

DBS Disclosure Workshop



Disclosure &
Barring Service

Housekeeping

- Questions
- Confidentiality
- Microphones
- Captions
- Slides
- Breaks



Workshop Objectives

- The benefits of DBS and The Church of England working together
- The different levels of DBS checks
- When an employee is eligible for a check
- What Regulated Activity is
- The DBS Update Service
- Have an understanding of what safe recruitment practices can be in place that DBS checks can form a part of.



Introduction

Our Purpose:

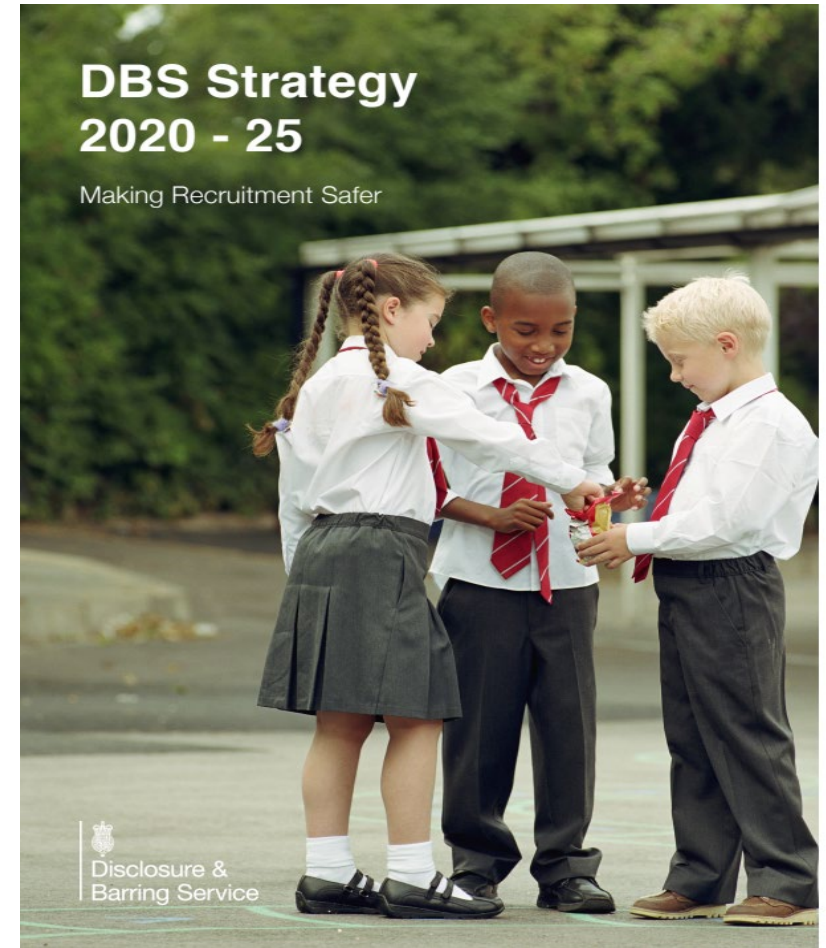
Protecting the public by helping employers make safer recruitment decisions and by Barring individuals who pose a risk to vulnerable groups from working in certain roles.

Our vision:

Making Recruitment Safer

By being a visible, trusted and influential organisation, providing an outstanding quality of service to all our customers and partners. Where our people understand the important safeguarding contributions they make and feel proud to work here.

[DBS business plan: 2021-22 - GOV.UK \(www.gov.uk\)](https://www.gov.uk)



The Role of DBS

DBS is responsible for the delivery of disclosure and barring functions on behalf of Government.

We operate **disclosure** functions for England, Wales and the Islands under Part 5 of the Police Act 1997 supported by the following:

- Rehabilitation of Offenders (Exceptions Order) Act 1975
- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012

We also operate **barring** functions for England, Wales and Northern Ireland under the following:

