

# Disclosure and Barring Service

**Kiran Rehal**  
DBS Regional Outreach Advisor  
Greater London

# Introduction

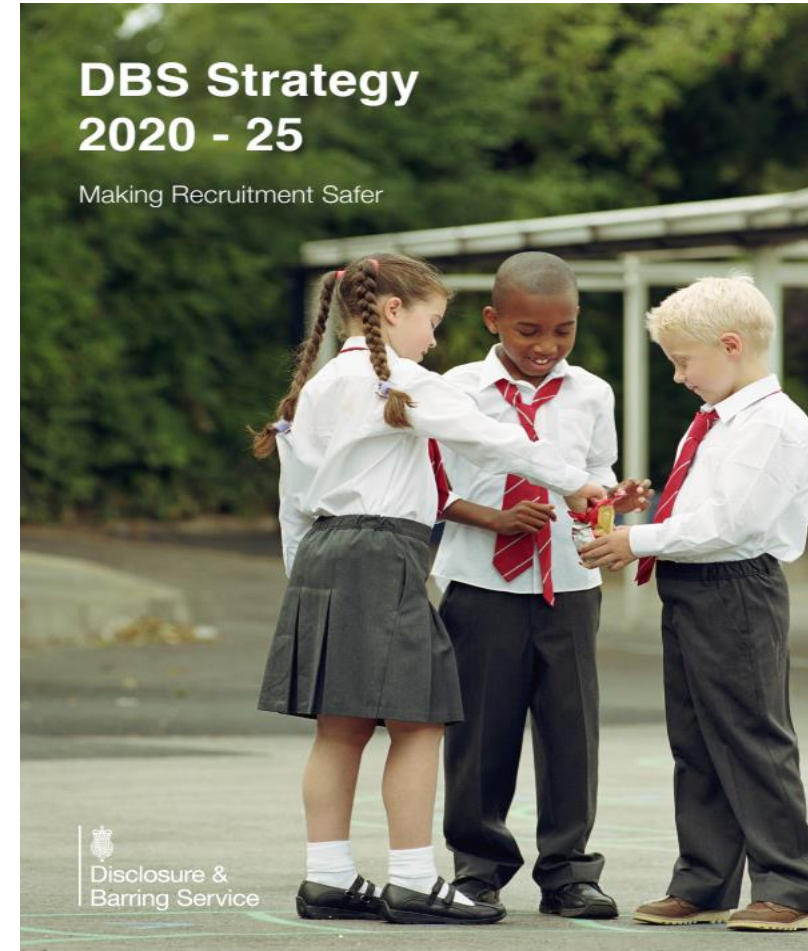
## **Our Purpose:**

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.



