

Disclosures and Barring Service Checks Policy

1.0 Purpose

The Academy is committed to creating a safe environment. To this end, the Academy uses the Disclosures and Barring Service (DBS) to help assess the suitability of applicants for positions of trust.

2.0 Scope

The Director of Corporate Services is responsible for ensuring compliance with Academy Policies and Procedures. This procedure applies to all Academy staff.

3.0 **Associated documents:** Appendix A – “Permission to Run Status Checks on Disclosure and Barring Service”. Appendix B – “Log Sheet for Data Revealed by DBS”, Recruitment of Ex-Offenders Policy

4.0 **Abbreviations and Definitions:** DBS – Disclosures and Barring Service, CRB – Criminal Records Bureau, DfE – Department for Education, HR – Human Resources, Umbrella Body – an organisation registered with the DBS who is permitted to apply for DBS checks

5.0 Procedure

Key Points:

- DBS checks must commence for all prospective employees before employment begins.
- The DBS will undertake appropriate checks and confirm whether there is a barring order preventing an individual from working with children. This is the former List 99 check.
- It is possible to just check the DBS Barred List while waiting for the full DBS check to be received. This must always be done if an employee starts work before the full DBS results have been received.
- The full DBS will advise of convictions, cautions and other information which may impact on the suitability of a person to work with vulnerable groups, including children.
- The DBS replaces the CRB. It is not required to recheck persons who have been checked through Academy procedures on the CRB against the DBS. The CRB check is still valid.
- The Academy complies fully with the DBS Code of Practice.
- The Academy complies fully with the Data Protection Act.
- The Academy complies fully with the relevant legislation regarding the information disclosed on DBS checks, including but not limited to, the Rehabilitation of Offenders Act 1974.
- The Academy currently does not regularly re-check existing employees as Ofsted guidance is that this is not good value for money.
- The Academy may re-check employees who have subscribed to the update service and have given permission for the Academy to do so. There is no cost for these checks to the Academy.

Types of DBS checks:

- DBS checks can be undertaken through an Umbrella Body as in the past for CRB checks
- From 17 June 2013, employees can subscribe to a DBS service which allows the status of the checks to be updated automatically so that new employees can review their check status free of charge on line. This subscription is optional.
- The Academy will accept either form of check in line with current DfE guidelines.

DBS Process:

- All adverts should advise that DBS checks will be undertaken on successful applicants and appointments are subject to these checks.
- Application forms contain questions about offenses that may appear on these checks.
- Interviews will include a conversation regarding any information that will appear on these checks.
- Any offer letters will state that employment is subject to satisfactory information coming from these checks.
- Successful applicants will be invited by the local HR representative to undertake a DBS check.
- If an applicant advises that they have a DBS check and have subscribed to the update service;
 - the HR Manager will request sight of the original check which the employee holds and appropriate forms of identification.
 - the HR Manager will obtain permission to undertake the check and do so completing the information in Appendix A – “Permission to Run Status Checks on Disclosure and Barring Service”.
 - the HR Manager will undertake the check on www.gov.uk/dbs
 - one of the following results will be received from the DBS checking service and this result will be printed and included in the employee’s personnel file:
 - the DBS did not reveal any information and no further information has been identified since
 - the DBS remains current as no further information has been identified
 - the DBS is no longer current and new certificate must be obtained*
 - the details do not match details on the DBS database.*
 - in the case that there is no current or matching certificate a new DBS check must be obtained.

- the SCR will be updated.
- the Permission form will be kept on the Employee's file.
- If an applicant does not have a subscription to the DBS update service, regardless if they have a DBS check, a new check will be undertaken.
- the HR Manager will request sight of appropriate forms of identification.
- the HR Manager will assist the applicant to undertake an online DBS check using the services of the Umbrella Body to which the Academy has subscribed.
- the SCR will be updated.
- a print out of the DBS request from the online system will be kept on the Employee's file.

When a DBS check reveals information about an applicant:

- Any information revealed by the DBS check is compared to what was revealed on the application and at interview.
- The information on the DBS check will be discussed between at least two of the following: the Principal, the Director of Corporate Services and the Group HR Manager. Other parties who may be invited to join the discussion are members of the Governing Body, Clerk to Governors, members of the Senior Leadership Team, Local HR staff, the department or direct line manager for the post to which the applicant has applied.
- As the information is sensitive data-protected information, the dissemination of the information must be kept to the minimum number of persons appropriate. Human Resources will keep a log of persons to whom the information in a disclosure is revealed, see Appendix B.
- The internal discussion of the information revealed must consider the following:
 - The nature of the information revealed
 - The date which an offense occurred
 - The honesty of the applicant during the interview process and on the application form
 - What impact could the information have on the suitability of the applicant to work in the role for which employment is considered
 - An assessment of the risk to the well-being of all persons at the Academy if the applicant is employed
 - The Recruitment of Ex-Offenders Policy
 - That we do not discriminate unfairly against any subject of a disclosure on the basis of information revealed.
- The Principal, Director of Corporate Services or Group HR Manager will discuss the information revealed by the DBS check with the applicant. The applicant may dispute information on the check. If this is the case, the process for disputes goes through the DBS. Employment decisions may be deferred while the dispute is being resolved.
- The internal discussion may need to reconvene in light of any information provided by the applicant, but this is not always required.
- A decision is taken by two of these three: the Principal, Director of Corporate Services or Group HR Manager. This decision will be confirmed and recorded on the "Log Sheet for Data Revealed by the DBS" (Appendix B) by one of the three.

DBS Checks for Governors:

- The Academy must obtain a DBS check on the Chair of Governors of the Academy through the Department for Education. If a CRB check had been obtained on the Chair of Governors through the Department for Education, a new DBS check is not required.
- The Academy will obtain a DBS check on Governors if, in the opinion of the Chair of Governors or the Principal it is suitable to do so, if they will spend any amount of time in the school outside of the normal attendance in governors' meetings, or if they will spend any time interacting with students at the school. Therefore, we are not obliged but would normally undertake a DBS check on all Governors. If a CRB check had been obtained, a new DBS check is not required.
- All Governors who are not checked with a DBS check must be checked on the DBS Barred List.

