



Disclosure &  
Barring Service

# 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.



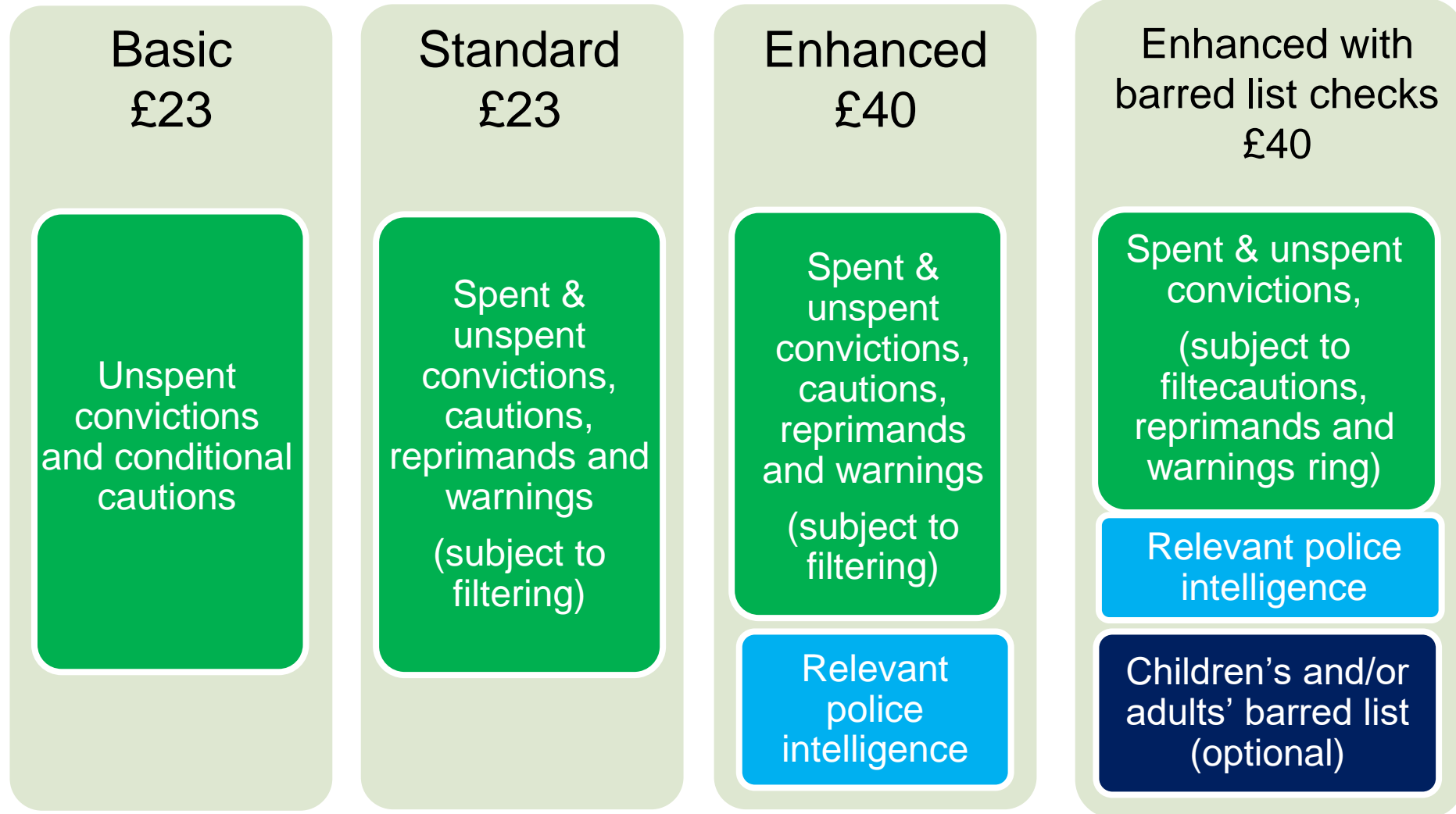
[DBS Business Plan 2021-22](#)

# The Role of Disclosure & Barring Service (DBS)

**DBS is responsible for the delivery of disclosure and barring functions on behalf of the 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 Checks and You



# DBS Filtering Rules

## Convictions

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 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 on DBS list of specified offences that will never be filtered.
- Youth cautions are not disclosed on DBS certificates.
- Reprimands and warnings are not automatically disclosed, but can be if the police believe they are relevant and ought to be disclosed.

# Responding to disclosure information

Regulated activity – are they barred from the workforce?

Legal or regulatory requirements

Age at time offence committed

Seriousness of offence

Any pattern of offending behaviour

Circumstances surrounding offending behaviour

Evidence of rehabilitation

# Your basket of Safer Recruitment Measures



# 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

## 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



# Who is the service for



## **CHILD**

**A person who has not yet reached the age of 18**



## **ADULT**

**A person who is aged 18 or over**

# 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 - <b>unsupervised</b>	No	Yes	Yes
Caring for or supervising - <b>unsupervised</b>	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 an online chat room	No	Yes	No
Registering to be a childminder (incl. voluntary reg.)	Not applicable		
Registering to become a foster carer	Not applicable		
Day to day managers of staff in regulated activity			

# Where, specified establishments - the rules

## Regulated activity

### Where the activity takes place:

- Schools\*
- Nurseries Children's Homes
- Children's Centres
- Childcare Premises
- 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 volunteering 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
- 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

# 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

# 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

# Work with adults - what else is included?

- **Trustees of adult's charities**
- **Specific positions in England & Wales**  
Examples would include CQC inspectors in England or local authority social services staff
- **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>



# 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 Team:** [DBSregionaloutreach@dbs.gov.uk](mailto:DBSregionaloutreach@dbs.gov.uk)

➤ **Further Information:**

**Customer Services Tel. No.:** 03000 200 190

- **Disclosure:** [customerservices@dbs.gov.uk](mailto:customerservices@dbs.gov.uk)
- **Barring:** [dbsdispatch@dbs.gov.uk](mailto:dbsdispatch@dbs.gov.uk)

➤ **Website:** [www.gov.uk/dbs](http://www.gov.uk/dbs)

➤ **Facebook:** <https://www.facebook.com/dbsgovuk/>

➤ **Twitter:** @dbsgovuk