

Disclosure & Barring Service (DBS) Procedure

DBS checking

Requesting DBS Disclosures

Successful applicant

Renewal

Issued by: Human Resources (HR)

Issue Date: 1st December 2019

Version: 1.0

Review Date: January 2022

Introduction

This procedure outlines the application process for DBS checks.

1. DBS checks

1.1. The different types of DBS checks are outlined below and the flow charts in Appendix I - Eligibility for DBS Check, provide full information regarding when each type of DBS check is required along with a full explanation of the frequently, intensively or overnight “and specified place” criteria.

- **Standard DBS Checks**

Sometimes used for professions such as law and accountancy, which do not involve contact with vulnerable people.

- **Enhanced DBS check for Regulated Activity - including checks against the children’s and adults’ barred lists**

This is the type of check we carry out when someone is undertaking “Regulated Activity” (see Appendix I - Diagrams 1 and 2). It checks whether the individual is barred from working with children or vulnerable adults. There will only be a limited number of posts eligible for barred list checks.

- **Enhanced DBS Check (no checks made against the Children’s or Adults’ Barred List)**

This is the type of check we use if an individual does not meet the “new” definition of “Regulated Activity” as defined in Appendix I - Diagrams 1 and 2, but still falls within the pre-September 2012 definition of “Regulated Activity” as illustrated in Appendix I - Diagram 3).

1.2. Individuals can now maintain a portable DBS check through the DBS update service (which requires an annual fee) where the same type and level of check is required. At the point of recruitment individuals will be asked whether they are a member of the update service. If so and with their permission the University can utilise their current certificate and carry out a free instant online check.

1.3. It is not normally necessary for existing employees to have such checks carried out unless the nature of their job changes to a significant extent bringing them into one of the “regulated activity” categories or,

alternatively, to a position where an enhanced check (without a check against the barred lists) may be required. Please refer to Appendix I. Where it becomes clear that the role has changed and necessitates a DBS check, this should be requested and the manager should contact HR.

1.4. It should be noted that the DBS may only hold very limited, if any, information for persons who have a substantial record of overseas residence or who have little or no previous UK residence. This will include British Nationals with recent periods of overseas residence. A disclosure in such circumstances may be of limited value. Where an applicant is coming from overseas or has lived in the United Kingdom for less than five years it may be necessary to make additional enquiries about the person’s background. Current guidance on doing this can be found on the DBS website (www.gov.uk/DBS).

2. Process for requesting DBS Disclosures

2.1. Placing an advert/advertising stage

2.2. At the point of advertising, the Recruiting Manager should indicate the DBS check requirement (including type and level) via Unified and ensure the job description is updated to include the requirement for a DBS in the person specification under the essential criteria.

2.3. HR Operations will check the online vacancy details form and cross reference with the job description and advert before placing the advert.

2.4. HR Operations will ensure applicants who will require a DBS check are notified and provided with a copy of the procedure on the Recruitment of Ex-offenders and have access to the DBS Code of Practice.

2.5. When applying online, all applicants (regardless of whether they need a DBS check) will need to declare if they have any unspent (current) criminal convictions. For posts that require a DBS check, applicants will also be required to declare any spent criminal convictions that are not protected as defined by the Recruitment of Ex-offenders Act. Where appropriate, applicants will need to disclose the details of those convictions to HR, marked in a confidential envelope to the HR Director. HR will be

responsible for assessing the information prior to the interview stage.

3. Successful applicant stage

- 3.1. Appointed applicants will be sent an activation email containing a link and instructions on how to complete the registration process. Following completion of the on-line form the applicant should make arrangements to have their ID documents verified either within HR or a local Post Office (subject to an additional fee) This should be carried out as soon as possible as the offer of employment will be subject to a satisfactory DBS clearance.
- 3.2. HR Operations will check the identity documents. In each case an original document must be presented as photocopies are not acceptable. Valid ID documents are outlined during the completion of the on-line process and details can be found on the [DBS website](#)
- 3.3. HR Operations will check the information supplied by the applicant. If the applicant claims to have changed their name by deed poll or any other mechanism, then evidence of that change must be requested. A previous DBS disclosure document will not be considered as evidence of identity unless they have subscribed to the updating service.
- 3.4. DBS checks on employees will all be processed by HR Operations who will maintain a central register of all staff checked. The disclosure information will only be made available to the Faculty Dean/Head of Directorate/Recruiting Manager.
- 3.5. Recruiting Managers should not normally agree on a start date until clearance has been received. Only in exceptional circumstances and with agreement from HR, should employees commence work prior to receiving clearance. In line with the Recruitment of Ex-Offenders Policy, the Recruiting Manager will be required to complete a risk assessment to demonstrate safeguarding practices will apply in those exceptional circumstances where employees start work prior to clearance.
- 3.6. Once clearance has been received by the Individual and presented to the recruitment team, the team will notify the Recruiting Manager that all pre-employment checks have been completed and a start date can be agreed. In most cases, the manager will be provided

with the DBS disclosure date and number for their records.

