



CPR.59 16/17

**Corporate Policy and
Resources Committee**

Date 16 June 2016

Subject: Review of the CRB Policy changing it to the DBS Policy

Report by:

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Purpose / Summary:

To review the CRB Policy and change to DBS
Policy

RECOMMENDATION(S):

That the Corporate Policy & Resources Committee approve the revised CRB Policy – now the DBS policy and the policy is adopted for all employees of the council.

Delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy & Resources committee and chairman of JSCC.

IMPLICATIONS

Legal:

The council has a statutory duty to safeguard both children and vulnerable adults. There is a statutory requirement to implement the new arrangements. The council must ensure that relevant employment procedures on recruitment are compliant with the statutory requirements of the legislation.

Financial : FIN/30/17

There are financial implications for this policy, namely that the council will pay for DBS checks on staff and applicants and renewals when staff are in post. A Standard DBS check currently costs £26 and an Enhanced check costs £44. We will assess all the job roles within the council and indicate which roles and number of roles require checks.

Staffing :

There will be a requirement for some resource across the council to assess job roles, this will be at management level and will be done in consultation with HR and the Safeguarding Lead Officer.

Equality and Diversity including Human Rights :

A national consultation was conducted by the DBS on the proposed changes. A Privacy Impact Assessment was included within the consultation. The full Privacy Impact Assessment can be found at www.gov.uk

Risk Assessment :

The council has a statutory duty to safeguard children and vulnerable adults. There is a statutory requirement to implement the new arrangements. The risk of non-compliance with statutory requirements would leave the council open to legal challenge and financial penalties.

Climate Related Risks and Opportunities :

None

Title and Location of any Background Papers used in the preparation of this report:

The Police Act 1997

The Protection of Freedoms Act 2012

<https://www.gov.uk/disclosure-barring-service-check/overview>

DBS Eligibility Guidance

Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1. Introduction

The DBS was created with the merger of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA). The ISA was created to prevent unsuitable people from working with children and adults.

The Disclosure and Barring Service (DBS), an Executive Agency of the Home Office, provides wider access to criminal record information through its Disclosure service.

This service enables organisations in the public, private and voluntary sectors to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that involve children or vulnerable adults.

The DBS holds two separate lists of individuals: those who are barred from working with children and those who are barred from working with vulnerable adults, known as 'barred lists'. The Protection of Freedoms Act 2012 states all those who will be working in 'regulated activity' with either children or vulnerable adults, must be checked against the relevant barred list.

2. Information

The council have had a CRB Policy for a number of years but this is out of date and needs bringing into line with the new DBS Regulations. Work will take place with all Team Managers to assess the roles within the council and decide which if any roles need a DBS check and at what level.

It should be noted that managers will assess all roles and complete the DBS check assessment form, to evidence if a check is required for a role or not. Meetings will be arranged with managers on a priority basis to work collaboratively to complete the assessment process.

This piece of work will be about assessing the requirements of a 'job role' to be checked and not about whether an individual person needs assessing.

3. Consultation

The policy has been revised following research and consultation with the internal Safeguarding working group. The policy has also been sent to Unison and staff representatives for comments.

The Policy is going to JSCC on 2nd June 2016.

4. Recommendation

That the Corporate Policy & Resources Committee approve the revised CRB Policy – now the DBS policy and the policy is adopted for all employees of the council.

Delegated authority be granted to the Director of Resources to make minor housekeeping amendments to the policy in future, in consultation with the chairman of the Corporate Policy & Resources committee and chairman of JSCC.

**Draft – Disclosure and Barring Service (DBS) Policy
(Replaces the CRB Policy)**

JSCC Approved –

P&R Approved –



1. Introduction

This document outlines the council's policy on safer recruitment and Disclosure and Barring Service (DBS) checks. It sets out how the council is to act fairly and without discrimination in the recruitment and employment of ex-offenders.

This policy identifies how managers must be aware of and act upon in the appointment and on-going employment of all individuals, who are eligible for a DBS check within the council.

It should be noted that DBS checks are only a small part of the recruitment and vetting process. The council has robust recruitment processes in place to ensure someone is suitable for a position in the organisation. The council also promotes a safer culture, so that unacceptable behaviour can be identified at the earliest opportunity. The council has policies and procedures on verification of identity, right to work, registration and qualifications, employment history, references, occupational health checks and safer culture at work.