Data Protection and other legal considerations:

- DBS checks are considered sensitive data under the Data Protection Act. Any information from a DBS check regarding cautions, convictions etc should be kept separate from an employee's personnel file. They must be stored in a lockable non-portable storage cabinet with strictly controlled access.
- DBS checks should be destroyed after six months unless permission is obtained from the DBS to keep the information for a longer period of time. This includes all copies of sensitive information.
- Data from DBS checks may only be used for the specific purpose for which it was obtained.
- In accordance with section 124 of the Police Act 1977, disclosure information is only passed on to those who are authorised to receive it in their course of their duties.
- We will ensure that any Umbrella Body used complies with the DBS Code of Practice.

8.0 Records

Record	Where kept	Retention time (Min)	Disposal authority
DBS Checks	HR Office	Six Months from Date of Check	HR Manager
Staff Files	HR Office	Termination of employment plus 7 years	HR Manager

Revision

This document will be reviewed biennially. Amendments will be marked with a black vertical line in the margin.

Distribution

The Clerk to the Governors shall retain a hard copy of this procedure and distribute controlled copies as required. Electronic copies of this procedure shall be available via the computer network.

Implementation

The requirements of this procedure are mandatory and apply from receipt of this document.

Permission to Run Status Checks on Disclosure and Barring Service (DBS)

I give permission for _____ Academy to undertake Status Checks on my DBS certificate as follows:

- A Check will be undertaken before employment commences, and;
- A Check may be undertaken on a periodic basis, not normally more than once per year, as part of an Academy-wide programme of Status checks, and;
- A Check may be undertaken if information comes to light, which, in the judgement of the Principal, Director of Corporate Services, Group HR Manager or Trustees, may result in a change in status of my DBS check. This information will be documented and a form completed indicating at whose request the check will be made. This form will not be entered in my personnel file but will be held in a separate file for six months from the check date.

The DBS will notify me when a Status Check is undertaken. Any queries as to why a check has been undertaken can be made the HR Department and this information will be disclosed to me.

The Academy will not undertake a Status Check on my certificate after I have left the employ of the Academy.

Applicant's Name (please print) _____

Applicant's Signature _____ Date _____

for use by Human Resources

Academy Representative (please print) _____	Signature _____
Original Certificate Copied: Yes <input type="checkbox"/>	Copy Declined by Applicant <input type="checkbox"/>
Details from Original Certificate: DBS Certificate Level Enhanced Yes <input type="checkbox"/>	
DBS Certificate Type: "Child Workforce" <input type="checkbox"/> or "Child and Adult Workforce" <input type="checkbox"/> , no other certificate can be accepted.	
Name Checked to ID Yes <input type="checkbox"/> List all Identity Checks including Document Type and Unique Identifier*	
(1) _____	(2) _____
(3) _____	*Unique Identifier – i.e. Driver's License number, passport number, date of bill
DBS Reference Number _____	Date of Birth from DBS Certificate _____
Has a copy of the policy Recruitment of Ex-Offenders been made available to the applicant? Yes <input type="checkbox"/>	

Log Sheet for Data Revealed by Disclosure and Barring Service (DBS) Checks

Applicant's Name _____

DBS Check Number _____ DBS Check Date _____

The following staff discussed the data revealed by the DBS Check:

Please tick, must include at least two of the following:

Principal Director of Corporate Services Group HR Manager

Please list other persons _____

Please tick to confirm that the information from the DBS has been discussed with the applicant

Please tick to confirm that the applicant has been given the Recruitment of Ex-Offenders Policy

Please list persons who discussed the DBS with the applicant

Please tick if applicant is disputing the information on the check. If so, indicate if decision is deferred and start a new sheet after the results of the dispute resolution are received.

Decision (tick): Employ the applicant Withdrawal the offer of employment

Dismiss the employee Seek additional references

Extend the probationary period Defer a decision

Signature & Title -Decision confirmed by: _____

Notes (any notes should not reveal the details of the DBS information – only items which were taken into account in making a decision)

Applicant was untruthful at interview or on application Discussion with applicant increased level of concern

Time elapsed since event revealed had occurred Discussion with applicant decreased level of concern

Nature of offense does not cause concern Nature of offense increases cause for concern

Other _____

Name of HR Representative (please print) _____

Representative's Signature _____ Date _____

Code of Practice

**For Registered Persons and Other
Recipients of Disclosure Information**

(Revised April 2009)

**Presented to Parliament pursuant to Section 122 (2) of the
Police Act 1997**

CODE OF PRACTICE

INTRODUCTION

This Code is established under section 122 of Part V Police Act 1997 and determines the obligations which govern initial and ongoing registration of Registered Bodies with the Criminal Records Bureau (CRB).

The Code applies to all Registered Bodies and Umbrella Bodies, hereon referred to as Registered Bodies, and their clients. The Code also applies to applications for, and handling of, both Standard and Enhanced Disclosures.

The obligations within this Code are determined by Part V Police Act 1997 and in particular the Police Act 1997 (Criminal Records) (Registration) Regulations 2006. These provisions determine the legal requirements upon persons seeking to register and maintain their registration with the CRB as Registered Bodies. They address the way in which the CRB will ensure that:

- Organisations are assessed as suitable to receive sensitive Disclosure information
- Organisations do not breach the spirit and requirements of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 by submitting ineligible Disclosure Applications
- Registered Bodies correctly verify the identity of Disclosure applicants to ensure the integrity of all Disclosures issued by the CRB
- Sensitive and personal data contained within the Disclosure is correctly managed and used by Registered Bodies
- The efficiency of the Disclosure Service is maintained by the timely payment of fees and the accuracy of Disclosure Application data
- Registered Bodies treat their applicants fairly when considering sensitive Disclosure information
- Registered Bodies who fail to comply with the obligations within this Code may be suspended or de-registered in order to maintain the overall integrity of the Disclosure Service

The CRB takes seriously its statutory duties relevant to the rehabilitation of offenders, data protection and human rights legislation. It will therefore seek to ensure strict compliance with the Code through the full range of CRB assurance management processes.

This Code applies to all Disclosure information that is information contained within the Disclosure including information provided under the Independent Safeguarding Authority (ISA) scheme when introduced as well as information provided under separate cover.