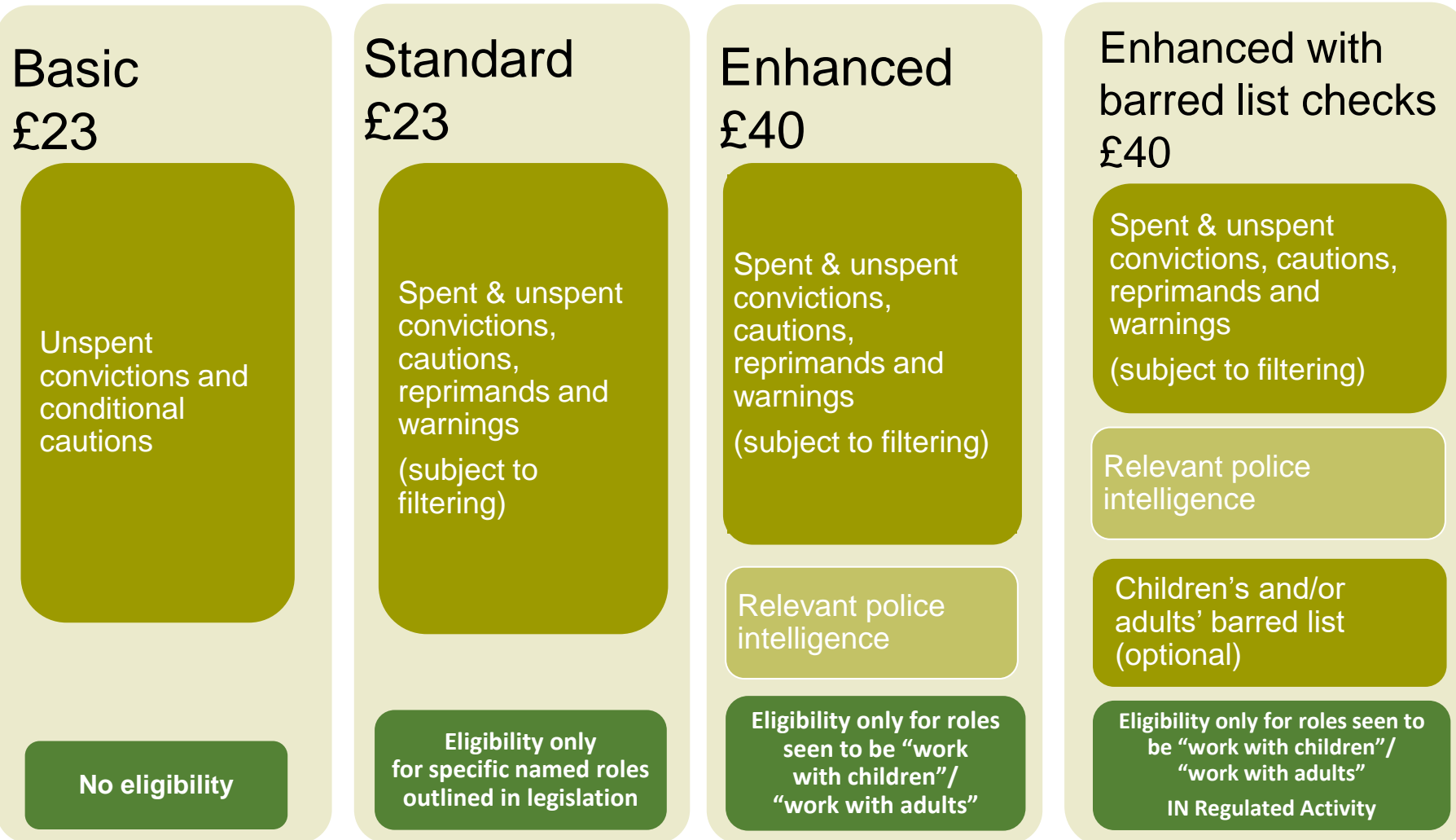
# The Role of DBS

**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

# Levels of Checks

a range of products to suit your needs.



# DBS Filtering Rules

## Convictions

All convictions are considered individually (*since 28 Nov 2020*)

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 (*since 28 Nov 2020*)
- Childhood reprimands & warnings will not automatically be disclosed (*since 28 Nov 2020*)

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

# 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

# Regulated Activity - 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>

# Who is the service for?

**CHILD**

**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 - <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 web service	No	Yes	No
Registering to be a childminder (inc voluntary reg)	Not applicable		
Registering to be come 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 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**

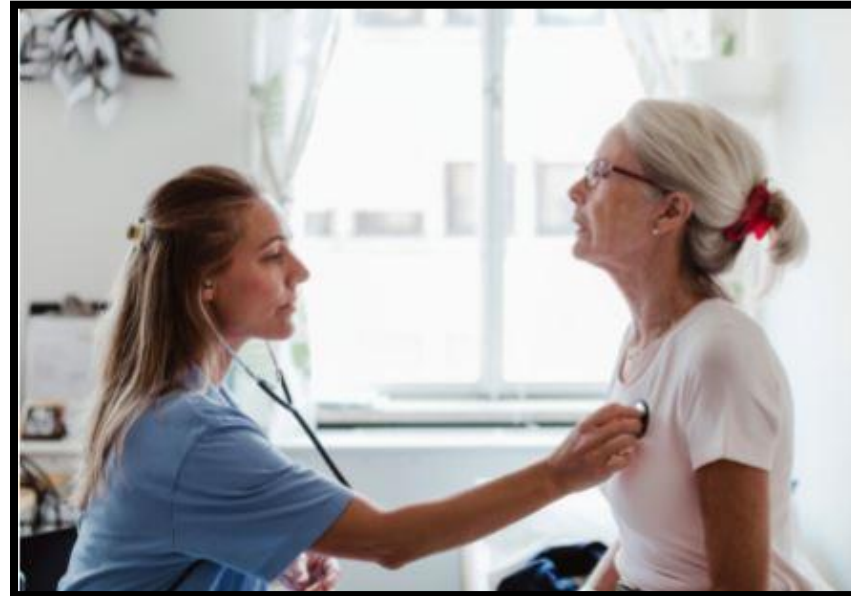
### Individuals must satisfy all of the following criteria:

