

## DBS Application Process and Eligibility (updated 5<sup>th</sup> September 2016)

Disclosure and Barring Service (DBS) disclosures are just one element of the Safer Recruitment process. DBS certificates provide us with information about previous convictions, police intelligence and about inclusion on the 'barred lists'.

Not all roles within the church are eligible for a DBS disclosure but whenever a role is eligible for a DBS disclosure this must be obtained and accepted before any appointment to the role is made. The Diocesan policy on Safer Recruitment can be found within the Safeguarding Policy Manual at;

[www.chelmsford.anglican.org/uploads/SafeguardingManual-dec14.pdf](http://www.chelmsford.anglican.org/uploads/SafeguardingManual-dec14.pdf)

### DBS Application Methods

Whenever a person is eligible for a DBS disclosure there are currently two methods available within the Diocese of Chelmsford for making a DBS application – online or paper application form. The online application method allows easier management of information, without the need for the inspection of identification documents; for these reasons this is the preferred option. For the time being the paper application method does remain available for those that cannot access a computer, but appropriate original identification documents will need to be produced for inspection to the PSR or other approved person. Current details of how to access both options and the requirements of each, are available at;

<http://www.chelmsford.anglican.org/safeguarding/dbs-disclosure>

### DBS Certificate Expiry and Renewal

DBS certificates remain valid for a maximum of five years within the Diocese of Chelmsford and must be renewed before the expiry of each five year period. The five year renewal requirement applies to the issue date of the DBS Certificate and not the commencement date of any particular role that an individual might undertake or move to within this period. Currently it is the responsibility of the applicant and the PSR to request a DBS renewal when it is due.

The applicant may not need to complete a new DBS application if they have subscribed to the DBS Update Service – but the DST would still need their details to complete an online Status Check. Further information on the DBS Update Service is available on the Safeguarding Pages of the Diocese of Chelmsford website

<http://www.chelmsford.anglican.org/safeguarding/dbs-disclosure>.

### Child Workforce, Adult Workforce or Child and Adult Workforce

From June 2013 you have been required to complete the DBS application indicating which Workforce the person will be working in:

- Child Workforce
- Adult Workforce
- Child and Adult Workforce

It has been agreed in the Diocese of Chelmsford that DBS disclosures processed by the Diocese will be valid for all church roles throughout the Diocese that relate to the same workforce. For example, if you have a valid DBS certificate, processed by the Diocese of Chelmsford for your role as a Sunday School Teacher (child workforce) in one Parish, this DBS Certificate will be transferrable to any other church role in the Diocese relating to children, but not to adults. If a change of role occurs when the DBS certificate is already four years old, specifically in the case of a Curate being appointed to a permanent role following training, a new DBS disclosure should be obtained at the same time.

### Types of criminal record checks:

#### **Enhanced check**

It contains details of all spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer (PNC) plus any additional information held by local police that's reasonably considered relevant to the role being applied for.

#### **Enhanced with a barred list check**

An enhanced check with barring lists is **ONLY** available for those individuals who are in regulated activity and a small number of positions listed in Police Act regulations. It contains the same PNC information and check of police records held locally as an enhanced check but in addition will check against the children's and/or adults barring lists.

#### Barred Lists:

There is a Children's barred list and Adults' barred list; these lists contain the details of people who are prevented from working with children and/or adults due to previous convictions or concerns about their prior conduct in a role working with children and/or adults. It is a criminal offence to employ a person who is barred from working with children or adults in a role which is defined as 'Regulated Activity' (see attached 'Regulated Activity Flowchart for DBS Eligibility'); it is also a criminal offence for a person who is barred to apply for this type of work.

### Eligibility for DBS Disclosure

Since September 2012 eligibility for an enhanced DBS disclosure with a check of the barred lists has changed;

- **All Clergy roles** (paid or unpaid). Following agreement between the Church of England and the Government these roles are always part of the child and adult workforce and are eligible for an enhanced DBS disclosure, including a check of both the child and adult barred lists. Although it is not an exhaustive list of relevant non-ordained clergy roles the following have been included; Chaplains, Curates, Licensed Lay Ministers, Readers and all those with a Permission to Officiate licence or in possession of any Bishop's Licence. The Church of England policy can be found at; [www.churchofengland.org/media/2552006/safer\\_recruitment\\_practice\\_guidance\\_2016.pdf](http://www.churchofengland.org/media/2552006/safer_recruitment_practice_guidance_2016.pdf)
- **All Churchwardens**. This role is considered to be a vital part of the parish safeguarding workforce, especially during parish vacancy. PCC membership (see below) makes this role eligible for an enhanced DBS disclosure, without a check of the child or adult barred lists and Diocesan Synod has approved the requirement that **every** Churchwarden will **always** be subject to a current DBS disclosure in the Diocese of Chelmsford.
- **PCC Members**. All Trustees of Charities that incorporate work with children and/or adults are eligible for an enhanced DBS disclosure, without a check of the child or adult barred lists. In the church mission context this will include all PCC members. If a PCC member has a more direct role with children and/or adults they may also be eligible to be checked against one or both of the barred Lists (see below). Whilst a minimum of three PCC members in each parish must be checked, all members can be lawfully checked.

**Please note:** *It is a criminal offence for anyone who is barred from 'Regulated Activity' with children or adults to be a Trustee (PCC member) of any charity that incorporates work/activities for children and/or adults.*

- **All those in Regulated Activity**. Wherever the role with children and/or adults includes 'Regulated Activity' the person will be eligible for an Enhanced DBS disclosure including a check of the relevant barred list – this eligibility can be established using the attached flow chart. Please note that 'Regulated Activity' does NOT just refer to how regularly the person is in contact with children and/or adults.