It is a criminal offence for an employer to knowingly employ (either on a paid or unpaid basis) a barred person in regulated activity.

All offers of employment with the council will be subject to a clear basic Disclosure Scotland check (and any other conditions of appointment that have been requested).

This policy is written in accordance with the requirements of the Data Protection Act 1998 and the DBS Code of Practice. Any individual found to be in breach of this policy may be subject to disciplinary action.

2. What is DBS?

The DBS was created with the merger of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA). The ISA was created to prevent unsuitable people from working with children and adults.

The Disclosure and Barring Service (DBS), an Executive Agency of the Home Office, provides wider access to criminal record information through its Disclosure service.

This service enables organisations in the public, private and voluntary sectors to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that involve children or vulnerable adults.

The DBS holds two separate lists of individuals: those who are barred from working with children and those who are barred from working with vulnerable adults, known as 'barred lists'. The Protection of Freedoms Act 2012 states all those who will be working in 'regulated activity' with either children or vulnerable adults, must be checked against the relevant barred list.

3. DBS checks

A DBS check is a process of gathering information about an applicant's possible criminal activity. This includes spent and unspent convictions, cautions and warning given by the police. A DBS check is the certificate containing this information.

The council will undertake DBS Disclosure checks to:

- Provide protection for children and vulnerable adults against those who might wish to harm them;
- To protect the interests of the council from those who may not be considered suitable to work in sensitive occupational areas.

An assessment form will be used in order to assess whether a DBS check is required for a post and what level of check is required.

The disclosure certificate will be sent directly to the applicant, and the applicant will be required to share the disclosure certificate with the council as a condition of their appointment. A copy of the disclosure certificate will be taken and stored and retained in accordance with section 15 of this policy.

The council is committed to preventing discrimination or any other unfair treatment against any employees, potential employees or voluntary workers on the grounds of offending behaviour that does not create risk to children or vulnerable adults; or adversely affect the interests of the council in sensitive occupational areas.

4. Scope

This policy applies to:

- All employees
- All voluntary workers
- Job applicants
- Temporary staff and casual workers
- Agency workers, contractors and consultants
- Elected members in relevant roles

5. What types of DBS checks are available?

Please read the definitions at the back of this policy regarding definitions of regulated activity – Appendix 1

The following table details the different types of DBS check available and provides examples of when they are required. It should be noted that the examples provided are for guidance purposes only, they are not an exhaustive list.

Type of check	When check is required	What the check contains
Standard	<p>When the position is included in the Rehabilitation of Offenders Act 1974 (Exemptions) Order 1975</p> <p>For certain specified occupations, licences and entry into certain specified professions.</p>	<p>Details of spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer (PNC). (Excluding certain old and minor convictions known as 'protected caution' or 'protected conviction').</p>
Enhanced	<p>When the position is included in the Rehabilitation of Offenders (ROA) Act 1974 (Exemptions) Order 1975 and the Police Act Regulations (listed in Part V of the ROA Act).</p> <p>For those carrying out activities such as gaming and lottery licences and judicial appointments; or working with children or vulnerable adults (meeting the pre September 2012 definition of regulated activity)</p>	<p>Same as the standard check, plus a check of police records held locally.</p>
Enhanced with a check against the children's barred list	<p>When individuals are in regulated activity with children</p>	<p>Same as enhanced check, plus a check against the children's barred list</p>
Enhanced with a check against the adults' barred list	<p>When individuals are in regulated activity with vulnerable adults</p>	<p>Same as enhanced check, plus a check against the adults' barred list.</p>
Enhanced with a check against the children's and adults' barred list	<p>When individuals are in regulated activity with children and vulnerable adults</p>	<p>Same as enhanced check, plus a check against both the children's and adults' barred lists.</p>

6. Process

The need for a DBS disclosure should be determined when drawing up the duties of the roles as part of the 'job design' stage. Recruitment advertisements will reflect this requirement to highlight to job applicants at the start of the recruitment process that a satisfactory DBS disclosure will need to be obtained.

