**DBS (Disclosure and Barring Service) Policy**

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| **Date approved by the Connected Together CIC Board** | Ratified by Email 10/05/2023 |
| **Author/Responsible Person** | Tracey Alan-Jones and Michelle Wright (revised policy against legal requirements) |
| **Next revision due** | March 2026 |
| **Staff/volunteer training delivered** | As part of induction |
| **Date sent to staff** |  |
|  | This policy covers Connected Together CIC and *all* its contracts and managed organisations, for example Healthwatch North Northamptonshire and West Northamptonshire (HWNW) and Healthwatch Rutland (HWR). |
| **Checked for rebranding** | Michelle Wright – 24/02/2023 |
| **Signed off by CEO** | Kate Holt – 27/02/23 |
| **Checked By** | Susan Hills – 28/02/2023 |

**Introduction**

The Connected Together DBS policy covers staff and volunteers across all Connected Together CIC (CTCIC) subsidiaries and contracts.

If a DBS check is required, it should be indicated on the appropriate role description and/or application information.

In order to ensure individuals convicted of offences are not unreasonably disadvantaged in the job market, many convictions after a specified time, may be considered as if they have never occurred i.e. they are called ‘spent’. A criminal conviction will not necessarily exclude applicants from employment or volunteering. CTCIC will consider all applications on their merit based upon the information provided and the requirements of the post.

However, under the Rehabilitation of Offenders Act 1974, certain roles are exempted from the above and applicants for these specified roles and/or posts will be required to complete a form detailing any previous or pending convictions.

All appointments to such posts will be conditional upon information provided by the Disclosure and Barring Service which is satisfactory to CTCIC. The Disclosure and Barring Service provides CTCIC with information about spent or unspent convictions, cautions, reprimands and final warnings held on the Police National Computer and/or information from local police forces and from Department of Health records.

All employees and volunteers that are required to have DBS checks as per this policy, must have current checks in place in order to undertake activities, on a voluntary or employed basis. Where staff and volunteers are required to have DBS certification, CTCIC will pay the cost of the application process.

1. **Volunteers:**

For DBS purposes, the definition of a volunteer is set out in the Police Act 1997 (Criminal Records) Regulations 2002 as “a person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third‑party other than, or in addition to, a close relative”.

This definition is important, because the cost of Standard and Enhanced DBS Checks for volunteers are waived and CTCIC pays only for the administration charge.

If an individual volunteer will be carrying out such activities as those listed below, they also **must** disclose any conviction(s) - spent or unspent (including bind over orders, cautions or charges that have not yet been disposed of):

* Activities that bring an individual into contact with vulnerable groups such as the frail, elderly, mentally ill and young people under the age of 18
* Enter and View activities in health and care settings, which enable access to people in receipt of these services
* Where a conviction has been disclosed in an application, a discussion will take place regarding the offence and its relevance to the participant

**2.0 The DBS process**

All applicants for DBS checks must provide documents in support of their application. The document combination required is specified on the [Government website](https://www.gov.uk/government/publications/dbs-identity-checking-guidelines/id-checking-guidelines-for-standardenhanced-dbs-check-applications-from-1-july-2021). Identity Documents must be provided in their original format ensuring that they are valid and current. If any documents are in a former name, evidence must also be provided in support of the change of name.

On completion of the DBS check a certificate will be sent to the applicant. Staff must show the certificate to their line manager, volunteers must show the certificate to their volunteer co-ordinator. The certificate number, date of issue and date of birth of the certificate holder will be recorded and held in line with CTCIC data protection policies.

It is the policy of CTCIC that DBS certification must be renewed every 3 years, unless the holder is subscribed to the online update service and a satisfactory status check has been completed – see section 4 below.

**3. 0 Eligibility for DBS Checks**

For DBS purposes, an adult is someone aged 18 or over. The minimum age at which someone can be asked to apply for a DBS check is 16.

Four levels of Check are offered by the Disclosure and Barring Service:

• **Basic Disclosure Checks** will disclose details of any unspent convictions and conditional cautions

• **Standard Disclosure Checks** will disclose details of spent and unspent convictions, cautions, warnings and reprimands

• **Enhanced Disclosure Checks** will disclose the same information as a standard check but can also include other non-conviction information that the police believe is relevant to the workforce applied for

• **Enhanced Disclosure with Barred List Checks** will disclose the same information as an Enhanced Disclosure Check and include a check of the Children’s Barred List, the Adults’ Barred List or both, depending on which group the individual is working with and whether the role is eligible

For Basic Disclosure Checks, there are no eligibility criteria. Although anyone can apply for their own Basic Disclosure Check via the Government website, CTCIC will facilitate this on behalf of staff and volunteers whom we require to have this level of check.

Access to Standard and Enhanced Disclosure Checks is controlled by the law. The law does not say when a Standard or Enhanced Disclosure Check ‘must’ be carried out, but it does specify when a DBS check ‘can’ be applied for.

This policy outlines CTCIC’s judgement of under what circumstances DBS checks will be requested, in the context of the law.

Standard and Enhanced Disclosure Checks must only be applied for when staff or volunteers will be carrying out activities that would make them eligible for a check. They must not be applied for because someone ‘may in the future’ carry out that work.

**4.0 Renewing and using a previous DBS certificate**

A DBS certificate only contains information from a DBS check on a certain date and for a particular purpose.

Employers can accept a previously issued certificate but must:

* check the applicant’s identity matches the details on the certificate
* check the certificate is of the right level and type for the role applied for
* check to see if anything has changed since the certificate was issued. This would be done via an online status check.

CTCIC will not accept a previously issued certificate without a status check. This is only available if the applicant has subscribed for the online update service. If an applicant has not subscribed for the update service a new DBS certificate will need to be obtained.