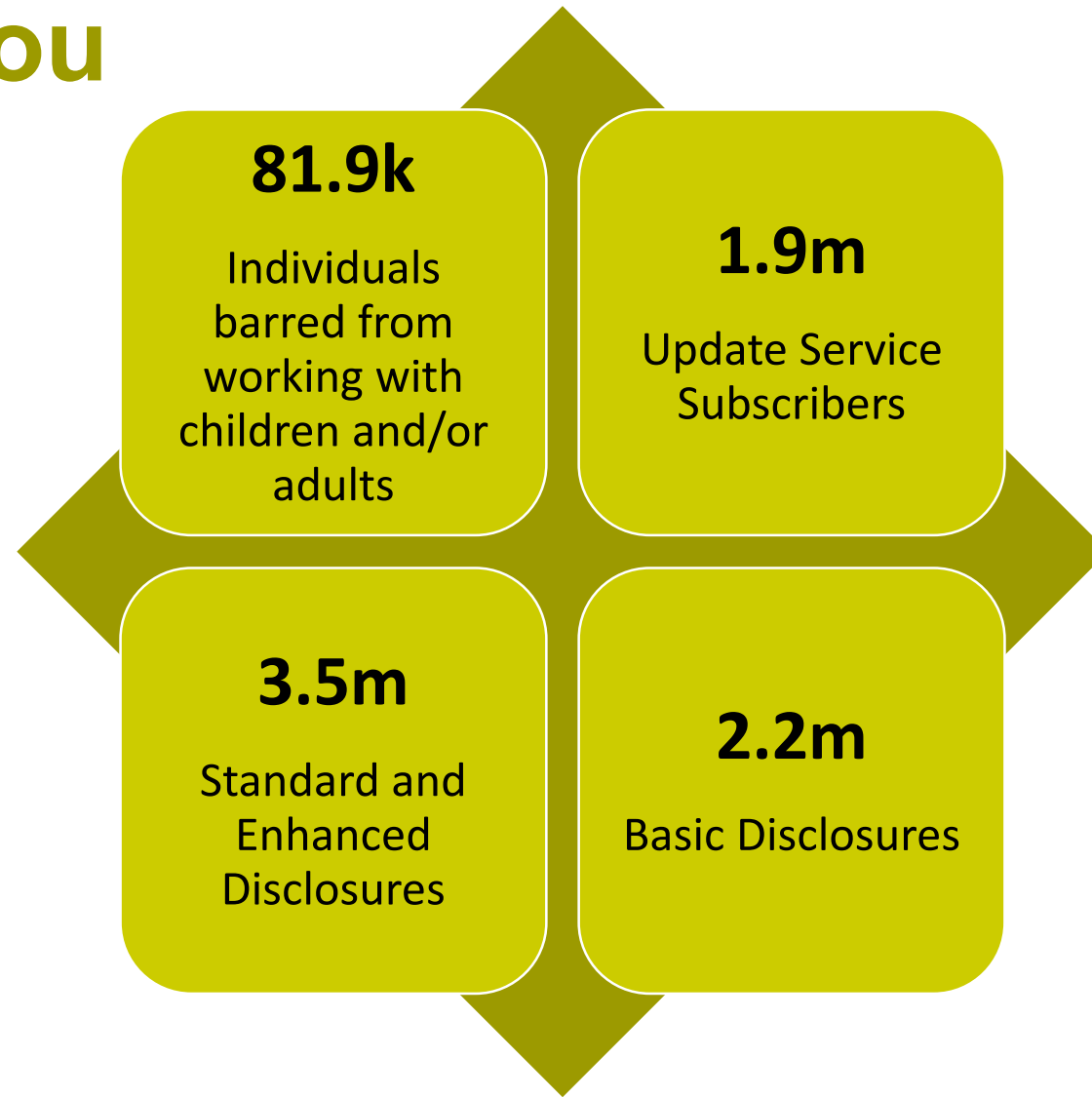
- Safeguarding Vulnerable Groups Act 2006
- Safeguarding Vulnerable Groups (Northern Ireland) Order 2007
- Protection of Freedoms Act 2012



DBS Disclosure Quiz

1. I should always apply for the highest level of DBS check when I am recruiting for any role
2. Anyone who works around children or vulnerable adults is eligible for a standard or enhanced level DBS check.
3. The job I'm recruiting for does not work with children or vulnerable adults, so I cannot apply for any DBS check
4. A DBS certificate came back without any information on it – This means the DBS have said it is okay to employ them.
5. The DBS will tell me if an employee has any new convictions after the DBS certificate has been issued.
6. An individual could have police information on their certificate, even if they've never had a conviction for an offence
7. My new employer cannot accept my current DBS certificate because it has my previous employer's name on it.
8. A DBS check is not a legal requirement
9. DBS certificates do not have an expiry date