- 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

# Who is the service for?

**Adult**

**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

# 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

# What level of DBS Check?

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

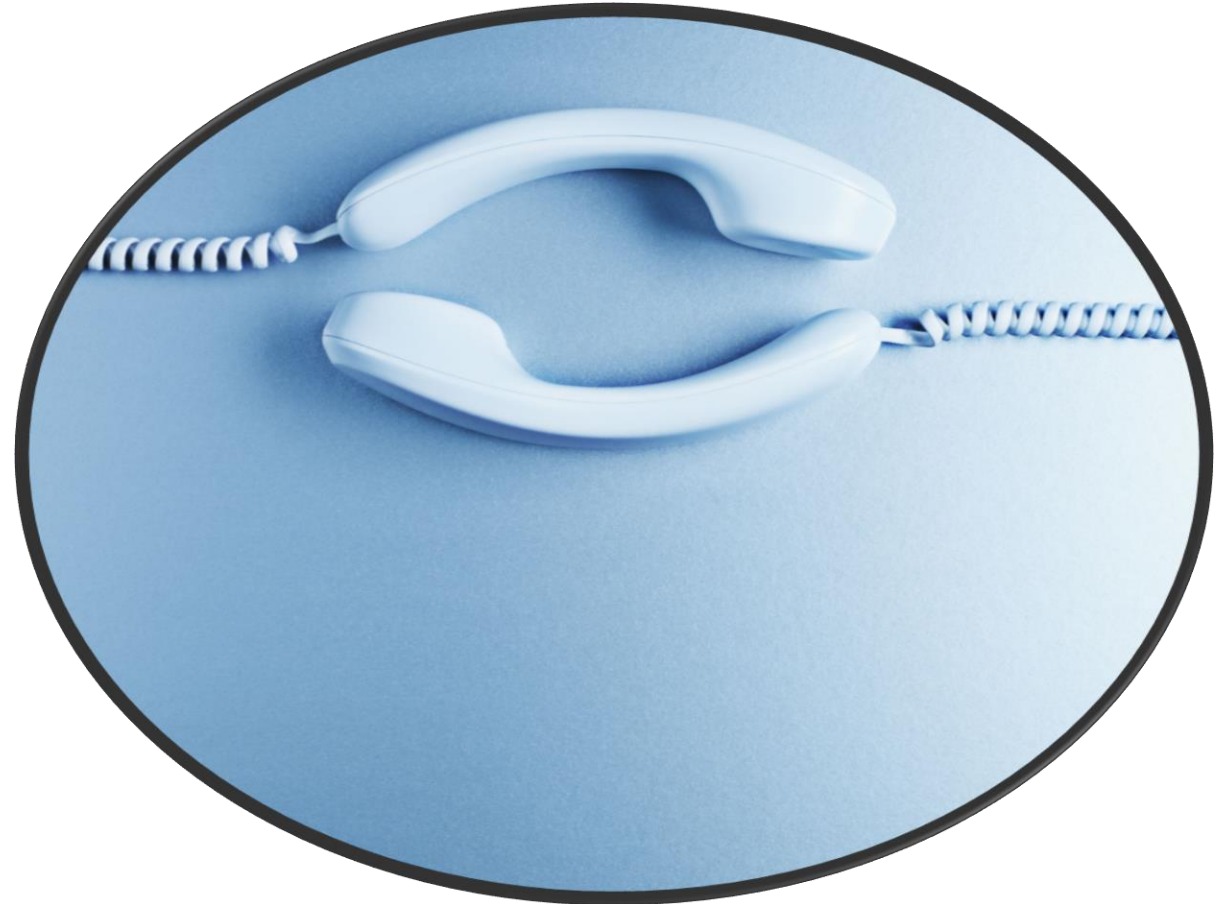
Some of the residents may have health and social care needs



# What level of DBS Check?

Joshua is a volunteer telephone befriender with a charity that supports older adults.

He telephones and speaks to adults that bedbound/ house bound on a weekly basis.



# What level of DBS Check?

Danny is a volunteer at a local park museum.

He attends to the reception and also helps in the café when times are busy





# What level of DBS Check?

Emma is a volunteer at COVID Vaccination centre

She has an auxiliary role - providing admin and stewarding support



# What level of DBS Check?

Thomas is a trustee for a children's sports charity.

The charity provides services such as teaching and training children with learning disabilities and autism to play sports



# You have a duty to refer if you are ...

## **A Regulated Activity Provider**

- Employers or voluntary organisations who are responsible for the management or control of regulated activity and make arrangements for people to work in regulated activity

## **A Personnel Supplier**

- An employment business, employment agency or an educational institution that makes arrangements with a person with a view to supplying that person to employers to undertake regulated activity

.

