



1. Home (<https://www.gov.uk/>)
 2. Criminal records checks for overseas applicants
(<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>)
-
1. Home Office (<https://www.gov.uk/government/organisations/home-office>)

Guidance

Guidance on the application process for criminal records checks overseas

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Contents

- Getting a criminal records check for time spent abroad
- Getting a police certificate for an overseas visa application
- Getting a police certificate to work or volunteer with children abroad
- Getting a UK police clearance check for a foreign employer
- Statutory requirements for UK employers when carrying out checks on prospective employees who have spent time abroad
- Criminal record certificates for UK visas



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This publication is available at <https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants/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 certain visa applications.

Getting a criminal records check for time spent abroad

Details of how to obtain such a check from the relevant authorities abroad are available on GOV.UK (<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 (<https://www.gov.uk/government/publications/foreign-embassies-in-the-uk>).

Getting a police certificate for an overseas visa application

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.

- Telephone: 0845 60 13 999 (international callers: 0044 1962 871 111)
- Email: customer.services@acro.pnn.police.uk

Further details can be found on the ACRO Criminal Records Office website (https://www.acro.police.uk/subject_access.aspx).

Getting a police certificate to work or volunteer with children abroad

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 why someone should not work with children. It is similar to the DBS (Disclosure and Barring Service) check that is available 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.mygov.scot/disclosure-types/?via=https://www.disclosurescotland.co.uk/>). 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/subject_access.aspx) website and CEOP Command website (<https://www.ceop.police.uk/ICPC/>).

Getting a UK police clearance check for a foreign employer

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

If these do not apply to your case, then currently the only way you can obtain a formal criminal record check by way of a basic disclosure which details any unspent convictions that may be recorded against you. Basic disclosures are issued by DBS in England & Wales, AccessNI (<https://www.nidirect.gov.uk/campaigns/accessni-criminal-record-checks>) in Northern Ireland and Disclosure Scotland (<https://www.mygov.scot/disclosure-types/?via=https://www.disclosurescotland.co.uk/apply/>).

However, you will need to check whether your prospective employer will be able to accept the results of such a request before applying.

Statutory requirements for UK employers when carrying out checks on prospective employees who have spent time abroad

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 Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/41868) guidance from the Department for Education (DfE).

Criminal record certificates for UK visas

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 before 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.

Visa applicants in all other sub-categories of the Tier 2 route are not currently required to provide criminal record certificates (<https://www.gov.uk/government/publications/criminal-record-certificate-requirement>). Also, those already in the UK seeking to extend their stay in one of the above categories are not presently included.

Details of how to obtain a check from the relevant authorities abroad (<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>) are available on GOV.UK.

If you cannot obtain a criminal record certificate from the relevant country

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. UK Visas and Immigration (UKVI) will consider your explanation against the situation in those countries and decide whether to waive the requirement. If UKVI decides 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 before deciding whether to make an offer of employment.