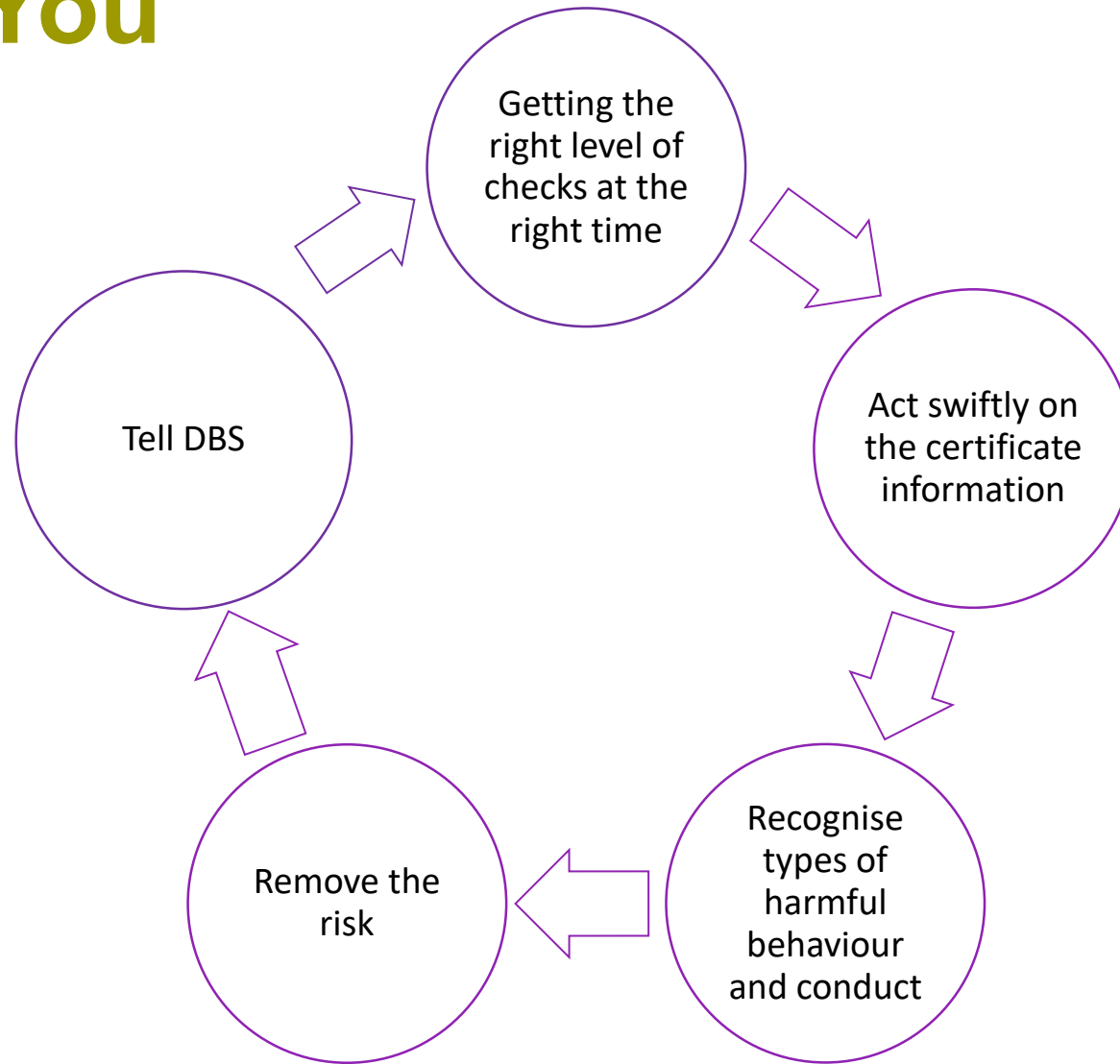
DBS and You



Safeguarding Environment



DBS and You



Safe Recruitment Practices Exercise

As an employer who is currently recruiting, what should be considered and what could/should be in place as part of safe recruitment practices?