Existing CTCIC staff and volunteers who subscribe to the online update service do not need to renew their DBS certificates after a prescribed period of time. Staff and volunteers who do not subscribe to this service must apply for a new DBS every three years.

**5.0 Other relevant CTCIC policies and procedures**

* **Safeguarding of Vulnerable adults Policy- 046**
* **Safeguarding children and young people’s policy-047**
* **Enter and View Policy-019**
* **Whistle blowing Policy- 056**
* **Volunteers Agreement-053**
* **Volunteers Handbook-054**
* **Confidentiality Policy-006**
* **Record keeping and Retention Schedule- 042**

**6.0 Appendix**

May be reviewed and updated whenever DBS eligibility guidance changes.

**6.1 Working with adults**

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| **Tests 1 and 2**  **If *BOTH* questions are answered positively, then the applicant is eligible for *Standard Disclosure check*** | | **Healthwatch activities that meet the test** |
| **Test 1** | Will the applicant be unsupervised and carry out activities with adults who are receiving a health and social care service or activity? | Staff/volunteers undertaking outreach in health/care settings  Staff/volunteers performing Enter and View visits |
| **Test 2** | Will the applicant be undertaking one of the following activities?  - Providing any form of training, teaching, instruction, assistance, advice or guidance.  - Carrying out any form of work in a care home if the person doing the work has the chance to have contact with the residents. | Staff/volunteers providing signposting assistance  Staff/volunteers conducting Enter and View visits |
|  | | |
| **Test 3**  **If this frequency test is met in addition to tests 1 and 2, then the applicant is eligible for *Enhanced Disclosure (without Barred List check)*** | |  |
|  | Will the applicant be representing Healthwatch for any of the following time periods?  • At any time on four or more days in any period of 30 days; or  • At least once a week on an ongoing basis | Staff involved variously in signposting, events/ outreach/Enter and View in health or care settings, care homes or sheltered accommodation |

The eligibility criteria above are taken from guidance offered for managing DBS checks for volunteers in the charity sector (see reference 1).Healthwatch England recommends that whatever disclosure is suitable for volunteers in the charity sector, applies to Healthwatch volunteers and to Healthwatch staff too. It seems unlikely that most volunteers would be undertaking activities that meet tests 1 and 2 for more than 3 days per month or at least once a week ongoing. On this basis, STANDARD DISCLOSURE is recommended for authorised representatives who may occasionally be required to support outreach/publics events/Enter and View visits.

On the basis that a Healthwatch Officer could feasibly be undertaking activities that meet tests 1 and 2 for more than 3 days a month or at least once a week on an ongoing basis, then ENHANCED DISCLOSURE is recommended for all staff in outward facing roles.

Back-office staff are expected to have Basic Disclosure checks.

**Working with children and young people under 18 years of age**

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| **If *EITHER* tests 1 or 2 are met the applicant is eligible for *Enhanced Disclosure (without Barred List check)*** | | **Healthwatch activities that meet the test** |
| **Test 1** | Will the applicant be involved in carrying out any form of work in a care home where the person doing the work has the chance to have contact with the residents? | Staff/volunteers conducting Enter and View visits |
| **Test 2** | Will the applicant be:  -providing any form of training, teaching, instruction, assistance, advice or guidance?  -caring for or supervising children? | Staff/volunteers providing training or guidance to children of 15 years and under in a work experience context for example, Duke of Edinburgh volunteering  Staff/volunteers running YHW activities/meetings |
| **Test 3 additional frequency**  **If this frequency test is met in addition to test 1 or 2, the applicant is eligible for *Enhanced Disclosure (with Barred List check)*** | |  |
|  | Will the applicant be representing Healthwatch for any of the following time periods?  • At any time on four or more days in any period of 30 days; or  • At least once a week on an ongoing basis | Staff involved in YHW and school/youth group activities |

**Eligibility for disclosure by role**

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| **Disclosure level** | **Staff/volunteer role** | **Rationale** | **EMSS role classification (HWR only) \*** | **NAYC Club or Group name**  **(HWNW only) #** |
| **Basic** | Community Healthwatch Champion/Engagement Volunteer  Board member  Planning group member  CTCIC back-office staff who do not participate in signposting or Enter and View | Researching and gathering feedback, even in a person’s home is not a specified activity requiring Standard or Enhanced checks | N/A apply on GOV website | N/A apply on GOV website |
| **Standard** | Authorised Representative | Carrying out any form of work in a care home, if the person doing the work has the chance to have contact with the residents, requires Standard check. It is unlikely they will do this work often enough to meet the frequency test for enhanced check | ‘Volunteer Healthwatch’ | ‘Young Healthwatch Northamptonshire’ |
| **Enhanced without barred list check** | Healthwatch Officer responsible for Enter and View  HW Manager  CT CEO | HWO and HWM roles meet additional test for frequency.  CEO role is eligible as a manager of people who need the enhanced check | ‘Community Engagement Officer’  ‘Healthwatch Manager’ | ‘Young Healthwatch Northamptonshire’ |
| **Enhanced with barred list check** | HWO responsible for YHW | Meets frequency test for Children’s Barred List check | N/A | ‘Young Healthwatch Northamptonshire’ |

EMSS refers to East Midlands Shared Services, the provider subcontracted by Rutland County Council to provide online DBS checking for Healthwatch Rutland. Each level of DBS check is associated in the online application process by its role title, indicated here. It is this role title that is printed on the DBS Certificate for HWR staff and volunteers.

#NAYC refers to Northamptonshire Association of Youth Clubs, the provider that subcontracts to Thirty-one: eight to provide DBS checking for Healthwatch Northamptonshire, using a paper-based application form. All DBS check applications are required to have “Young Healthwatch Northamptonshire” identified in the *Club or Group Name* section.