

# Using the Disclosure and Barring Service (DBS)

Information for community groups about getting criminal records checks for volunteers and employees

Many community groups run activities in which it is important to safeguard participants against abuse and neglect.

One way to do this is to check whether prospective volunteers or employees have a criminal record which makes them unsuitable for particular roles within your group. The Disclosure and Barring Service (DBS) 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 safeguarding<sup>1</sup>.

## This information sheet includes:

<b>Quick guide to DBS checking</b>	<b>2</b>
<b>What is a DBS check?</b>	<b>2</b>
<b>Who must have a DBS check? (Regulated activity)</b>	<b>3</b>
<b>Who else is eligible for a DBS check? (Non-regulated activity)</b>	<b>4</b>
<b>Using an existing DBS certificate</b>	<b>4</b>
<b>Using information from DBS checks</b>	<b>5</b>
<b>How to apply for a DBS check</b>	<b>5</b>
<b>DBS checks for asylum seekers and refugees</b>	<b>6</b>
<b>Sharing information with the DBS</b>	<b>6</b>

This page is written and managed by the Resource Centre (an independent charity). For more information about DBS checking, please contact the Disclosure and Barring Service<sup>1</sup> directly.

<sup>1</sup> [www.resourcecentre.org.uk/service/information-and-training-about-safeguarding/](http://www.resourcecentre.org.uk/service/information-and-training-about-safeguarding/)

# Quick guide to DBS checking

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

1. Is your group legally required to apply for DBS disclosures for your volunteers or employees (see page 3)? If not, what level of disclosure are you eligible to request (see page 4)? Make sure that you are consistent (i.e. you treat people doing the same work in the same way).
2. 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).
3. Apply for the DBS check (see page 5)
4. Ask the volunteer or employee to show you and/or the umbrella body the certificate when they receive it.
5. Assess whether the individual is suitable for the role in your group (see page 5).

## What is a DBS check?

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 (DBS)<sup>1</sup>. There are four main ways the DBS can provide information about people. These are:

### Enhanced Disclosure

This is a DBS check that gives details of a person's convictions (including most spent convictions) plus any cautions, reprimands or warnings held in England and Wales on the Police National Computer, plus any locally held police information considered to be relevant to the job role. Most of the relevant convictions in Scotland and Northern Ireland may also be included. Some old or minor cautions and convictions are 'protected' or filtered out, and are not shown on a DBS certificate<sup>2</sup>. An Enhanced Disclosure can be used for people working regularly or intensively with children or vulnerable adults.

### Enhanced Disclosure with barred list check

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. An Enhanced Disclosure with barred list check includes everything that an Enhanced Disclosure includes, plus whether a person is on the barred list. Anybody doing regulated activity must have this check.

### Standard Disclosure

This check includes everything that an Enhanced Disclosure includes, except for locally held police information. A Standard Disclosure is generally used for people

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<sup>2</sup> For more details about this filtering process, see <https://www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide>

entering professions such as law or accountancy, and is not often relevant for community groups.

## Basic check

A basic check only includes convictions and conditional cautions which are unspent. The length of time for a conviction or caution to become spent varies – some convictions and cautions become spent immediately. For information about this, see the government’s online information about basic checks<sup>3</sup>. A basic check can be used for anyone. You can also request one for yourself.

## Who must have a DBS check? (Regulated activity)

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 barred list check.

The government website has a useful online tool<sup>4</sup> to help you find out if you should do this check for your volunteer or employee.

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.

<sup>3</sup> [gov.uk/government/publications/basic-checks](http://gov.uk/government/publications/basic-checks)

<sup>4</sup> [gov.uk/find-out-dbs-check](http://gov.uk/find-out-dbs-check)

- ♦ 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 DBS<sup>i</sup>, or an umbrella body (see page 5) such as Safety Net<sup>ii</sup>.

## Who else is eligible for a DBS check? (Non-regulated activity)

You can choose to request an Enhanced Disclosure for some staff and volunteers who are not doing regulated activity, but not for just anyone. It depends on what kind of work they will be doing, and how frequently.

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.)

For more help with working out who is eligible for different levels of DBS checks, use the DBS eligibility tool<sup>5</sup>. If a role is not eligible for an Enhanced Disclosure, you can still request a basic check.