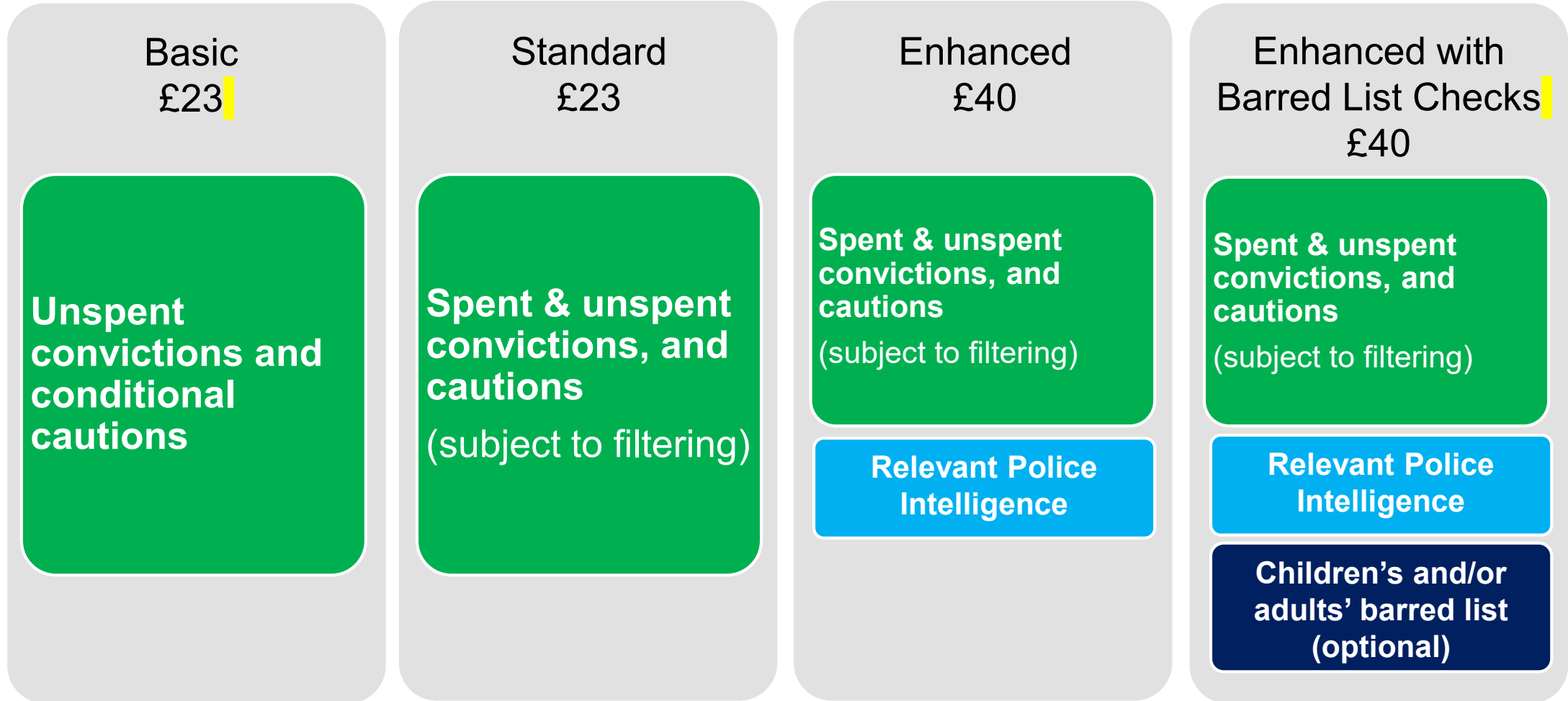


Safe Recruitment Practices

- A DBS Check
- References from previous employer/s
- Safer Recruitment Policy
- Recruitment of Ex Offenders Policy
- Whistleblowing Policy
- Training plans & programmes
- Supervision
- Job shadowing
- Probation periods
- Clear job descriptions



The Different Levels of DBS Checks



DBS Filtering Rules

Convictions

All convictions are considered individually

A conviction will be filtered from a criminal record certificate only if:

- 11 years have elapsed since the date of conviction (5½ years if under 18 when convicted);
- it is the person's only conviction;
- it did not result in a custodial (or suspended) sentence;
- It is not on the DBS list of specified offences that will never be filtered

Cautions, reprimands or final warnings

- A caution for adults will be filtered after 6 years have elapsed since the date of the caution – and only if it does not appear DBS list of specified offences that will never be filtered.
- Youth cautions are not disclosed on DBS certificates
- Childhood reprimands & warnings will not automatically be disclosed

The police still have the power to disclose this information if it is relevant and ought to be disclosed.