# Barring: When you must refer?

## When two main conditions have been met

### One

You withdraw permission to engage in regulated activity

- Dismissed
- Redeployed
- Retired
- Redundant
- Resigned

### Two

You think the person has either:

- Engaged in relevant conduct
- Satisfied the harm test; or
- Received a caution for, or a conviction for or been convicted for a relevant offence

# A final thought ...

**If you don't make the referral to DBS who will?**

**If you don't make the referral to DBS how will we know?**

**If you don't make the referral to DBS the person may go on to cause further harm to a vulnerable adult or child**

If you do make the referral to DBS, we will consider all of the evidence when deciding whether the person should be barred

We will only bar them from working with vulnerable groups if it is the appropriate and proportionate thing to do.

# DBS Myth Busting

DBS certificates do not have an expiry date

My employer can't accept my DBS certificate as it is from a previous employer

I am only able to make a referral to the DBS if the legal duty to do so is met

Anyone who works around children or vulnerable adults is eligible for a standard or enhanced level DBS check

An individual could have police information on their certificate, even if they've never had a conviction for an offence

# DBS Regional Outreach Service

- Answering queries and questions
- Attending meetings, training, conferences or visiting organisations to have a face to face discussion
- Developing and delivering presentations, workshops, webinars or discussions to provide an overview of DBS and safer recruitment
- Taking any feedback, suggestions or comments from DBS experiences and feeding this back into the business

## Regions covered so far:

North West

North East

East Midlands

Wales

Northern Ireland

Greater London

# Useful Links

- [DBS Guidance Leaflets](#)
- [DBS Check process explained - video](#)
- [DBS eligibility guidance](#)
- [DBS Barring Referral Guidance](#)
- [Barring Referrals – When and How to Make one](#)
- [DBS Filtering Guide](#)
- [DBS Update Service](#)
- [DBS Checks – Guidance for Employers](#)
- [DBS Umbrella Company Directory](#)
- [Basic DBS Checks](#)



# How to contact us

## Regional Outreach Team

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

## Further information - Disclosure:

**Customer Services:** 03000 200 190

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

## Further Information – Barring

**Email:** [contactus@dbs.gov.uk](mailto:contactus@dbs.gov.uk)

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

North West: Jordan Hayden  
[Jordan.Hayden@dbs.gov.uk](mailto:Jordan.Hayden@dbs.gov.uk)

North East: Susan Davison  
[Susan.Davison@dbs.gov.uk](mailto:Susan.Davison@dbs.gov.uk)

Wales: Carol Ann Eland  
[CarolAnn.Eland@dbs.gov.uk](mailto:CarolAnn.Eland@dbs.gov.uk)

**Greater London:** Kiranpreet Rehal  
[Kiranpreet.rehal@dbs.gov.uk](mailto:Kiranpreet.rehal@dbs.gov.uk)

Northern Ireland: Allister Woods  
[Allister.Woods1@dbs.gov.uk](mailto:Allister.Woods1@dbs.gov.uk)

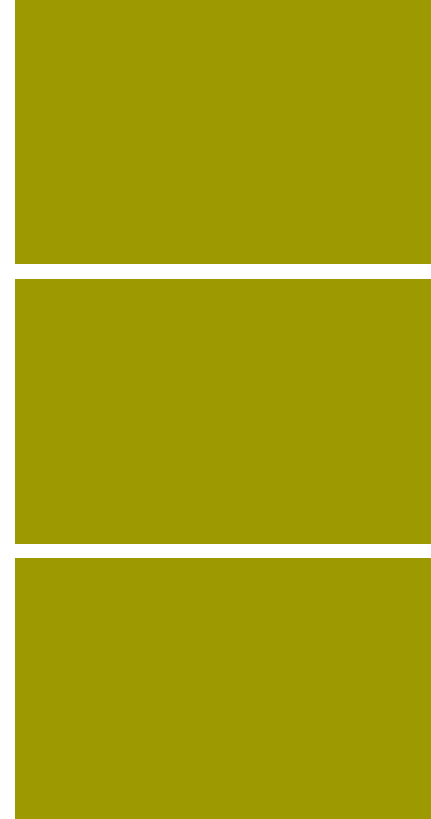
National: Cathy Taylor  
[Catherine.Taylor1@dbs.gov.uk](mailto:Catherine.Taylor1@dbs.gov.uk)

# Evaluation

## [SurveyMonkey](#)

**Please click on the link to complete a short evaluation form.**

**Your feedback is very important to us in the DBS Partnership and Engagement team**



**Thank you for listening**  
**Any questions?**