THE OBLIGATIONS

1 REGISTRATION

Registered Bodies must:

1. Provide sufficient information to the CRB to allow registration to proceed. This includes information on the organisation's status, the suitability of proposed countersignatories and the purposes for which registration is requested
2. Demonstrate that they are likely to countersign and submit applications for relevant positions and employment
3. Demonstrate that they are likely to submit the minimum annual number of Disclosure applications determined by the CRB
4. Provide up-to-date information to the CRB as required in respect of the registration information and countersignatories
5. Provide information on their organisation and nominated Lead and countersignatories as and when required by the CRB to determine suitability for initial and ongoing registration with the CRB
6. Give access to CRB officials to official premises, data and documentation as and when reasonably required by the CRB to determine suitability for ongoing registration
7. Submit Registration and Disclosure applications in the prescribed format
8. Ensure that Disclosure applications are completed accurately and that all mandatory data fields are completed in full
9. Ensure that any electronic application system complies with CRB specifications as stipulated

2. IDENTITY VERIFICATION

Registered Bodies must:

1. Accurately and comprehensively verify the identity of the applicant prior to the submission of a Disclosure application
2. Ensure that any person undertaking identity verification checks on their behalf is suitable and trained accordingly

3. MANAGEMENT AND USE OF DISCLOSURE INFORMATION

Registered Bodies must:

1. Have a written policy on the secure handling of Disclosure information which, in the case of Umbrella Bodies, should be made available to their clients

2. Store Disclosure information securely
3. Retain Disclosure information, its content or any representation of the same in any format for no longer than is necessary and for a maximum of six months following the recruitment decision unless a dispute is raised or, in exceptional circumstances, where CRB agreement is secured
4. Ensure that no reproductions of the Disclosure or its content are made, including photocopies or scanned images, unless with the prior agreement of the CRB or as a result of a stipulated requirement relating to the e-channel service
5. Only share Disclosure information with relevant persons in the course of their specific duties relevant to recruitment and vetting processes
6. Dispose of Disclosure information in a secure manner
7. Ensure that Additional Information, including information as to its existence, is not revealed to the Disclosure applicant and is disposed of in the appropriate manner and at the appropriate time
8. Ensure that they comply with CRB guidance on the portability of Disclosures and their contents

4. SUITABILITY POLICY

Registered Bodies must:

1. Have a written policy on the suitability of ex-offenders that is available upon request to potential applicants and which, in the case of Umbrella Bodies, should be made available to their clients
2. Ensure that all applicants for relevant positions or employment are notified in advance of the requirement for a Disclosure
3. Notify all potential applicants of the potential effect of a criminal record history on the recruitment and selection process and any recruitment decision
4. Discuss the content of the Disclosure with the applicant before withdrawing any offer of employment
5. Provide a copy of the CRB Code of Practice to the applicant upon request

5. PAYMENT AND FEES

Registered Bodies must:

1. Pay the prescribed registration fee before registration may proceed
2. Pay countersignatory fees within the prescribed period
3. Pay all subsequent Disclosure fees within the prescribed period

4. Pay all fees related to Disclosure applications submitted after any decision by the CRB to suspend registration or deregister the organisation
5. Publish all fees associated with Disclosure applications in relevant documentation
6. Notify the CRB in writing of any change to the fees associated with Disclosure applications

6. ELIGIBILITY

Registered Bodies must:

1. Use all reasonable endeavours to ensure that they only submit Disclosure applications in accordance with the Disclosure eligibility criteria for relevant positions or employment
2. Correctly apply the CRB definition of a volunteer to assert eligibility for free-of-charge Disclosures

7. ASSURANCE AND COMPLIANCE

Registered Bodies and their clients must co-operate in full with the CRB Registration Management Team enquiries, audits and investigations in seeking to:

1. Determine eligibility for initial registration with the Disclosure Service in accordance with the prescribed processes and criteria
2. Ensure ongoing compliance of Registered Bodies with the obligations under this Code by undertaking assurance audits on a regular basis in accordance with the prescribed processes and criteria
3. Implement the suspension or de-registration of a Registered Body where non-compliance is established in accordance with the prescribed de-registration processes and criteria

8. OFFENCES

Registered Bodies must note that it is an offence to:

1. Disclose information contained within a Disclosure to any person who is not a member, officer or employee of the Registered Body or, in the case of Umbrella Bodies, their client unless a relevant legal exception applies
2. Disclose information to any member, officer or employee where it is not related to that employee's duties
3. Knowingly make a false statement for the purpose of obtaining, or enabling another person to obtain, a Disclosure

Persons guilty of such offences are liable to deregistration, imprisonment or a fine unless a relevant exception applies as outlined in CRB Guidance.

GUIDANCE

Each of the obligations of this Code is supplemented by detailed Guidance available on the CRB website at www.crb.gov.uk.

This Guidance will be updated on a continual basis to ensure that it reflects the reality of CRB operations and the needs of Registered Bodies.

Significant changes to the Guidance will be notified to Registered Bodies as required.

FUTURE DEVELOPMENTS

The CRB anticipates significant developments in its service delivery within the coming three year period. These will include:

- The establishment by the Department of Children, Schools and Families of the Independent Safeguarding Authority which will allow for the continual monitoring of persons suitability to work within the children and vulnerable adults sectors
- The development of e-delivery channels for access to the CRB Disclosure Service, including e-applications and the extension of online tracking

Both of these developments will impact on the role of Registered Bodies in regards to the format, content and secure handling of the information they receive as part, or associated with, the Disclosure Service.

CRB CODE OF PRACTICE

GLOSSARY OF TERMS

Additional Information (Enhanced Disclosures Only). -In a very small number of circumstances (typically to protect the integrity of current police investigations), additional information may be sent under separate cover to the Countersignatory. Please note, the applicant's copy of the Disclosure will not refer to this information. Therefore information must not be shared with the applicant.

Where the police issue a separate letter, the Countersignatory's copy of the Enhanced Disclosure will contain the following words '**Please refer to letter sent under separate cover**', printed under the '*date of issue*' on the Disclosure.

Approved Information (Enhanced Disclosures Only). - This is non-conviction information provided by the police from their local records. The Chief Police Officer in each force will decide what, if any, information to provide. The CRB will print this information on both the applicant's and the Countersignatory's copy.

