd Party* access to the vulnerable
- MP5 – process overview of the Home Office rules for filtering old & minor convictions
- MP6 - used when considering relevance of information which is background to a conviction recorded on the Police National Computer (PNC)

*3rd Party – an individual with a relationship to the applicant or the applicant's home address

Assessment Stage Method products (1)
Information which does not pass the required tests at MP7 will be thrown out here and the AT3 (see Page 5) records the outcomes from this stage:

- MP7a – considerations of Relevance, Substantiation and Proportionality
- MP7b – considerations of the safety aspects of disclosing information

QAF Method Products MP2, MP3, MP4 and MP6 are used to help determine potential relevancy and instruct the person undertaking the search when to record information within the audit trail. The AT2 is then used to record potentially relevant information (where no potentially relevant information is identified, an AT2 audit document will not be generated).

MP6 helps with the Home Office filtering rules for old & minor convictions and cautions.

Where an AT2 has been generated, the potentially relevant information then moves on to the AT3 stage of the process, using MP7a, MP7b and MP8 (unless the information meets the Single Incident criteria – please see the AT2 itself).

The AT3 records your assessments, considerations and conclusions. Once completed, the AT3 should provide a robust, cogent, defensible rationale for why (and in what manner) information was disclosed (or why it was not disclosed).

Where the recommendation/decision is to disclose, the AT3 is also used to record the text that is to be disclosed.

The format of the AT2 and AT3 products can be tailored to suit the working practices of the Disclosure Unit with the proviso that all of the individual questions and sections are retained and remain unaltered.
<table>
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<tr>
<th>AT1, Update Service &amp; PNC Filtering</th>
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<th>AT3 – considerations of whether the information is relevant and ought to be disclosed/referred</th>
<th>AT3 – considerations of the most appropriate method for disclosure/referral of information</th>
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<td>MP1 Update Service Flowchart</td>
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<td>MP3a &amp; MP3b Relevance of local information</td>
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<td>MP4 Link Third Party to Applicant</td>
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<td>MP5 PNC Filtering (3 flowcharts)</td>
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<td>MP6a &amp; MP6b Relevance of PNC information</td>
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<td>MP7a Disclosure Rationale Consideration</td>
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<td>MP7b Disclosure Method Consideration</td>
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**Guidance Documents (GD1 to GD6)**

The Guidance Documents (GDs) provide further ACPO-agreed information on aspects of the QAF process.

**GD1 – Close Matching Considerations**

The GD1 provides information on the close matching rules for Name, Date of Birth and Place of Birth.

**GD2 – Disclosure Text Good Practice Guidance**

The GD2 provides information on the construction of good disclosure text for non-conviction information, PNC Modus Operandi and Third Party information. This information has been informed by comments made by the courts during judicial review of challenges to Approved Information disclosures made under Part V of the Police Act (as amended). GD5 (the Recommendation 6c Template) is incorporated into this document as an appendix (see below).

**GD3 – Mental Health Disclosure Guidance**

The GD3 provides information on the consideration of mental health-related information held by police. It was written with the help and input of qualified individuals at the mental health charity MIND. Prior to inclusion in QAF and distribution to Disclosure Units, this document was reviewed and approved by MIND, the mental health charity.

**GD4 – Representations**

The GD4 provides information on the subject of representations. It has been heavily informed by two judicial review cases: ‘L’ v ‘Commissioner of police of the Metropolis, Supreme Court 2009; ‘B’ v Chief Constable of Derbyshire Constabulary, 2011.

The SCU, together with ACPO (via the Disclosure Portfolio Group) and Disclosure Units (via the National Disclosure Forum) worked together to establish a standard process for representations across all forces.

**GD5 – 6c Disclosure Template**

The need for police to include the reasons for their decision to disclose information on the face of an Enhanced Certificate was recognised by Sunita Mason in her report following her review of the criminal records regime in England and Wales [A Common Sense Approach].

Recommendation 6c: "I recommend the development and use of a common template to ensure that a consistent level of information is disclosed to the individual with clearly set out reasons for that decision."

This guidance supports the aims of this recommendation and the template helps deliver consistency.

**GD6 – Chief Officer/Delegate Guidance**

The GD6 (formerly referred to as the MP8) provides some additional information for Chief Officers or their delegates. The Chief Officer is the only individual charged with a specific duty/responsibility within the relevant legislation.
The flow of work of a ‘Generic’ QAF Application

Context
There exists no single standard organisational structure across all Disclosure Units (in terms of job roles, functions, IT etc.). This presents difficulties when attempting to describe the workflow in a way that is easily understood by all Disclosure Units. We have attempted to overcome this here by describing the flow of work of a ‘generic’ Application, describing QAF as a number of independent QAF Functions, and allowing the user to map the job roles in each Disclosure Unit onto these QAF Functions.