- 3.7. It is the responsibility of any Recruitment Agency to provide all necessary pre-employment checks including a DBS Disclosure for all agency staff recruited into posts that require a DBS check. The Recruiting Manager/HR Operations should ensure the evidence is provided by the agency and recorded. All temporary and hourly paid lecturers should be checked in the same way as full-time contractual staff.
- 3.8. It is the responsibility of faculties and directorates to advise HR of existing posts where a DBS check becomes necessary as a result of new or changing duties bringing contact with vulnerable people.

4. Renewal stage

- 4.1. Disclosures do not have a period of validity. The disclosure is only a snapshot of the position at the time when the information was checked and therefore renewal checks will be completed for all posts requiring DBS clearance.
- 4.2. The renewal period for most posts will be every three years, unless otherwise required by law or a regulatory body or if the post changes whereby a check is no longer required. If the employee has subscribed to the DBS update service then there may be no requirement to apply for a new certificate as the University, with the employee's consent can check the status online.
- 4.3. For renewals, HR Operations will contact the employee and the manager three months prior to the expiry date of the current check. The member of staff will be sent an activation email containing a link and instructions on how to complete the registration process. Following completion of the online form the applicant should make arrangements to have their ID documents verified either at the HR Directorate, or a local Post Office (subject to an additional fee) This should be carried out as soon as possible.
- 4.4. HR will notify the line manager if an employee has failed to complete the renewal form in time. The line manager will be responsible for meeting with the employee to follow the matter up.

5. Managing DBS Disclosures with convictions include status checks

- 5.1. A copy of the disclosure will only be sent to the individual. HR Operations will be responsible for checking the disclosure information when it is returned. If a conviction is highlighted, HR Operations will pass to the relevant HR Advisor for guidance.
- 5.2. The HR Advisor should check the applicant's application form to check whether the conviction was disclosed at the outset of the recruitment process. Failure to reveal information that is directly relevant to the position could lead to the withdrawal of an offer of employment.
- 5.3. The HR Advisor will then discuss the situation with the Recruiting Manager and escalate if required.
- 5.4. The Manager should undertake a full risk assessment to demonstrate the decision making process. The Manager should assess the relevance of the conviction to the role and weigh up the risks associated with employing the applicant in that capacity and provide a copy of the assessment to HR.
- 5.5. If convictions are disclosed prior to the DBS application, the HR Deputy Director will consider the information and discuss with the Recruiting Manager. Where appropriate, the Manager should make best use of discussing the nature of the convictions with the applicant as this information will form part of the evidence base of the risk assessment.
- 5.6. The Manager should ensure that an open and measured discussion takes place on the subject of any offences that might be relevant to the position.
- 5.7. The Manager should discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment. It is important to seek clarification on the details of the conviction.
- 5.8. The Manager should also seek advice from HR prior to meeting with the individual and prior to withdrawing any offer of employment.
- 5.9. Having a criminal record will not automatically bar applicants from a position that requires a DBS check. However, it may be a criminal offence to make an

appointment for employment in certain areas. The Recruiting Manager should keep an open mind and consider the nature of the crime, the circumstances involved, the requirements of the job, the safeguards against offending at work and the potential impact on the University.

- 5.10. If the applicant disputes the information contained within the disclosure then the matter should normally be resolved before making the decision to confirm the provisional offer.
- 5.11. The applicant can also contact the DBS disputes directorate to resolve such matters. Disputes must be raised within three months of receipt of the disclosure.
- 5.12. Where information is separately provided by the police the information must not be discussed with the applicant and must be kept confidential to the University. Any such cases should be referred to the Legal Team for advice on how the matter should be handled.
- 5.13. Any Faculty or Directorate aware of an employee who is dismissed from the University due to harming a vulnerable adult or child must refer the matter to the University's Legal Team who will inform the DBS.