Assurance Audits - Used to determine the level of compliance of Registered Bodies focussing on Id validation and data quality. It takes the form of a self-assessment questionnaire that must be completed by Lead Signatories. Where areas of non-compliance have been identified, they are addressed in a detailed report to the Lead Signatory, and in some cases a Compliance Visit to the organisation may also take place for further examination of their internal processes.

Counter-signatory - A person within a Registered Body who is registered with the CRB to countersign applications and receive the Disclosure.

Criminal Records Registration Regulations 2006 - Conditions set by CRB which must be met in order to maintain registration status.

Disclosure - The term that is used to describe the service provided by the CRB and the document issued to the applicant and Registered Body when a CRB check has been completed.

Exceptions Order 1975 - The Exceptions Order to the Rehabilitation of Offenders Act (ROA) 1974 sets out those occupations and positions exempt from the provisions of the ROA. These are generally positions of trust, where there is a valid need to see a person's full criminal history in order to assess their suitability for a position. This information is intended as general guidance only. It must not be regarded as a definitive interpretation of the Act. Anyone requesting further guidance should seek legal advice.

Enhanced Disclosure - Also referred to as an Enhanced check. These are for posts that involve a far greater degree of contact with children or vulnerable adults. In general the type of work will involve regularly caring for, supervising, training or being in sole charge of such people. Examples include a Teacher, Scout or Guide leader. Enhanced checks are also issued for certain statutory purposes such as gaming and lottery licences.

This level of check involves an additional level of check to those carried out for the Standard CRB check - a check on local police records. Where local police records contain additional information that may be relevant to the post the applicant is being considered for, the Chief Officer of police may release information for inclusion in an Enhanced check.

Exempted Question - An exempted question is a valid request for a person to reveal their full criminal history (including spent convictions) and is made possible by virtue of the Exceptions Order to the Rehabilitation of Offenders Act (ROA) 1974.

Independent Safeguarding Authority (ISA) - The ISA have been created to help prevent unsuitable people from working with children and vulnerable adults by working in partnership with the Criminal Records Bureau (CRB), gathering relevant information on every person who wants to work or volunteer with vulnerable people

Identity Verification Checks - A process that Registered Bodies undertake to check and validate the information provided by the applicant on the application form.

Lead signatory - A senior figure within a Registered Body who has overall responsibility for the use of the CRB checks in their organisation.

Online Tracking - Facility than can be used on the CRB website to track an application by providing the form reference number and date of birth.

Part V Police Act 1997 - The piece of legislation that brought about the CRB.

Personal Data - Data which relates to a living individual who can be identified from that data.

(Sensitive) Data – Data which includes:

- Racial or ethnic origin
- Religious or other beliefs of a similar nature
- Physical or mental health or condition
- Sexual life
- Offences (including alleged offences)

Portability - Portability refers to the re-use of a CRB Disclosure, obtained for a position in one organisation and later used for another position in another organisation.

This practice is no longer endorsed by the CRB due to the risks factors involved.

Registered Body - Organisations that have registered directly with the CRB to use its services.

Rehabilitation of Offenders Act (ROA) 1974 - The Rehabilitation of Offenders Act (ROA) 1974 enables some criminal convictions to become 'spent', or ignored, after a 'rehabilitation period'. A rehabilitation period is a set length of time from the date of conviction. After this period, with certain exceptions, an ex-offender is not normally obliged to mention the conviction when applying for a job or obtaining insurance, or when involved in criminal or civil proceedings.

Standard Disclosure - Also referred to as a Standard check. These are primarily for posts that involve working with children or vulnerable adults. Standard checks may also be issued for people entering certain professions, such as members of the legal and accountancy professions. The Standard check contains details of all convictions held on the PNC including current and 'spent' convictions as well as details of any cautions, reprimands or final warnings. If a position involves working with children, the CRB check will indicate whether information is held on three government lists of those who are banned from working with children or the vulnerable.



Disclosure &
Barring Service

DBS Update Service

Employer guide

May 2013

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1.1 Introduction

From 17 June 2013, you can access the new Update Service to carry out Status checks on an individual's DBS Certificate and you may never need to apply for another one again.

What is the DBS Update Service?

For a small annual subscription of just £13, applicants can have their DBS Certificate kept up-to-date and take it with them from role to role, within the same workforce, where the same type and level of check is required.

Next time you recruit someone and need to get them DBS checked – why not ask if they are a member of the Update Service. If they are, you can with their permission, use their current DBS Certificate and carry out a free, instant online check to see if any new information has come to light since its issue.

How do you access the Update Service?

If you are entitled to carry out a Status check, after viewing the original DBS Certificate, you will be able carry out a Status check at www.gov.uk/dbs.

You will need to enter the name of your organisation, your forename and surname and then the following details of the DBS Certificate being checked:

- DBS Certificate number
- current surname of the DBS Certificate holder - as specified on their DBS Certificate
- date of birth of the DBS Certificate holder - as recorded on the DBS Certificate

Benefits to you

- Instant online checks of DBS Certificates.
- No more DBS application forms to fill in.
- You may never need to apply for another DBS check for an employee again.
- Less bureaucracy.
- Saves you time and money.
- Enhances your safeguarding processes and may help to reduce your risks.
- Easy to incorporate into your existing suitability decision-making processes.

Benefits to your employee

- Saves you time and money.
- One DBS Certificate is all you may ever need.
- Take your DBS Certificate from role to role within the same workforce.
- You are in control of your DBS Certificate.
- Get ahead of the rest and apply for jobs DBS pre-checked.

What else you need to know

There are number of other changes coming in at the same time as the Update Service:

DBS Certificates

The DBS will no longer automatically issue a copy of the applicant's DBS Certificate to the Registered Body who countersigned the DBS application form. Employers will need to ask the applicant for sight of their DBS Certificate.

Registered Bodies will be entitled to ask the DBS for a copy of the applicant's DBS Certificate if all of the following conditions apply:

- The individual is subscribed to the Update Service; and
- The employer has carried out a Status check which revealed a change to the DBS Certificate; and as a result
- The individual has applied for a new DBS check as the result of a change to an existing DBS Certificate; and
- The DBS issued the new DBS Certificate to the applicant more than 28 days ago; and
- The applicant has not shown the employer their new DBS Certificate.