This section describes the flow of work through a ‘generic’ Disclosure Unit, and states which QAF Functions are undertaken at each point in the workflow.

This section should be read in conjunction with the QAF Process Flow on Page 7 which illustrates the Method Product flow of work through the ‘generic’ Disclosure Unit.

QAF does not encompass all DBS-related activities carried out by a Disclosure Unit. It is also expected that local procedures will be developed to underpin QAF wherever appropriate.

AT1
Your AT1 is specific to your Disclosure Unit (DU) - you created it and you are responsible for its accuracy and maintenance. When the application is received, you perform local searches following the instructions and parameters set out in your AT1. The MP2, MP3, MP4, MP5 & MP6 will be used to confirm identification, assess information relevance, third party access and background/contextual information (‘additive’ information) to a police record etc.

AT2
Any local intelligence hits found via the AT1 search criteria will be entered onto the AT2. Please note, the method products do not have to be followed in numerical order e.g. you can go straight to the MP3 to assess information without having to first establish Identity using the MP2 – begin with the most appropriate MP for the case in hand.

AT3
All relevant information logged onto the AT2 will be considered using the MP7a and MP7b. The decision to discard/not discard relevant information must be documented on an AT3. The process requires that a rationale is provided that satisfies the questions asked in the MP7a and MP7b boxes and demonstrates (records for audit) that all of the necessary points have been appropriately considered (how/why a decision/conclusion was reached).

If the decision is to disclose some or all of the information, the proposed wording will be recorded on the AT3. The Chief Officer/Delegate will review the decision prior the release of information. The Chief Officer/Delegate must also consider the human rights of all parties affected by disclosure of information. This rationale supporting the decision arising from this consideration must also be documented (recorded for audit) on the AT3.

MP5
Offences recorded on PNC are subject to the Home Office filtering rules for old & minor convictions, cautions, warnings and reprimands. The filtering rules must be applied, by DUs, for all applications matched to a PNCID. Any offence which will be filtered may still be considered for disclosure if (after following QAF) you believe that it is relevant and ought to be disclosed.
GLOSSARY

AT – Audit Trail: Abbreviation for the documents used to provide an audit trail for Disclosure Unit vetting activity (AT1, AT2, AT3). Recording: search criteria, local intelligence hits, disclosure decisions and their supporting rationale.

ACPO – Association of Chief Police Officers: ACPO leads and coordinates the direction and development of the police service in England, Wales and Northern Ireland.

CRB – Criminal Records Bureau: Formerly an Executive Agency of the Home Office set-up to help organisations make safer recruitment decisions (see DBS).

DBS – Disclosure and Barring Service: The DBS is the organisation formed by the merging of the CRB and the Independent Safeguarding Authority – the DBS commences operations from December 1st 2012.

DPG – Disclosure Portfolio Group: The strategic board with governance responsibility for SCU and QAF (formerly named Disclosure Strategic Board).

DM – Decision Maker: A member of staff at a DU that has responsibility for determining whether to recommend disclosure/non-disclosure of information following EDBS application.

DU – Disclosure Unit: Department within a Police Force or other relevant Law Enforcement Agency that conducts local intelligence searches for Enhanced Disclosure and Barring Service Checks.

DUA – Disclosure Unit Agent: Individual employed within a DU.

DUM – Disclosure Unit Manager: Manager/Head of an individual Disclosure Unit.

ECRC – Enhanced Criminal Records Check

EDBL – Enhanced Disclosure with Barred List Check (required for Regulated Activity)

ED – Enhanced Disclosure Check (with no Barred List check)

GD – Guidance Documents: Abbreviation for the documents that provide further QAF information for Disclosure Unit staff processing ECRC applications through QAF (GD1, GD2 etc).

ISA – Formerly the Independent Safeguarding Authority (see DBS).

LPF – Local Police Force: Generic term for the geographical Police Constabularies and Forces.

LEA – Law Enforcement Agency: Any government department or non-geographical policing agency who search offence data on behalf of the Disclosure and Barring Service, including the States of Jersey Police Force; the salaried police force of the Island of Guernsey; the Isle of Man Constabulary; British Transport Police; Service Police; Ministry of Defence Police and others.

MP – Method Product: Abbreviation for QAF flow charts used when processing and considering information within QAF (MP2, MP3 etc.).

MO – Modus Operandi: The specific circumstances of the crime committed – victim profile; level of violence; weapons used etc. - the background details to a PNC record.

RB – Registered Body: Employer or organisation registered to validate and submit applications for Standard or Enhanced Disclosure and Barring Service Checks (includes Umbrella Body, UB).

OV – Overview Document: A general overview document covering the end-to-end QAF process.

SCU – Standards and Compliance Unit: Team responsible for the further development of QAF, providing support to DU’s and assessing their compliance with QAF.