When assessing if a role requires a DBS check the council reserves the right to decide whether a DBS check is required and what level of Disclosure it deems appropriate.

Where a DBS disclosure is required, the preferred candidate must not start employment until a satisfactory disclosure has been obtained (and any other conditions of employment have been satisfied). An individual should only be permitted to start employment in advance of a satisfactory disclosure being received in exceptional circumstances and in consultation with HR. In such circumstances a risk assessment must always be completed, and appropriate safeguarding measures implemented before an individual is allowed to start employment pending the outcome of a DBS check.

Examples of exceptional circumstances would be if it would;

- Cause severe disruption to service provision; or
- Impact on statutory staffing requirements

The DBS can issue 5 levels of Disclosure Certificates, depending on the position applied for, namely Standard, Enhanced, Enhanced with ISA (child), Enhanced with ISA (adult) and Enhanced with ISA (child and adult).

If the HR team receives a Disclosure check that indicates a criminal record would debar a person from appointment or may pose a risk, they will investigate the accuracy of and background to the criminal record with the candidate in conjunction with the manager before making a decision.

However the council will not make unsafe recruitment decisions and if it is assessed that there may be a risk to children or vulnerable adults the appointment offer will be withdrawn.

7. Agency Staff, Consultants and Contractors

Agency Workers

The agency is legally the employer of any agency worker and the responsibility to obtain a relevant Basic Disclosure, DBS check, or an Enhanced check for Regulated Activity is theirs. This check can then be used within any organisation that the agency provides workers to work within provided that it is for the same workforce and relevant barred list check.

When using an agency worker, a manager should ask to see written confirmation from the Agency or a copy of the DBS check (this should be no more than one year old), to ensure that each worker supplied to them has had a satisfactory DBS check and checks against the Children's and / or Adult's barred list.

Contractors

The organisation providing the contractor is legally the employer of any contractors and the responsibility to obtain a relevant DBS check or Enhanced check for Regulated Activity is theirs. This check can then be used within any organisation that contractors are provided to. If contractors are procured, Procurement Lincolnshire will ensure that all Safeguarding requirements are included within the procurement documentation.

In all cases the manager will be required to note the DBS certificate number and date of issue and the serial number of the ID document provided. This information should be retained in a secure manner for inspection in the service.

Consultants

The self-employed cannot apply for a DBS check unless it is through a registered body. However, as the council has engaged the consultant and if a DBS check is required, the council can apply for a DBS check. Alternatively, if the consultant is registered with an employment agency, the agency can arrange to process the DBS check.

8. Police Vetting

National and Force vetting policies call for an agreed level of assurance to be provided by anyone having access to police information. This has been agreed nationally by all having any ownership of the information used to populate systems, and vetting levels are an integral part of the 'build' of any operating system into which the Police Service places its information. The council will review the systems it currently and will in future use and ensure the appropriate level of checks are in place to allow authorised access to police systems.

9. People with criminal records

Having a conviction will not necessarily bar someone from employment with the council who will only take a criminal record into account when the conviction is relevant. Protection of the applicant's rights and interests must be weighed against the rights and interests of customers, employees and the public, including the council's duties and responsibilities towards these or other groups.

A criminal record may not in itself prevent a person being appointed, but reference should be made to the Safeguarding Vulnerable Groups Act 2006 and any subsequent Regulations and Codes of Practice.

When the HR team receives a Disclosure check that indicates a criminal record would debar a person from appointment or may pose a risk, they will investigate the accuracy of and background to the criminal record with the candidate in conjunction with the manager.

It is an offence for a barred person to work, apply to work or offer to work in Regulated Activity with a group they are barred from working with. Candidates on the Barred List will not be employed in Regulated Activity by the council. If the checks reveal that a candidate is on the Barred List for Regulated Activity the council will make a referral to DBS to notify them of the individuals attempt to apply for barred work.

10. Current Employees and Volunteers

The council has a programme of checking existing staff. This will be done according to the level of check required for the position and the date of the last check. Rechecking will take place every three years.

Where the Disclosure check reveals an issue that might mean that the employee presents a risk to children or vulnerable adults the manager should consider whether to initiate the Disciplinary Policy on the basis that it may well be unlawful to continue to employ the employee in their current post.