If the individual has disputed the new DBS Certificate the DBS will not consider issuing a copy to the Registered Body until 28 days after the dispute is resolved.

If the individual has disputed the new DBS Certificate, and the dispute is 'not upheld', the Registered Body must wait until 28 days after the dispute resolution date before requesting a reprint. This is to give the applicant time to show the DBS Certificate to the Registered Body /employer.

Field 61 on the Application form

At the same time as the Update Service becomes available, the DBS will use a new relevancy test when considering the release of non-conviction information about an individual. It will now be based on the type of workforce and no longer the actual job role.

This change means that DBS Certificates can be taken from role to role within the same workforce i.e. when moving between jobs that involve working with children, adults, both or other.

To accommodate this change the DBS has extended the Position Applied For field (X61) to include both lines of 60 characters on the application form.

Registered Bodies must now complete this field as follows, failure to complete the field correctly may delay the application as we will need to contact you for further information; it may also prevent the applicant from using their DBS Certificate for future employment or volunteering purposes:

- X61 Line 1: Write in one of the following form of words to indicate the relevant workforce(s) i.e.
 - Child Workforce
 - Adult Workforce
 - Child and Adult Workforce
 - Other Workforce

Note: 'Other Workforce' must be written if the person is not working with children or adults.

- X61 Line 2: Enter a description of the 'Position Applied For' up to 30 characters.

Further information

Detailed information included in this guide:

- quick guides
- frequently asked questions
- terms, conditions and exceptions

You can also find further information at www.gov.uk/dbs

1.2 Quick guides

Am I entitled to carry out a status check?

Employers must be able to say 'yes' to the following questions before they carry out a Status check. If you answer 'no' to any question you cannot carry out a Status check:

- Do you have the applicant's consent?
- Are you legally entitled to the same level of DBS Certificate? Standard or Enhanced.
- If you are legally entitled to a Barred List check does the DBS Certificate contain the one you require i.e. Children's list, Adults' list, both or none?
- Does the DBS Certificate contain information which you are legally entitled to see such as Barred List checks?
- Is the DBS Certificate for the right workforce – Child, Adult, Both or Other? This will be indicated in the 'Position Applied For' section and will show which workforce has been used to determine the relevancy of any locally held police information.
 - Child Workforce: any position that involves working/volunteering with children.
 - Adults Workforce: any position that involves working/volunteering with adults.
 - Child and Adults Workforce: any position that involves working/volunteering with children and adults.
 - Other Workforce: any position that does not involve working/volunteering with Children or Adults e.g. Taxi licensing.

Examples

- An Enhanced DBS Certificate with a check of the Children's Barred List for the Child Workforce can be used by a new employer who requires:
 - An Enhanced DBS Certificate ; and
 - A check of the Children's Barred List; and
 - Where the individual will be working with children only (not adults).
- An Enhanced DBS Certificate with no Barred List checks for the Adult Workforce can be used by a new employer who requires:
 - An Enhanced DBS Certificate; and
 - No barred list check; and
 - Where the individual will be working with adults only (not children).
- An Enhanced DBS Certificate only for the Other Workforce can be used by a new employer who requires:
 - An Enhanced DBS Certificate; and
 - Has no legal entitlement to a check of the Barred lists; and
 - The person will not be working with children or adults.

How to make a single Status check

Step 1

- Are you entitled to a DBS check of the level and type as you are going to check the status of?
- Do you have the individual's consent to carry out a Status check?
- If you have answered 'yes' to both questions, you can carry out a Status check.
- If you are unsure go to www.gov.uk/dbs for guidance on checking your entitlement.

Step 2

- Go to www.gov.uk/dbs and search for the DBS Update Service.
- Enter the name of your organisation.
- Enter your forename and surname.
- Enter the details of the DBS Certificate being checked. All of the details requested are mandatory.
 - Enter the DBS Certificate number.
 - Enter the current surname of the DBS Certificate holder (as specified on their DBS Certificate).
 - Enter the date of birth of the DBS Certificate holder (as recorded on the DBS Certificate) in the format DD/MM/YYYY.

Step 3

- You will be presented with the Legal Declaration.
 - *'I confirm I have the authority of the individual to which this DBS Certificate number relates to receive up-to-date information (within the meaning of section 116A of the Police Act 1997) in relation to their criminal record DBS Certificate for the purposes of asking an exempted question within the meaning of section 113A of the Police Act 1997; or in relation to their enhanced criminal record DBS Certificate for the purposes of asking an exempted question for a prescribed purpose within the meaning of section 113B of the Police Act 1997.'*
- You must tick the 'I agree with the legal declaration' check box to proceed.

Step 4

- You will be presented with the result of the check which you can print out and then store it safely and securely in line with the DBS Code of Practice. For more information go to www.gov.uk/dbs.

Interpreting Status check results

When an organisation decides to carry out an online Status check of a DBS Certificate:

- You must have seen the original DBS Certificate to:
 - check that it is the same level as your required level e.g. Standard, Enhanced, and Enhanced with a Children's/Adults'/both Barred list check; and
 - see what, if any, information that was revealed about the applicant and consider this as part of your recruitment process.
- Satisfy yourself through robust ID checks that the person being checked is the same person as that is named on the actual DBS Certificate.

You can then carry out the Status check and you will get one of the following results.

This DBS Certificate did not reveal any information and remains current as no further information has been identified since its issue.

This means

- The DBS Certificate when issued was blank i.e. it did not reveal any information about the person; and
- No new information has been found since its issue and can therefore be accepted as being still current and valid.

This DBS Certificate remains current as no further information has been identified since its issue.

This means

- The DBS Certificate revealed information about the person; and
- No new information has been found since its issue and can therefore be accepted as being still current and valid.

This DBS Certificate is no longer current. Please apply for a new DBS check to get the most up-to-date information.

This means

- New information has come to light since the DBS Certificate was issued and you will need to apply for a new DBS check to see this new information.

The details entered do not match those held on our system. Please check and try again

This means either:

- The individual has not subscribed to the Update Service; or
- The DBS Certificate has been removed from the Update Service; or
- You have not entered the correct information.