Responding to disclosure information

Regulated activity – are they barred from the workforce?

Legal or regulatory requirements

Seriousness of offence

Age at time offence committed

Any pattern of offending behaviour

Circumstances surrounding offending behaviour

Evidence of rehabilitation

The Update Service –supporting your safeguarding measures

Organisations and employers can check online, free of charge with the individual's consent – the certificate must be at a level that you are able to check and for the correct workforce

Those making the check will be advised:

- No new information exists
- If the original certificate contained 'no relevant information'
- New information exists
- There is no record of the certificate in the service

Benefits:

- Re-check when you need to with the individual's consent
- Cheaper than a 3 yearly re-check
- Faster results – you will know instantly if there is no change or if you need to get a new certificate

Deciding what level of check you are able to request

Understand:

Who your organisation provides services for – children/adults/both?

What the role involves

How often it is performed

When you need to consider if it is supervised work

Where the role is performed

There are some different rules for roles in Wales

DBS online eligibility guidance

<https://www.gov.uk/government/collections/dbs-eligibility-guidance>

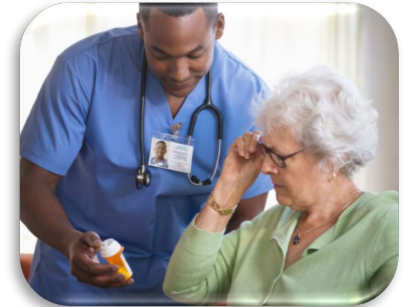
DBS workforces

Police Act 1997 (Criminal Records) regulations separate eligibility for enhanced DBS checks into:

Work with children – the **child** workforce



Work with adults – the **adult** workforce



Everything else – the **other** workforce



Work with children

The **Child** Workforce

For DBS purposes, a **child** is a person who has not yet reached the age of 18



What, how often and is it Supervised?

Regulated activity

	Once	More than 3 days in a 30 day period	Once overnight with opportunity for contact between 2am and 6am
Providing health care	Yes	Yes	Yes
Providing personal care	Yes	Yes	Yes
Teaching, training and instruction - unsupervised	No	Yes	Yes
Caring for or supervising - unsupervised	No	Yes	Yes
Providing advice or guidance on physical, emotional or educational well being	No	Yes	Yes
Driving children under arrangement	No	Yes	No
Moderating a web based service	No	Yes	No
Registering to be a childminder (inc voluntary reg)	Not applicable		
Registering to become a foster carer	Not applicable		
Day to day managers of staff in regulated activity			

Anyone carrying out this activity would be eligible for the Enhanced with Children's Barred List check

Where - specified establishments, the rules

Regulated activity

Where the activity takes place:

Schools*

Nurseries

Children's Home

Children's Centres

Childcare Premises

Children's hospital in Wales

Detention centres for children

***including pupil referral units and alternate provision academies in England**

Individuals must satisfy all of the following criteria:

- Work there more than 3 days in a 30 day period or overnight between 2am and 6am; **and**
- Have the opportunity for contact with children in the establishment; **and**
- Work there for the purpose of the establishment; **and**
- It's not a temporary or occasional role or a supervised volunteer role



Work with children which is not regulated activity

Supervised teaching/instruction/caring for or supervising children

- Eligible for an enhanced DBS check

Supervised volunteer in a school or other specified establishments

- Eligible for an enhanced DBS check

Living or working in childminding or childcare premises

- Eligible for an enhanced DBS check with a children's barred list check

Registering to be Adoptive parents

- Eligible for an enhanced DBS check with a children's barred list check

Anyone carrying out regulated activity but not often enough

- Eligible for an enhanced DBS check

Trustee of a children's charity

- Eligible for an enhanced DBS check

Work with adults

The **Adult** Workforce

For DBS purposes, an **adult** is a person who is aged 18 or over



What is done for the adult

Regulated activity

If done once the following activities are regulated activity with adults	
Providing health care	By or under the supervision of a healthcare professional
Providing personal care	Washing and dressing, eating, drinking and toileting
Social Work	Provided by a social care worker to an adult who is a client or potential client
Assistance with the day-to-day financial running of the adult's own household	Managing cash, bills or shopping
Assistance with the conduct of an adult's affairs	Power of attorney, deputies appointed under Mental Health Orders
Conveying an adult	Must be for health, personal or social care due to age, illness or disability