It is expected that managers will first discuss the Disclosure with the employee and ascertain the facts prior to initiating the Disciplinary Policy. This is, of course, subject to this being appropriate and will depend on the circumstances on a case by case basis.

Current employees have a duty to disclose a criminal conviction which is obtained during the course of employment. Failure to disclose a criminal conviction is a disciplinary offence. If during a 're-check' a conviction comes to light then the employee's suitability for their current role will need to be reassessed. A common sense approach must be taken and it may be appropriate to suspend the employee whilst such investigations are taking place.

If the current worker is a volunteer then they should be terminated where the Disclosure check might mean that the candidate presents a risk to children or vulnerable adults. The voluntary worker should be informed of this decision. There is no appeal mechanism for this.

11. Employees supervising Young People during work experience

If, as part of an employee's duties they are asked to supervise young people (under 16's) on work experience this is regulated activity and an enhanced DBS check with Children's Barred List is required.

12. Disclosure Costs

The DBS levies a charge for a DBS check for paid employees, (volunteers can be free of charge). The cost of a DBS check will be met by the council if it is a requirement of the post.

The DBS have released new guidance to help applicants complete the application form. It explains the steps that must be taken to ensure that the application form is completed correctly, which should minimise errors and prevent forms being returned to the organisation administering the checks. The new guidance is available on the Home Office website and provides general rules for applicants, how to record information such as current and previous names and address history and ensuring the form is completed correctly.

13. Renewing DBS disclosures

Re-checking of DBS disclosures for existing employees will be carried out every three years from the date of the initial disclosure. Re-checking may also be required if a

criminal allegation is made against an individual in the course of their employment that has implications for their employment with the council, or where there is a concern about an individual.

Employees who have left the council and are applying to re-join after a three month break in service must complete an application form for a new DBS disclosure. Employees returning within three months will not normally need to be re-checked unless their previous disclosure is over three years old.

If a new or existing employee is already subscribed to the update service and the DBS disclosure is of the required type for the post, a satisfactory online status check will be sufficient.

If the DBS disclosure is not of the required type for the post, a new DBS disclosure will be required.

The council will not accept disclosures carried out by other organisations unless they can be checked via the update service and the disclosure is of the required type for the post.

Employees who refuse to undertake or renew a DBS check where it is required will be subject to the Disciplinary Procedure and this may result in dismissal.

14. DBS online update service

Where a DBS disclosure is required, applicants will be required to subscribe to the DBS online update service. By doing so, the applicant, or the council (with the applicant's consent) can then obtain a status check at any time.

Applicants can subscribe to the update service, either at the same time as they apply for a new DBS disclosure (the DBS application form must be received by the DBS within 28 days of subscribing) or alternatively within 14 days of the disclosure being issued. See the DBS website for details about the service, the cost and how to subscribe.

Subscriptions to the online update service will need to be renewed by the individual on an annual basis. Reminders about this will be sent from the DBS direct to the individual.

New employees who have already subscribed to the update service will be asked to present their latest disclosure to HR for checking that it is the required type of disclosure for the post.

HR will ask the individual's permission to take a copy of the disclosure and carry out an online status update.

An online status check allows organisations to see if any relevant information has been identified about the individual since their disclosure certificate was last issued.

15. Secure handling and using disclosure information

The council complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998.

Storage

Disclosures and Disclosure information will not be kept on an applicant's personnel file, they will be kept separately and access will be strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

In accordance with section 124 of the Police Act 1997, Disclosures and Disclosure information will only be passed to those who are authorised to receive it in the course of their duties.

Information received by the council directly from the police as part of the enhanced disclosure will not be disclosed to the applicant.

Usage

Disclosures and Disclosure information are only to be used for the specific purposes for which they were requested and for which the applicant's full consent has been given.

Retention and Disposal

Once a recruitment decision or other relevant decision has been made, disclosure documents will be shredded/destroyed as the information is no longer required, this will normally be within 6 months of receipt. In cases of dispute the disclosure documents may be retained until 6 months after the resolution of the dispute. In exceptional circumstances a document may be kept for longer, but only after consultation with the DBS. Throughout this time the usual conditions regarding safe storage and strictly controlled access will apply.

