

Using the Disclosure and Barring Service (DBS)

An introduction to using the Disclosure and Barring Service, for community groups

Many community groups and organisations run services for children and adults in which it is important to safeguard participants against abuse and neglect.

One of the ways of doing this is to check whether prospective volunteers and employees have a criminal record which makes them unsuitable for particular roles within your group. The Disclosure and Barring Service (DBS) (formerly Criminal Records Bureau (CRB)) provides these checks.

DBS is one way you can safeguard children and vulnerable adults, but you should also think about other ways to keep people safe, for example, what you will do if you have concerns about a child or vulnerable adult's wellbeing, and how you will make sure your staff and volunteers have the skills and knowledge they need to safeguard children and adults.

For more help with this, see our list of organisations that provide information and training about safeguarding¹.

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Please note this is an information sheet for community groups, produced by the Resource Centre (an independent charity). For more information about services provided by the Disclosure and Barring Service, please contact the Disclosure and Barring Service directly.ⁱⁱ

Quick guide to DBS checking

This is the process you will need to go through when thinking about DBS checks.

1. Is your group eligible (see page 4), or legally required (see page 3), to apply for DBS disclosures for your volunteers or employees? Make sure that you are consistent (i.e. you treat people doing the same work in the same way).
2. If you decide that you need DBS checks, find an umbrella body to help you apply.ⁱⁱⁱ (Organisations applying for fewer than 100 checks per year must use an umbrella body).
3. Discuss how you will keep DBS information safe and how you will assess whether an individual is suitable for a role in your group (see page 5). You will need to follow the policies of your umbrella body, and the DBS Code of Practice^{iv}.
4. Apply for the DBS check, with help from the umbrella body (see page 5).
5. Ask the volunteer or employee to show you and/or the umbrella body the certificate when they receive it.
6. Assess whether the individual is suitable for the role in your group (see page 5).

What is DBS checking?

DBS checking is the government's process for providing information to employers and organisations about whether an individual is suitable for particular types of work. It is carried out by the Disclosure and Barring Service. There are three main ways the DBS can provide information about people. These are:

A Standard Disclosure:

This is a DBS check that gives details of a person's convictions (including spent convictions) plus any cautions, reprimands or warnings held in England and Wales on the Police National Computer. Most of the relevant convictions in Scotland and Northern Ireland may also be included. A Standard Disclosure is generally used for people entering professions such as law or accountancy.

An Enhanced Disclosure:

This includes everything that a Standard Disclosure includes, plus any locally held police information considered to be relevant to the job role. An Enhanced Disclosure can be used for people working regularly or intensively with children or vulnerable adults.

Barred List:

The DBS keeps a list of people who are barred from taking part in particular kinds of work with children and vulnerable adults. This type of work is known as regulated activity (see page 3).

Who must have a DBS check?

There are some types of work that people may be barred from. This is known as “regulated activity”. It is your group’s legal responsibility to check that people doing regulated activity are not barred.

You can do this by applying for an Enhanced Disclosure with children’s and/or adult’s barred list check(s).

Regulated activity

Government guidance on what constitutes regulated activity is available to download from the DBS website^v. You should check this thoroughly to help you decide whether you need to get DBS checks for any of your volunteers or employees.

To help, here are some examples of regulated activity which volunteers in community groups might be likely to do. This is not a list of all regulated activity.

- ♦ Providing unsupervised teaching, training or childcare to children (at least once a week, more than 4 times in 30 days, or overnight)
 - ◇ e.g. a football coach running a weekly children’s club is in regulated activity, but any volunteers they supervise are not.
- ♦ Providing advice to children relating to their physical, emotional or educational well-being (at least once a week, more than 4 times in 30 days, or overnight)
 - ◇ e.g. a volunteer providing sexual health or careers advice at a weekly drop-in for young people.
- ♦ Moderating an interactive website used mostly by children, (at least once a week, or more than 4 times in 30 days)
 - ◇ e.g. a member of a tenant association who runs a forum for local young people to discuss their ideas.
- ♦ Driving a vehicle being used specifically for transporting children, (at least once a week or more than 4 times in 30 days)
 - ◇ e.g. a volunteer who drives a minibus to take children from a summer play scheme on days out, several times during the holidays.
- ♦ Providing personal care to children (e.g. feeding, toileting, bathing, dressing) who need this help because of illness or disability.
- ♦ Providing personal care to adults (e.g. feeding, toileting, bathing, dressing) who need this help because of illness, disability or age.
- ♦ Managing cash, paying bills or doing shopping on behalf of an adult who needs this help because of illness, disability or age.
- ♦ Driving adults to and from health or social care appointments, on behalf of an organisation
 - ◇ e.g. a volunteer who drives an adult to and from a hospital appointment on behalf of a community group, even if they are friends with the person being driven. (This does not apply to someone taking a friend or neighbour to an appointment when this is not on behalf of a group).

If you are not sure if a particular role includes regulated activity, consult the DBSⁱⁱ, or an umbrella bodyⁱⁱⁱ such as Safety Net^{vi}.

Who is eligible for a DBS check?