Anyone carrying out this activity would be eligible for the Enhanced with Adult's Barred List check

Work with adults which is not regulated activity – the rules

Step 1

The adult must be 18 or over

and

Receiving a listed health or social care service

or

Receiving a listed activity set out in legislation

Step 2

The employee must do one or more of the activities below

- Train, teach, instruct, provide assistance, advice or guidance
- Care for, supervise, provide treatment or therapy
- Moderate a public interactive electronic communication service
- Work in a care home
- Drive adults under contract arrangements

Step 3:

Carry out the work often enough:

more than 3 days in any period of 30 days

or

Anytime between 2am and 6am

or

Once a week on an ongoing basis



Work with adults – what else is included?

- **Trustees of adult's charities**
- **Specific positions in England & Wales**
examples would include CQC inspectors in England, local authority social services staff, Directors of social services in Wales but there are more
- **Managing anyone who carries out work with adults activities**

Use DBS online adult workforce guide for more information

<https://www.gov.uk/government/collections/dbs-eligibility-guidance>



Home-Based Checks-

A home-based check is for roles that are eligible for an Enhanced DBS check in the child or adult workforce where the individual:

- carries out some or all their work with children or adults in their own home; or
- lives in the household of someone who is being or has been DBS checked because they carry out work with children (not adults) in their own home

To be eligible for an Enhanced DBS check, household members must also have the opportunity for regular contact with the children.



Home-Based Checks-

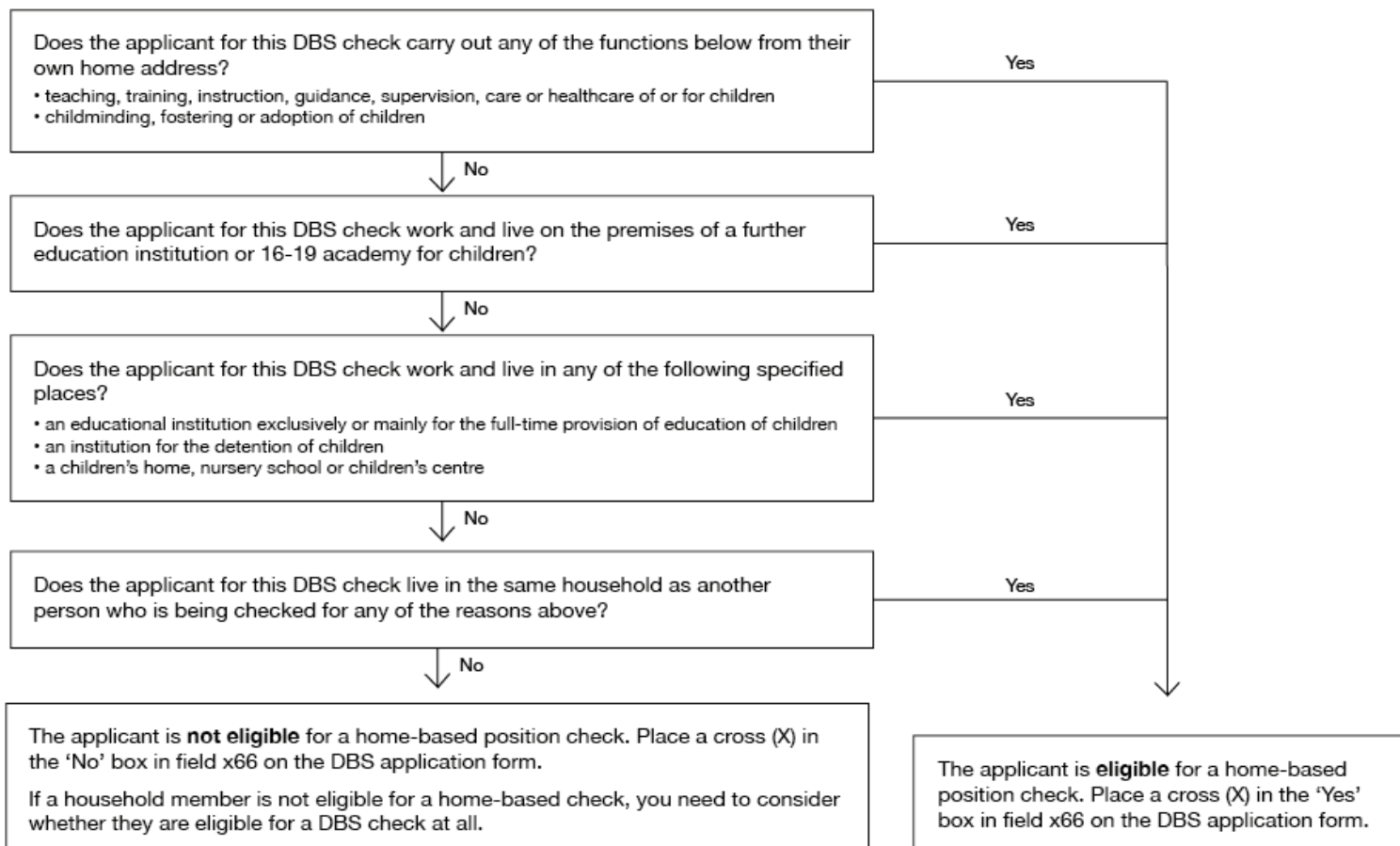
The purpose of the third-party check is to allow the police to consider information held not only on the applicant, but also on any family member, relative, or friend associated with their home address. As the legislation permits disclosure of 'any information', this may be considered for disclosure on a DBS certificate.