Multiple Status checking

Background

Some organisations submit large numbers of DBS applications and will need to be able to check multiple statuses at the same time. Other organisations may not submit large numbers of applications but may still need to use a quick and efficient multiple checking facility.

The multiple Status checking facility can be accessed by your organisation. It will enable you to make an unlimited number of simultaneous checks which will save you considerable time and will be easy to use. The process of implementing the connection that will enable the data exchange and multiple checks to take place should be quick for your organisation to implement. The DBS do not provide the front-end solution for this. Your organisation's IT specialist will need to develop the connection and administration process.

If you want to carry out multiple Status checks you can use the multiple Status checking service which is provided by a web service - sometimes referred to as an Application Programming Interface - called Restful Web. To use this web service your organisation will need to develop a front-end system to interact with the web service. If you are not an IT specialist you will need to speak to your IT department to develop this system.

What are web services?

A web service is a standard mechanism for organisations to expose business functionality to their partners.

- This technology allows IT applications to communicate with each other in a platform, and programming language, independent manner.
- A web service is a software interface that can be accessed over the network through standardised XML messaging.
- Output is typically XML which is easily interpreted and processed by software applications.

What is the multiple Status checking web service URL?

<https://secure.crbonline.gov.uk/crsc/api/status/<disclosureref>?dateOfBirth=<DD/MM/YYYY>&surname=<text>&hasAgreedTermsAndConditions=true&organisationName=<text>&employeeSurname=<text>&employeeForename=<text>>

Inputs

The inputs for a multiple check are:

- Certificate Number
- Date of birth on the DBS Certificate
- Surname on the DBS Certificate
- Name of organisation carrying out the Status check
- Surname of person carrying out the Status check
- Forename of person carrying out the Status check
- Declaration – your input must be 'Y' to reflect that you agree with the following:
 - *'I confirm I have the authority of the individual to which this DBS Certificate number relates to receive up-to-date information (within the meaning of section 116A of the Police Act 1997) in relation to their criminal record DBS Certificate for the purposes of asking an exempted question within the meaning of section 113A of the Police Act 1997; or in relation to their enhanced criminal record DBS Certificate for the purposes of asking an exempted question for a prescribed purpose within the meaning of section 113B of the Police Act 1997.'*

Outputs

- **Invalid Status check**

An invalid Status check will be indicated by a returned status response of '**NO_MATCH_FOUND**'. This will only occur if one or more of the inputs supplied do not match a DBS Certificate linked to the Update Service, or an organisation has failed to indicate that they have the authority of the individual being checked.

An invalid status response is specific to the individual DBS Certificate therefore will not invalidate the multiple check in its entirety.

If you are persistently presented with the rejection status and you believe that you have entered all details correctly, and you believe that the DBS Certificate belongs to a Subscriber of the Update Service, then you can contact the DBS on 0870 90 90 811 for further information.

- **Valid Status check**

If the details entered can be matched to a DBS Certificate that is linked to an individual subscribed to the Update Service then the latest Status of that DBS Certificate will be displayed.

The outcome of a valid Status check will be one of the following:

- A returned value of '**BLANK_NO_NEW_INFO**' relates to the status response '*This DBS Certificate did not reveal any information and remains current as no further information has been identified since its issue*'. This means that the individual's DBS Certificate contains no criminal record information and no new information is available.
- A returned value of '**NON_BLANK_NO_NEW_INFO**' relates to the status response of '*This DBS Certificate remains current as no further information has been identified since its issue*'. This means that the individual's DBS Certificate contains criminal record information but no further information is available.
- A returned value of '**NEW_INFO**' relates to the status response of '*This DBS Certificate is no longer current. Please apply for a new DBS check to get the most up to date information*'. This means that the individual's DBS Certificate should not be relied upon as new information is now available and you should request a new DBS check.

The status result only relates to the individual named on both the DBS Certificate and on the Status check result screen. No checks have been made against any third parties associated to this individual. This could have implications for individuals who are employed in home-based occupations in which third parties may be considered.

Multiple Statuses checking Technical Support

Organisations will be expected to support their own front-end system.

1.3 Frequently Asked Questions

1. Will I still get a copy of the individual's DBS certificate when I apply for their DBS check?

No. From 17 June 2013 the DBS will issue DBS Certificates to the applicant only. You will have to ask the individual to show you their DBS Certificate.

2. Why are you no longer issuing DBS Certificates to organisations?

The Government changed the law which meant that the DBS can now only send DBS Certificates to the individual on whom the check was carried out.

3. Do I have to join the Update Service to carry out a Status check of a DBS Certificate?

No. This is a free service for employers.

4. Do I have to use the Update Service or can I just keep getting the person to apply for DBS checks?

This is an optional service. However, you may wish to consider the benefits of using this service.

- Instant online checks of DBS Certificates.
- No more DBS application forms to fill in.
- You may never need to apply for another DBS check for an employee again.
- Less bureaucracy.
- Saves you time and money.
- Enhances your safeguarding processes and may help to reduce your risks.
- Easy to incorporate into your existing suitability decision-making processes.

5. How much is it to carry out a Status check?

Status checks are provided free-of-charge.

6. Who can carry out a Status check?

You can only carry out a Status check if you are legally entitled to carry out a DBS check and the DBS Certificate is the same type and level as you need. If you are unsure, please go to www.gov.uk/dbs for more information and guidance on entitlement.

If you carry out a Status check you will be asked to confirm your eligibility to carry out such a check and be able to comply with the DBS Code of Practice. Full details are available from the website www.gov.uk/dbs.

7. What do I need to do to carry out a Status check?

You will need to:

- Check the DBS Certificate is the same type and level as you need.
- Check the person's identity.
- Check the name on the DBS Certificate matches this identity.
- Get the person's consent to carry out a Status check.
- Take a note of the DBS Certificate reference number and the person's name and date of birth.

- Comply with the DBS Code of Practice which includes having a policy on the Recruitment of Ex-offenders and make this available to the person. A sample policy on the Recruitment of Ex-offenders is available from www.gov.uk/dbs.

8. Do I need to see the actual DBS Certificate when I carry out a Status check?

Yes. You will need to have seen the original DBS Certificate to ensure that it is of the right type and level that you need and that you are legally entitled to. E.g. Enhanced with an Adults' Barred List check.