The council will keep a record on both the personnel file and a secure database of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the decision taken.

16. Overseas Applicants

A job applicant from overseas will be checked in line with all applicants. Although the DBS cannot access police records from overseas, a check is required to ensure the person has disclosed any criminal background whilst spending time in this county – at present or any other time they may have visited.

A Disclosure is not always sufficient for those who have lived abroad as the DBS cannot access criminal records held overseas (except in the case of service personnel) a DBS check may not provide a complete picture of an individual's criminal record. In addition to a Disclosure additional checks will be made during the recruitment process, a Certificate of Good Conduct from relevant embassies or police forces as appropriate

will also be obtained by the applicant together with a certified translation of the certificate where necessary.

17. Making Safeguarding Referrals to the DBS

A referral is information sent to the DBS which indicates that a person has harmed or posed / poses a risk of harm to children or vulnerable adults.

A referral to the DBS ensures that an independent, impartial and structured approach is used in assessing future risk on people who may continue to be a safeguarding concern because of their actions or behaviour.

If you dismiss or remove a person from regulated activity (or may have done so had they not left) because they have harmed or posed a risk of harm to a child or vulnerable adult, then you have a LEGAL duty to refer the person to the DBS.

The DBS' role is to make barring decisions about people who are referred to it (usually following an employer's disciplinary process), with the possible consequence of the person being barred from working or volunteering with children and/or vulnerable adults.

The DBS has the legal right to receive information where it asks for it from regulated activity providers and personnel suppliers. There may be occasions during an investigation when the DBS will ask for additional information to assist it with its decision making. However, this legal right only extends to existing information that the council might hold. Employers are not required to undertake any additional investigations or enquiries.

Responsibility for initiating a referral will lie with the manager who has raised the initial concern. To ensure that the council has a consistent approach to the delivery of information to the DBS all referrals should be made through the HR Team.

You should contact the DBS Helpline on 01325 953795 for information or advice about making a referral.

Further information is also available on the DBS website: www.homeoffice.gov.uk/DBS

Policy Statement

West Lindsey District Council has a commitment to equal opportunities.

It seeks to ensure that no potential or current employee receives less favourable treatment than another on the grounds of age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

Definition of regulated activity in relation to children and vulnerable adults from September 2012

Regulated activity in relation to children (from September 2012)

Children are defined as those under the age of 18. The following constitutes regulated activity with children regardless of regularity:

- a. Registered child minders or foster carers.
- b. Health care for children provided by, or under the direction or supervision of a regulated health care professional.
- c. Physical help in connection with eating or drinking for reasons of illness or disability; physical help for reasons of age, illness or disability in connection with toileting, washing, bathing and dressing; or prompting with supervision or training or advice in relation to these examples where the child is unable to decide to carry out the activities without that prompting or advice.
- d. A person who manages or supervises someone who undertakes a regulated activity is also counted as undertaking a regulated activity. A person who manages someone who is not in regulated activity (but would be except for the fact that they are supervised) is also in regulated activity.

The following **only** constitutes regulated activity if it is carried out regularly, either:

- Frequently (once a week or more often), or
 - Intensively (4 times or more in any 30 days period), or
 - Overnight (between 2am and 6am)
- e. Unsupervised activity including teaching, training, caring for or supervising children, driving a vehicle solely for children.
 - f. Working in a 'specified establishment' where there is opportunity for contact with children. For example an education institution which is exclusively, or mainly for the provision of full-time education to children; children's homes; childcare premises. (This does not include supervised contact by volunteers).

In specified establishments only, work carried out by volunteers supervised to a reasonable level that is in accordance with the statutory guidance on supervision, is not regulated activity.

Should the organisation decide to supervise the employee, with the aim that the employee will then no longer be undertaking regulated activity, the following points must be noted:

- There must be supervision by a person who is in regulated activity,
- The supervision must be regular (on an ongoing basis) and day to day, and
- The supervision must be 'reasonable in all the circumstances to ensure the protection of children'.