- All those in work with children, which would be 'Regulated Activity' if the work was done frequently. If the role working with children includes 'Regulated Activity' but does not satisfy the frequency test (once per week or more, or on four or more days in any 30 day period, or any occasion between 2.00am and 6.00am) the person is still eligible for an enhanced DBS disclosure, but without a check of the children's barred list.
- All those in **previously eligible roles**. Some people are already in roles for which they hold a Criminal Records Bureau (CRB) Certificate, but do not satisfy the new definition of 'Regulated Activity'. Some of these roles may still be eligible for a DBS disclosure when their CRB Certificate falls due for renewal (5 years after the certificate issue date), but each case should be assessed individually.

The 'Regulated Activity Flowchart for DBS Eligibility' must be used for any person (except Clergy, Churchwardens and PCC members, as above) whose role on behalf of the church, whether paid or voluntary, brings them into any contact with children or adults, or involves the day-to-day management or supervision of anyone that does.

**Supervision** - For the purposes of DBS eligibility supervision must meet the following criteria:

- 1) The supervision must be for at least one person whose role meets the definition of work which is a **regulated activity with children or adults**. (Whether the work is 'Regulated Activity' should be established using the 'Regulated Activity Flowchart for DBS Eligibility').
- 2) Providing physical oversight of the 'Regulated Activity' – i.e. being co-located and holding overall responsibility for the activity.
- 3) Holding responsibility for guidance, support and training for those working in 'Regulated Activity'.
- 4) The supervision provided must be ongoing – i.e. not concentrated just during the first few weeks of an activity.

The following church roles are just a few examples of those found to be eligible for an enhanced DBS check, but it is not an exhaustive list;

Bell Ringing Teacher/Trainer	Nursery Helper/Assistant/Leader/Manager
Choir Chaperone/Matron/Master/Mistress/Leader	Open the Book Storyteller
Crèche Assistant/Helper/Leader/Manager	Sunday School Teacher/Leader/Helper/Assistant
Junior Church Helper/Assistant/Leader/Manager	Youth Camp Assistant/Helper/Leader/Chaperone
Holiday Club Helper/Assistant/Leader/Manager	Youth Worker/Helper/Assistant/Leader/Manager

*Please remember that people applying for the roles, such as those listed above, may also be eligible to be checked against one or both of the barred lists. Please refer to the 'Regulated Activity Flowchart for DBS Eligibility'.*

For further information about the current Regulated Activity requirement visit either;

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/249435/dbs-factsheet-regulated-activity-children.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249435/dbs-factsheet-regulated-activity-children.pdf)

or

[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/249431/dbs-factsheet-regulated-activity-adults.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/249431/dbs-factsheet-regulated-activity-adults.pdf)

Information about how to request and/or complete a DBS application should be available in each parish from the PSR's (Parish Safeguarding Representatives) and, in their absence, from the incumbent member of clergy. You can also access the information from the Safeguarding pages on the Diocese of Chelmsford website <http://www.chelmsford.anglican.org/safeguarding/dbs-disclosure>

Alternatively, and if there is any doubt about eligibility for a DBS check or the level of check required, please contact the Safeguarding Administrator by; Email: [safeguarding@chelmsford.anglican.org](mailto:safeguarding@chelmsford.anglican.org) or Telephone: 01245 294438.

# Regulated Activity Flowchart for DBS Eligibility

**START HERE**  
Are you aged 16 years or over?

**YES**

Is your role on behalf of or in connection with a church-led activity, group, establishment or organisation?

**YES**

You are not eligible for a DBS check within the Diocese of Chelmsford

**NO**

Does your role involve day to day management or supervision of anyone who is in Regulated Activity with children or adults?

**YES**

**NO**

Might your role involve any contact with or access to a child not related to you?

**YES**

Might your role ever involve giving physical assistance with, or prompting, training, instruction, advice or guidance about eating or drinking to any child who is in need of it due to illness or disability?

**NO**

Might your role ever involve giving physical assistance with, or prompting, training, instruction, advice or guidance about toileting, washing, bathing or dressing to any child who is in need of it due to age, illness or disability?

**NO**

Does your role involve teaching, training or instructing children; supervising or caring for children; providing advice or guidance on their physical, emotional or educational well-being; or driving a vehicle solely for children and their supervisors?

**YES**

Do you perform your role once per week or more; on four or more days in any 30 day period; or on any occasion between 2.00am and 6.00am?

**You are eligible for an enhanced DBS check without the barred lists**

**NO**

**YES**

**Your role is Regulated Activity so you are eligible for an enhanced DBS disclosure with a check of the relevant workforce barred list (child, adult or both)**

**NO**

Might your role involve contact with or access to an adult not related to you?

**YES**

You are not eligible for a DBS check

Might your role ever involve giving personal care (physical assistance with, or prompting, training, instruction, advice or guidance about eating, drinking, toileting, washing, bathing, dressing, oral care, skin care, nail care or hair care) to any adult who is in need of it due to age, illness or disability?

**YES**

**NO**

Might your role ever involve giving day to day general household assistance with managing cash, paying bills or doing shopping for any adult who needs it due to age, illness or disability?

**YES**

**NO**

Might your role ever involve transporting any adult, who needs it due to age, illness or disability, to or from any place where they will receive health care, personal care or social work services?

**YES**

**NO**

You are not eligible for a DBS check