Positions are not considered home-based if the work is being carried out at the home of the individual being cared for or being provided with a service or activity. There is no legislation that allows a DBS check for individuals who live in the household of someone who is providing personal care, healthcare or social work to adults who need it.

[Home-based position definition and guidance - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/home-based-position-definition-and-guidance)

Home-Based Checks-

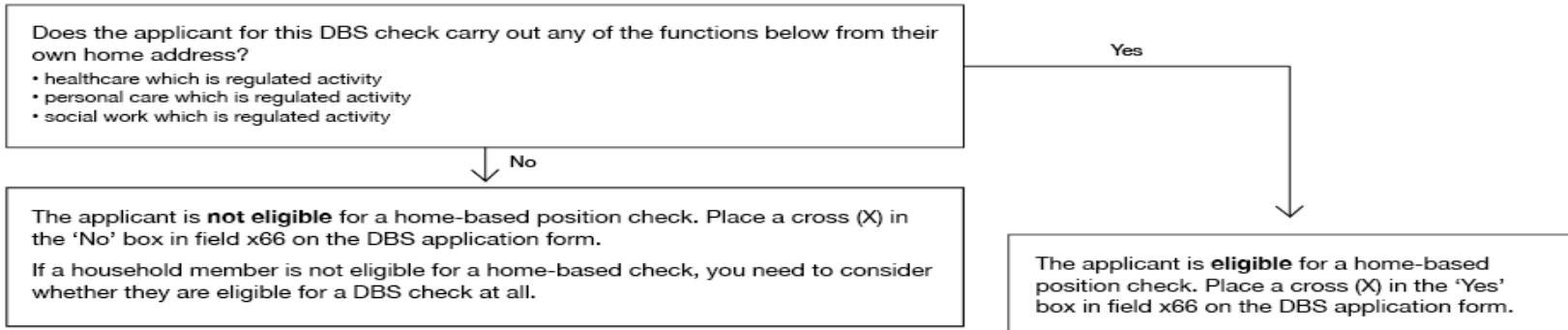
Child workforce



Home-Based Checks-

Adult workforce

There is no legislation that allows other members of the household of the applicant to have a DBS check.





Trustees/ PCC-

- If it is a children's/adult's charity trustees are eligible for enhanced check.
- If not need to look at what the trustee/PCC are doing as part of their role.
- If carrying out regulated activity with children/adult's- enhanced with barred list check.
- If carrying out “work with children”/ “work with adults” – enhanced check
- None of the above- basic check



What level of DBS Check?

Joshua runs a bible story club for children aged 7 - 11 year.

He teaches the children every Saturday morning in the local church library.





What level of DBS Check?

Kate supports at the bible story club for children aged 7 - 11 year.

She is supervised by Joshua.





What level of DBS Check?

Sophia volunteers with her local Neighbourhood Church Association Group. Her role is to deliver food parcels to local residents.