You can choose to request a DBS check for some staff and volunteers who are not doing regulated activity, but not for just anyone. Whether you are entitled to ask for a DBS check depends what kind of work someone will be doing.

You may choose to apply for Enhanced Disclosure for any volunteer or employee doing frequent, intensive or overnight work with children or vulnerable adults. Some funders may expect you to do this. (You cannot, however, check whether the person is on a barred list if the role does not include regulated activity.)

More details of who is eligible for different levels of DBS checks are in the DBS Eligibility guidance^v. If you are not sure whether a role is eligible for a DBS check, it's best to consult the DBSⁱⁱ, or an umbrella bodyⁱⁱⁱ, such as Safety Net^{vi}.

Using an existing DBS / CRB certificate

You may find that one of your prospective employees or volunteers already has a DBS or CRB certificate from a different organisation. A DBS/CRB certificate only shows information about the person up to the date of the certificate.

Your group can decide whether to accept an existing certificate, but remember it is your group's responsibility to ensure people in regulated activity are not barred. If you are considering accepting an existing certificate, refer to the DBS guidance for employers^{vii}. If an individual has an existing certificate, you may be able to access up to date information about them using the DBS Update Service.

Update Service

The DBS operate an Update Service^{viii}, which allows organisations to find out whether there is any relevant new information about an individual since their DBS certificate was issued. In order to do this, the individual themselves has to be registered with the update service.^{viii} This allows them to give permission for as many organisations as they like to check their DBS information.

If you use the update service to check someone, make sure that their role is eligible (see page 3) and that their existing DBS check is the right level of disclosure (see page 2) for the role. Talk to the DBSⁱ or an umbrella bodyⁱⁱⁱ about this if you're not sure. Also make sure the identification information on the check is correct. Ask to see other forms of identification to confirm this.

Using information from DBS checks

Before you apply for a DBS check for a volunteer or employee, you should think about how you are going to use the information you will receive, and how you are going to keep it safe. Discuss this in your group, and write down how you will make sure people's privacy is protected and that everyone is treated fairly.

Think about:

- ♦ How and where disclosure information will be stored;
- ♦ Who will have access to it;
- ♦ How long it will be kept for and how it will be disposed of.
- ♦ What disclosed information would mean that an individual was unsuitable for the role in your group? You must follow the DBS Code of Practice^{iv} and treat people fairly. Get advice from the DBSⁱⁱ, or an umbrella bodyⁱⁱⁱ such as Safety Net^{vi} about this. You will also need to adhere to the policy of the umbrella body you apply through.

How to apply for a DBS check

All organisations applying for fewer than 100 checks in a year must apply via an umbrella body, rather than directly to the DBS.

There is a link to a list of umbrella bodies on page 6. In Sussex, you can use Safety Net^{vi}.

The umbrella body will provide you with a copy of the DBS Code of Practice, forms and guidelines on how to complete them. Your volunteers or employees will need to provide a range of information that can be used to verify their identity and address. Details of this are available from the DBS^x.

Completed forms are then sent off with payment. The DBS charge to run checks for employees, but don't charge for volunteers. Your umbrella body might charge an additional admin fee (for volunteers and employees).

When the DBS has completed its checks it will send a copy of the disclosure to the individual applicant (at their home address). The applicant should show this to you and/or the umbrella body.

Follow your group's policy (and your umbrella body's policy) when using and storing information from DBS checks (see page 5).

For more information, refer to the DBS's own employers' guide to the disclosure process^{vii}.

Sharing information with the DBS

If anyone in your group has a role which is defined as regulated activity (see page 3), you have a legal obligation to inform the DBS if an employee or volunteer has harmed or posed a risk to a child or vulnerable adult whilst working with your group. In the interests of safeguarding, it is also important to do this even if you don't run any regulated activity. This is called making a DBS referral.

If you need to make a DBS referral you should contact the DBSⁱⁱ.

More information

i Organisations that provide information and training about safeguarding

<http://www.resourcecentre.org.uk/service/information-and-training-about-safeguarding/>

ii Disclosure and Barring Service

DBS customer services

PO Box 110

Liverpool

L69 3JD

03000 200 190

www.gov.uk/db

customerservices@db.s.gsi.gov.uk

iii List of umbrella bodies

<http://www.resourcecentre.org.uk/service/umbrella-bodies-for-dbs-checking/>

iv DBS Code of Practice

<https://www.gov.uk/government/publications/dbs-code-of-practice>

v DBS eligibility and regulated activity guidance

<https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>

vi Safety Net

Safety Net are an umbrella body based in Brighton. They also offer safeguarding training to community groups, and support with developing safeguarding policies.

Manor Offices, c/o Emmaus

Drove Road

Portslade

BN41 2PA

01273 411613

www.safety-net.org.uk

info@safety-net.org.uk

vii DBS guidance for employers

<https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers>

viii DBS update service

<https://www.gov.uk/government/collections/dbs-update-service-promotional-material>

ix Identification needed for a DBS check

<https://www.gov.uk/disclosure-barring-service-check/documents-the-applicant-must-provide->