9. Do I need the person's consent to do a Status check?

Yes. You will need their consent, verbal or written, to carry out a Status check. You may want to get consent each time you check or you could consider asking for ongoing consent – that will be up to you and the individual. The individual will be able to see who has carried out a Status check, and when they did so, from their online account.

Further information is available at www.gov.uk/dbs.

10. Can an individual stop me carrying out a Status check on their DBS Certificate?

Yes. If the individual leaves your organisation, moves to a position where there is no legal entitlement to the same DBS check, or withdraws their consent you must stop carrying out any further checks. If you continue to carry out Status checks on their certificate you would be breaking the law by accessing data you were not entitled to see.

11. How many Status checks can I carry out?

You can carry out as many as you want, and as many times as you want, as long as you have the individual's consent.

12. How often does the DBS search for updates on each DBS Certificate?

When a person adds their DBS certificate to their Update Service account, the DBS will search regularly to see if any new information has come to light since it was issued. The frequency varies depending on the level and type of the DBS Certificate and based on the likely probability of such changes.

13. What is the frequency that the DBS will search for updates?

For criminal conviction and barring information the DBS will search for updates on a weekly basis as this information can change frequently.

For non-conviction information, which appears on a very small percentage of DBS Certificates and changes infrequently, the DBS will search for updates every 9 months.

14. Can I carry out multiple Status checks at the same time?

Yes. Full details are available in the Update Service employer guide which can be found at www.gov.uk/dbs.

15. What information will I see when I carry out a Status check?

You will see the following details:

- The individual's name;
- The individual's date of birth; and,
- One of the following results:
 - This DBS Certificate did not reveal any information and remains current as no further information has been identified since its issue.

- This DBS Certificate remains current as no further information has been identified since its issue.
- This DBS Certificate is no longer current. Please apply for a new DBS check to get the most up-to-date information.
- The details entered do not match those held on our system. Please check and try again

16. What is likely to cause a change to someone's status, so their DBS Certificate is no longer current?

The status will change if:

- For all DBS certificates
 - new convictions, cautions, reprimands or warnings; or
 - any amendment or change to a current conviction, caution, warning or reprimand.
- For Enhanced DBS Certificates
 - any new, relevant police information.
- For Enhanced Certificates with a Barred List check(s):
 - if the person becomes barred for that list(s) checked on the Enhanced Certificate.

17. What should I do if an individual's Status check reveals a change?

You should have a discussion with the individual about the reasons why there is a change. You should then ask the individual to apply for a new DBS check.

Any action you take before you find out the new information is matter for your organisation.

18. Can I find out if the change is because the individual has been barred from working in Regulated Activity?

Yes. You only request this information if all of the following conditions apply:

- The individual is subscribed to the Update Service; and
- A Status check has indicated that the certificate is no longer up-to-date; and
- The certificate included a check of a Barred List(s); and
- The individual is employed in Regulated Activity covered by the Barred List(s) ; and,
- You have the applicant's consent.

19. How do I apply to find out if the Status change is because the individual has been barred from working in Regulated Activity?

You will need to complete an online form and email this to the DBS. The form is available from www.gov.uk/dbs. You will receive a response within 5 working days.

20. How much will it cost to apply to find out if the Status change is because the individual has been barred from working in Regulated Activity?

There is no charge for this service at the moment.

21. Can a Registered Body get a copy of the applicant's DBS Certificate?

Registered Bodies will be entitled to ask the DBS for a copy of the applicant's DBS Certificate if all of the following conditions apply:

- The individual is subscribed to the Update Service; and
- The employer has carried out a Status check which revealed a change to the DBS Certificate; and as a result
- The individual has applied for a new DBS check as the result of a change to an existing DBS Certificate; and

- The DBS issued the new DBS Certificate to the applicant more than 28 days ago; and
- The applicant has not shown the employer their new DBS Certificate.

If the individual has disputed the new DBS Certificate the DBS will not consider issuing a copy to the Registered Body until 28 days after the dispute is resolved. This is to give the applicant time to show the Certificate to the Registered Body /employer.

22. Can I print and keep a record of the Status check result?

Yes, as long as you protect this information in line with the DBS's Code of Practice and the Data Protection Act. Details can be found on www.gov.uk/dbs.

23. Can I keep a copy of the DBS Certificate which I have checked?

You can only retain a copy of the DBS Certificate with the applicant's permission. If you do, you must store this copy in line with the DBS policy on Storage and Retention of Disclosure information and the Data Protection Act. See the DBS Code of Practice. Details can be found on www.gov.uk/dbs.

24. After I have completed a Status check will the DBS notify me if the information revealed on the DBS Certificate subsequently changes?

No. If you want to check if the DBS Certificate remains current you can carry out periodic Status checks with the applicant's consent.

25. Do I have to tell the person each time I carry out a Status check of their DBS Certificate?

You should always have the consent of the person before you check the Status of their DBS Certificate. All Status checks are recorded and can be viewed by the individual on their Update Service account.

26. Can I share the results of the Status check with anyone?

No. If you are carrying out Status checks you must comply with our Code of Practice which sets out when, and with whom, you can share the results with. For further details please visit www.gov.uk/dbs.

27. If a DBS certificate was obtained for an individual carrying out their work from their own home, will the Update Service reveal new information about other individuals employed or living in their home?

No. The Update Service will only check for updates based on the individual for whom the check was carried out – not the home address where the work is being undertaken or any other individuals employed or living at that address.

28. Can I check the status of a manual DBS Certificate?

No. Unfortunately, if the individual's DBS Certificate was not produced by the system they cannot link this to the Update Service. If they received a manual DBS Certificate they will have also received a letter explaining that it is a manual DBS Certificate and not a system generated one.

29. Is the Update Service available in Welsh?

Yes the online service is available in Welsh.