Regulated activity in relation to adults (from September 2012)

The definition of regulated activity in relation to adults identifies the activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time. The focus therefore is on the activities required by the adult, not the setting in which the

activities occur, nor the personal characteristics or circumstances of the adult receiving the activities. (An adult is a person aged 18 years or over).

Six categories of activity fall within the definition of regulated activity for adults, a broad outline of which is given below:

1. Healthcare for adults provided by, or under the direction or supervision of a regulated healthcare professional.
2. Personal care for adults involving hand-on physical assistance with washing and dressing, eating, drinking and toileting; prompting and supervising an adult with any of these tasks because of their age, illness or disability; or teaching someone to do one of these tasks.
3. Provision by a social care worker of social work which is required in connection with any health services or social services.
4. Assistance with cash, bills and/or shopping due to an individual's age, illness or disability arranged via a third party.
5. Assistance in the conduct of a person's own affairs under a formal appointment.
6. Conveying adults for reason of age, illness or disability to, from, or between places, where they receive healthcare, personal care or social work arranged via a third party.

A person whose role includes the day to day management or supervision of any person engaging in regulated activity, is also in regulated activity.

An individual only needs to engage in the activities listed once to be carrying out regulated activity relating to adults.

Definition of regulated activity in relation to children and vulnerable adults pre-September 2012

Work carried out in **specified settings** – see below – and/or work that involves **specified activities** – see below- will constitute regulated activity under the pre-September 2012 regulations if it is carried out either:

- Frequently (once a week or more often, except in health or personal care services where frequent means once a month or more often), or
- Intensively (4 times a month or more), or
- Overnight (between 2am and 6am),

AND the activity has the opportunity for contact with children (those under 18) and/or vulnerable adults.

Specified settings include:

- Schools (educational institutions exclusively or mainly for the provision of full time education to under 18s)
- Pupil referral units
- Childcare premises (including nurseries)
- Residential homes for children in care

- Children's hospitals (hospitals exclusively or mainly for the reception and treatment of children)
- Children's detention centres (institutions exclusively or mainly for the detention of children)
- Children's centres in England and Wales
- Adult care homes (residential care or nursing homes in Northern Ireland).

Specified activities include:

- Teaching, provided wholly or mainly for children/vulnerable adults
- Training, provided wholly or mainly for children/vulnerable adults
- Supervising
- Advice
- Treatment
- Transporting

A person is a **vulnerable adult** if they have attained the age of 18 and who:

1. Is living in residential accommodation, such as a care home or a residential special school;
2. Is living in sheltered housing
3. Is receiving domiciliary care in their own home;
4. Is receiving any form of healthcare;
5. Is detained in lawful custody (in a prison, remand centre, young offender institution, secure training centre or attendance centre, or under powers of the Immigration and Asylum Act 1999);
6. Is under the supervision of the probation services;
7. Is receiving a welfare service defined as the provision of support, assistance or advice by an person, the purpose of which is to develop an individual's capacity to live independently in accommodation or support their capacity to do so;
8. Is receiving a service or participating in an activity for people who have particular needs because of their age or who have any form of disability;
9. Is an expectant or nursing mother living in residential care;
10. Is receiving direct payments from a local authority or health and social care trust in lieu of social care services or requires assistance in the conduct of their own affairs.

Whilst an adult may be considered vulnerable due to conditions or circumstances other than those listed, the definition is restricted by legislation to those persons who fall into the categories above.

Any activity which consists of or involves on a regular basis the day to day management or supervision of a person carrying out an activity listed above is regulated activity relating to vulnerable adults (pre-September 2012) also requires an enhanced check.

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DBS Check Assessment Form

The purpose of this form is to support the manager in determining whether a post requires the role holder to have a satisfactory DBS disclosure. This form should be completed by the manager and submitted to HR for every role where a DBS check is a consideration, either where the role holder will have contact with children and/or vulnerable adults, or if the role is a trusted position and therefore is likely to be covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975.

Please read the eligibility guidance for further details of the types of roles covered by the order, please follow the link to the DBS Checks: [eligibility guidance](#).

Managers should ensure they have also read the Disclosure and Barring Service (DBS) Policy before completing the form, and answer all the questions carefully. Further guidance is available from HR.