## Using an existing DBS certificate

You may find that one of your prospective employees or volunteers already has a DBS certificate. A DBS 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<sup>6</sup>.

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<sup>5</sup> [gov.uk/find-out-dbs-check](https://www.gov.uk/find-out-dbs-check)

<sup>6</sup> [gov.uk/guidance/dbs-check-requests-guidance-for-employers#accepting-a-previously-issued-dbs-check](https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers#accepting-a-previously-issued-dbs-check)

## Update Service

If an individual has an existing Enhanced DBS certificate, you may be able to access up to date information about them using the DBS Update Service<sup>7</sup>. This allows organisations to find out whether there is any relevant new information about an individual since their certificate was issued. In order to do this, the individual themselves has to be registered with the update service. This allows them to give permission for as many organisations as they like to check their DBS information.

Before you use the update service to check someone, make sure that their role is eligible for a DBS check and that their existing DBS certificate is the right level of disclosure for the role. Talk to the DBS or an umbrella body 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 will use the information you will receive, and how you will 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:

- ♦ What disclosed information would mean that an individual was unsuitable for the role in your group? You must follow the DBS Code of Practice<sup>8</sup> and treat people fairly. You will also need to adhere to the policy of the umbrella body you apply through.
- ♦ How and where will disclosure information will be stored, and for how long? Who will have access to it? For more help with this, see our page on *Data protection for community groups*.

## 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. Community groups in Sussex can use Safety Net<sup>ii</sup>. The DBS provide information about other umbrella bodies<sup>9</sup>.

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. (If the volunteer/employee is a refugee or asylum seeker, and they do not have the documentation they need, see the information about DBS checks for asylum seekers and refugees on page 6).

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<sup>7</sup> [gov.uk/dbs-update-service](https://www.gov.uk/dbs-update-service)

<sup>8</sup> [gov.uk/government/publications/dbs-code-of-practice](https://www.gov.uk/government/publications/dbs-code-of-practice)

<sup>9</sup> <https://www.gov.uk/find-dbs-umbrella-body>

Completed forms are then sent off with payment. The DBS charge to run checks for employees, but don't charge for volunteers (except for basic checks, which cost £25 for anyone). Your umbrella body might also charge an administration fee.

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.

For more information go to the DBS's own employers' guide to the disclosure process<sup>10</sup>.

## DBS checks for asylum seekers and refugees

The DBS requires very specific forms of identification, and some asylum seekers and refugees might not have these. Asylum seekers and refugees will be required to provide either a biometric residence permit, a valid passport or a UK Driving licence with photo card and counterpart (full or provisional). If someone does not have one of these, they can still apply for a DBS check, but the DBS will prove their identity by taking fingerprints. This can take longer than a regular DBS check.

Organisations that have volunteers who are asylum seekers or refugees should be aware of this, and remember that having fingerprints taken could feel intimidating or off-putting for some people. If someone does not have the right documentation, and does not wish to be fingerprinted, you can think about other ways they can be involved in your group. You could also do this while you are waiting for a DBS check to be processed, if it takes a long time. For example, a volunteer who is being closely supervised by someone who has a DBS check may not need to have one themselves, as they are not in regulated activity.

Sheffield Volunteer Centre has more information about applying for DBS checks for asylum seekers and refugees<sup>11</sup>.

## Sharing information with the DBS

If anyone in your group has a role which is defined as regulated activity, 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 DBS<sup>i</sup>.

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<sup>10</sup> [gov.uk/guidance/dbs-check-requests-guidance-for-employers](https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers)

<sup>11</sup> [sheffieldvolunteercentre.org.uk/dbs-checks-for-asylum-seekers](https://sheffieldvolunteercentre.org.uk/dbs-checks-for-asylum-seekers)

## Useful contacts

### **i Disclosure and Barring Service (DBS)**

[gov.uk/dbs](http://gov.uk/dbs)

[customerservices@dbs.gov.uk](mailto:customerservices@dbs.gov.uk)

03000 200 190

DBS customer services, PO Box 3961, Royal Wootton Bassett, SN4 4HF

### **ii Safety Net**

[www.safety-net.org.uk](http://www.safety-net.org.uk)

[DBS@safety-net.org.uk](mailto:DBS@safety-net.org.uk)

**01273 414981**

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