30. How can I use the Update Service if our recruitment or suitability decisions are made centrally and not locally?

We have designed the service to suit a wide range of organisations, from those that take decisions centrally, to those that delegate decisions about DBS checks to their local offices. If you make all your decisions centrally and wish to keep this practice you can. If an individual has subscribed to the Update Service, instead of asking them to complete a new DBS application you can:

Option 1

1. Obtain the applicant's consent.
2. Ask the individual to send you their DBS Certificate.
3. When you receive it, check it's the same type and level as you need and check if any information was disclosed.
4. Make a note of the applicant's name as printed on the DBS Certificate, their date of birth and the DBS Certificate reference number.
5. Carry out a free, online check to make sure that the DBS Certificate is still up-to-date and valid.
6. Return the individual's DBS Certificate.

Option 2

1. Ask your local office to view the DBS Certificate.
2. Ask your local office to check if the DBS Certificate is of the same type and level as you need and if any information was disclosed.
3. Obtain the applicant's consent.
4. Make a note of the applicant's name as printed on the DBS Certificate, their date of birth and DBS Certificate reference number.
5. You can then carry out a free, online check to make sure that the DBS Certificate is still up-to-date and valid.

31. Will regulators accept a Status check to meet their requirements on inspection?

The DBS anticipates that regulators will accept a Status check if the DBS Certificate being checked is the same level and type as is required by them. You should speak with your regulator to confirm their requirements.

32. Can I do Status checks through the e-bulk service?

No. The two services are not integrated.

You can still carry out checks on DBS applications submitted through the e-Bulk service when the DBS Certificate is issued. There will also be a separate facility which organisations can use to carry out multiple Status checks. You can find further information in the Update Service employer guide at www.gov.uk/db

33. Can I join the Update Service with my DBS registration application form or when I apply to become a Registered Body or Countersignatory?

No. Individuals can only join with an application for a DBS check.

34. Will there be any changes to the Tracking Service?

No. You will still be able to track an application form and see when the DBS Certificate is issued. The Tracking Service will not reveal if the DBS Certificate contained any information or not. This is being considered as part of our planned enhancements to the Update Service next year.

POSITION APPLIED FOR FIELD

35. Why are you making changes to the Position Applied for field (X61)?

At the same time as the Update Service is introduced, the DBS will use a new relevancy test when considering releasing non-conviction information about an individual, and this test will apply to the workforce which the DBS check is related to, rather than a single position or role, i.e. the Child Workforce, Adult Workforce, both Child and Adult Workforce, or Other Workforce (which applies if the person is not working with children or adults). This change means that individuals will be able to take their DBS Certificates from role to role within the same workforce.

36. What are the changes you are making to Position Applied for field (X61) on the application form?

From 17 June 2013, we are extending the Position Applied for field (X61) to include both lines of 60 characters. Registered Bodies must complete this field as follows, failure to complete the field correctly may delay the application as we will need to contact you for further information; it may also prevent the applicant from using their DBS Certificate for future employment or volunteering purposes:

- X61 Line 1: Write in one of the following form of words to indicate the relevant workforce(s) i.e.
 - Child Workforce
 - Adult Workforce
 - Child and Adult Workforce
 - Other Workforce

Note: 'Other Workforce' must be written if the person is not working with children or adults.

- X61 Line 2: Enter a description of the 'Position Applied For' up to 30 characters.

37. Will this change mean less information is released by the police?

This change should not reduce the information and will enhance the relevancy of their decision making.

E-BULK REGISTERED BODIES

38. I use the e-Bulk service; will I still get the same results when single DBS Certificate is introduced?

The e-Bulk result will change slightly. You will still be notified if the DBS Certificate is blank but as DBS Certificates will no longer be issued to Registered Bodies we will change the wording relating to this.

39. How can individuals join the Update Service if they apply for a DBS check via an e-Bulk Registered Body?

If the Registered Body submits the individual's application for a DBS check via the e-Bulk application service the individual can only join the Update Service, using their DBS Certificate. This must be done within 14 days from the date of issue of their DBS Certificate.

40. I am an e-Bulk Registered Body; can I advertise the Update Service?

Yes. The DBS would like e-Bulk Registered Bodies to consider how they can advertise this service to their clients and applicants:

- During the online application process
- Within any email notification
- On their website
- Promotional literature

41. I am an e-Bulk Registered Body; can I offer to run Status checks for my clients?

Yes. This could be a value added service which you can offer to your clients if they gain consent for each individual.

1.4 Terms, conditions and exceptions

Subscription

- An individual's subscription will continue even if DBS Certificates are removed from the account. If the subscription is not renewed at the end of the subscription period the account will close. Any DBS Certificate attached to a closed account will be removed and organisations will no longer be able to carry out Status checks. If a subscription lapses you will have to apply for a new DBS check and then re-subscribe to the Update Service.

Home-based Occupations

- The Update Service will only check for updates based on the individual for whom the check was carried out – not the home address where the work is being undertaken or any other individuals employed or living at that address.

Multiple DBS Certificates

- Individuals may still require more than one DBS Certificate if their DBS Certificate is not of the same type and level of check required by an employer. Employers may require a different level or type of check to the one you have e.g.
 - **Level:** Enhanced not Standard check.
 - **Type:** Enhanced with a Children's Barred List check not an Adults' Barred List check; or
Enhanced without a Barred List check.
 - **Workforce:** Child Workforce not Adults Workforce.

Manual DBS Certificates

- Sometimes it is not possible for the DBS to produce a system generated DBS Certificate. When this happens the DBS will issue a manual DBS Certificate. Manual DBS Certificates cannot be used in the Update Service.

Update Frequency

When a person adds their DBS Certificate to their Update Service account the DBS will keep their DBS Certificate up-to-date by *regularly searching to see if any new information has come to light since its issue.

* Regularly means:

- Criminal record conviction and barring information will be searched for updates on a weekly basis as this information can change frequently.
- Non-conviction information which is released on relatively few DBS Certificates and changes infrequently will be searched for updates every 9 months.

The frequency condition is based on the number of DBS Certificates which reveal this type of information; the likely risk of new information coming to light in the time period; and the cost of checking for changes.

Cancelling DBS Certificates

If the names declared on a DBS Certificate attached to a subscription change, or are found to be incorrect, the DBS reserves the right to cancel the incorrect DBS Certificates attached to that subscription.

Retention of payment information

Details of the card used to pay the subscription fee will be retained for the purposes of automatic renewal and refunds where appropriate. The DBS will be using a secure Payment Card Industry (PCI) Data Security Standard system.