Section 1 – Basic Role Information	
Job Title	
Manager	
Section 2 – Specified Positions	
Is the position a profession, office, employment, work or occupation that is known as an exception to the Rehabilitation of Offenders Act 1974 and eligible for DBS checks for example, certain legal, accountancy roles, positions of trust?	
Yes or No	Please indicate the evidence you have used (eg reference number from annex)
If 'YES' and the work does not involve contact with children and/or vulnerable adults, the position will require a standard DBS check.	
If the work does involve contact with children and/or vulnerable adults section 3 (children) or section 4 (adults) of this form should be completed as appropriate.	
Section 3	
Working with Children (if the role does not require contact with a child/children, please go to section 4)	
Positions deemed to meet the definition of regulated activity in relation to children under the Protection of Freedoms Act 2012 will require an enhanced DBS check with a check against the children's barred list.	
Regulated activity with children as defined by the Protection of Freedoms Act 2012	
Does the work fall within the current definition of regulated activity? Yes or No	
If yes, please state the precise nature of the duties that would be deemed regulated activity....	
What is the frequency of the activity:	
- Frequently (once a week or more often)	Yes or No
- Intensively (4 times or more in any 30 day period)	Yes or No
- Overnight (between 2am and 6am) with the opportunity for face to face contact with children	Yes or No
Is the activity under reasonable day to day supervision by another individual engaging in regulated activity (this must be reasonable, day to day, and ongoing)	

Yes or No	
Does this position manage others in regulated activity with children, or others who would be in regulated activity except for the fact they are supervised?	
Yes or No	
Has the manager/supervisor been DBS checked whilst at WLDC	Yes or No
If Yes what level of check did they have?	
Positions deemed to meet the pre-September 2012 definition of regulated activity in relation to children will require an enhanced check only (ie without a barred list check).	
Regulated activity with children in pre September 2012	
Does the work fall within the pre September 2012 definition of regulated activity as stated in section 5 of the guidelines?	
Yes or No	
If yes, please state the precise nature of the activity:	
What is the frequency of the activity:	
- Frequently (once a week or more often, except in health or personal care services where frequent means once a month or more often)	Yes or No
- Intensively (4 times a month or more)	Yes or No
- Overnight (between 2am and 6am)	Yes or No
Is the activity in a specified establishment?	Yes or No
Is the activity a specified activity?	Yes or No
Does this position regularly manage or supervise others in regulated activity (pre-September 2012 definition) with children	Yes or No
Section 4	
Working with Adults	
Positions deemed to meet the definition of regulated activity in relation to vulnerable adults under the Protection of Freedoms Act 2012 will require an enhanced DBS check	
Positions deemed to meet the pre-September 2012 definition of regulated activity in relation to vulnerable adults will require an enhanced check only (ie without a barred list check)	
Regulated activity with adults as defined by the Protection of Freedoms Act 2012	
Does the work involve contact with vulnerable adults and meet the definition of regulated activity?	
Yes or No	
If yes please state the precise nature of the activity	
What is the frequency of the activity:	
- Frequently (once a week or more often, except in health or personal care services where frequent means once a month or more often)	Yes or No
- Intensively (4 times a month or more)	Yes or No
- Overnight (between 2am and 6am)	Yes or No

Is the activity in a specified establishment?	Yes or No
Is the activity a specified activity?	Yes or No
Does this position regularly manage or supervise others in regulated activity (pre-September 2012 definition) with adults	Yes or No
To include a section on Police Vetting.....	
Section 5 – Decision To be completed by the Manager (for further advice please contact HR)	
What level of check is required?	Boxes to be added
Police Vetting	
No DBS	
Standard DBS	
Enhanced DBS	
Enhanced Plus children's barred list check	
Enhanced Plus adults' barred list check	
Enhanced plus children's and adults' barred list check	
Important	
<ul style="list-style-type: none"> - A new employee to a role requiring a DBS check must not start work until a satisfactory disclosure has been received. Only in exceptional circumstances may the person start before the disclosure is received and only where the manager has carried out a suitable risk assessment and put in place appropriate safeguards. - For any queries about the completion of this form, contact HR 	
Form submitted by the manager:	
Name	
Signature	
Date	
Confirmed by HR	
Name	
Signature	
Date	