Some of the residents may have health and social care needs





What level of DBS Check?

Alex volunteers with his local Neighbourhood Church Association Group. His role is to go shopping for elderly members of the church who can't leave their house. He is given cash from the members do to their shopping.





What level of DBS Check?

Danny is a church caretaker. He attends his local church every evening and performs daily spot cleaning in all public areas of the building. On Thursdays evenings a counselling group is also running in the main hall. Danny provides tea and coffee for the attendees





What level of DBS Check?

Frank is an outreach worker. He goes into his local city centre every Friday and Saturday night. He gives out flip flops to those who's shoes are hurting, he will support people who are intoxicated and take anyone who needs support to a local police station.





What level of DBS Check?

Ruth volunteers to take sandwiches and hot drinks to homeless people once a month. Some of the homeless people are elderly and others have substance misuse issues.





What level of DBS Check?

Ellie is a youth worker. She leads the church youth club on a weekly basis.

Occasionally Ellie can not attend so Rosie steps in to run the club. This happens every couple of months.





What level of DBS Check?

Gary volunteers to drive the church mini bus.
On a weekly basis he drives elderly members of the church to worship as they are unable to get there themselves.





What level of DBS Check?

Alice is a eucharistic minister. She distributes the host on a monthly basis. She will often place the host in an individual's mouth.





What level of DBS Check?

John is a PCC member. As part of his role he manages the youth group leader who has an enhanced with barred list check (children).





What level of DBS Check?

Sarah is a church operations administrator. She keep records of who attends the youth group and have access to all the children's names, addresses and telephone numbers.





What level of DBS Check?

Caroline is a safeguarding administrator. She keeps records of who has had DBS checks and at what level. She also carries out ID checks and submits applications for DBS checks.



Resources

DBS eligibility information is available at <https://www.gov.uk/government/collections/dbs-eligibility-guidance>

This provides links to:

DBS online eligibility tool

Eligibility guidance for standard DBS checks

Eligibility guidance for enhanced DBS checks-DFE definition of Regulated Activity with children and DH definition of Regulated Activity with Adults are included here.

DBS guidance leaflets

Information on basic DBS checks can be found at

<https://www.gov.uk/government/publications/basic-checks>

Useful Links

- [DBS Guidance Leaflets](#)
- [DBS Check process explained - video](#)
- [DBS eligibility guidance](#)
- [Eligibility guidance for enhanced DBS checks](#)
- [DBS Barring Referral Guidance](#)
- [DBS Barring Referral Form and Guidance](#)
- [How to make a Good Quality Barring Referral](#)

How to contact us

Regional Outreach:

Email: DBSregionaloutreach@dbs.gov.uk

North West- Jordan.Hayden@dbs.gov.uk

North East- Elizabeth.Dale@dbs.gov.uk

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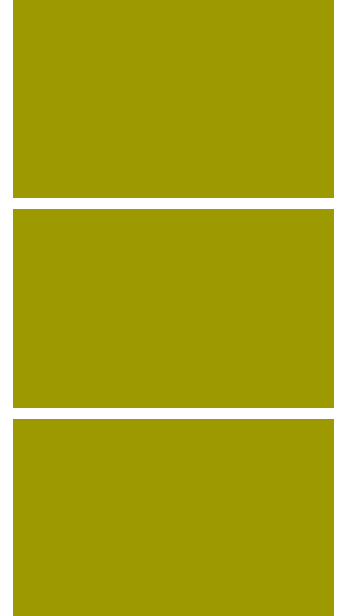
If you are unsure of your region or do not have named Worker please email the main email.

Please get in touch for bespoke support:

- Questions about DBS checks, eligibility and regulated activity
- Support with making barring referrals and the “legal duty to refer”
- Delivery of training and workshops directly to your team or network
- Support your training programmes that require DBS information
- Provide us feedback so we can improve our DBS products and services

Recap

- The benefits of DBS and Church of England working together
- The different levels of DBS checks
- When an employee is eligible for a check
- What Regulated Activity is
- The DBS Update Service
- Have an understanding of what safe recruitment practices can be in place that DBS checks can form a part of.



Evaluation and close

Thank you for listening
Any questions?

[Disclosure & Barring Post Event Survey \(Overview + Disclosure\) \(surveymonkey.co.uk\)](#)

