



DBS Disclosure News

December 2013

Content

[Disclosure Christmas opening times](#)
[Requesting inappropriate list checks e-guide is a hit](#)
[Shaping our shared future](#)
[Filtering guide updated](#)
[DBS: one year on](#)
[Contact](#)



Hello and welcome to December's edition of DBS Disclosure News.

This month, we celebrate one year of being DBS. And what a year it has been! One of unparalleled change to our procedures and legislation, new products - designed with you in mind, and of course ensuring that DBS remains at the heart of the safeguarding world.

After the period of intense and rather hectic change we experienced over the summer, we enter the New Year at a slightly calmer pace.

Application form rejections are back to normal levels and I'm pleased to tell you that good progress is being made in clearing the backlog of applications at the police forces. The vast majority of forces are back on track and recovery is in sight, so many thanks for bearing with us through this period of disruption.

Despite circumstances being rather challenging at times, and the changes having a direct impact on you and how you work, it's great to report that you've adapted well to everything that's come your way.

As ever, we're open to feedback so don't be shy! Contact us at customerservices@dbs.gsi.gov.uk

Finally, let me take this opportunity on behalf of all of us here at DBS to wish you a very merry Christmas, and a happy, healthy and prosperous New Year for 2014.

Sue Quigley
Director for Operations (Disclosure)

Disclosure Christmas opening times

Monday 23 Dec	08:00 – 18:00
Christmas Eve	08:00 – 17:00
Christmas Day	Closed

Boxing Day	Closed
Friday 27 Dec	08:00 – 18:00
Saturday 28 Dec	10:00 – 17:00
Sunday 29 Dec	Closed
Monday 30 Dec	08:00 – 18:00
Tuesday 31 Dec	08:00 – 17:00
Wednesday 01 Jan	Closed
Thursday 02 Jan	08:00 – 18:00
Friday 03 Jan	08:00 – 18:00

Our online services will still be accessible over the Christmas and New Year period.

Requesting inappropriate list checks

Did you know it's an offence to request a check of the barred lists for a role that's not [eligible](#) for one?

Requesting inappropriate barred list checks may have an adverse impact on the applicant and any associated recruitment processes.

To remain registered with us, you need to comply with our [Code of Practice](#) and Conditions of Registration, which place a responsibility on counter-signatories to request applications for eligible positions and the same applies to list checks.

As a counter-signatory, when you sign section y field 72 on the application form you're making a legal declaration that you have requested the correct level of check, which is appropriate to the role listed in the 'position applied for' field.

The screenshot shows a form section titled 'y statement by registered person'. It includes several fields:

- Field 69: registered body number (10 empty boxes)
- Field 70: countersignatory number (10 empty boxes)
- Field 71: do you have payment on account? (radio buttons for 'no' and 'yes', both checked; text: 'Please enclose payment if required')
- Field 72: declaration by registered person (text area with a legal declaration and a signature box)
- Field 73: date of countersignature (dropdown menus for D, D, M, M, Y, Y, Y, Y)

You may legally request barred list information where you're assessing the applicant's

suitability to engage in regulated activity with children and/or adults but you must only do so for the list(s) relevant to that role. You're also declaring that the applicant will be, or is currently, undertaking regulated activity with children and/or adults.

There is a small number of roles that *aren't* regulated activity but which can still have list checks, and are therefore an exception to this rule. Adoptive parents and adult members of adoptive, fostering or childminding households are the most common.

A full list of the positions for which you can request an adults or children's barred list check can be found [here](#).

When a barred person seeks to work in regulated activity, they've committed an offence, and if we identify that someone on the list(s) has applied for such a role we will take appropriate action. We will send an evidential pack, which includes a summary of the offence, copy of the DAF or EDAF, and witness statements to the police so they can consider a potential prosecution. This could involve a DBS Investigator who may be summoned to attend court to give evidence. In carrying out investigations, the police do sometimes discover that the person is NOT working in a regulated activity and has therefore not committed an offence.

Occasionally this situation isn't discovered until the case reaches court, by which time a significant amount of time and effort has been spent as a result of an inappropriate list check request triggering an avoidable chain of events.

Example

We received an application for a primary school teacher where a check against both children and adults barred lists had been requested. We contacted the school to confirm they had requested the correct list checks, and they admitted the request for adults barred list information was an error.

If we hadn't identified this error, the individual may have been incorrectly barred from working with adults. If the individual had already been barred from working with adults but not children, it would have appeared they had committed an offence by knowingly seeking to work in Regulated Activity with a vulnerable group with which they were barred from working. This would be reported to the police and it's possible they may visit the individual with a view to instigating a prosecution.

Also, the school may have gained access to information they had no authority to see. This information could not lawfully be used in a recruitment or retention decision, but if challenged, the school might find it difficult to demonstrate they did not use it when deciding to dismiss from or refuse employment.

The school would have been open to challenge by the individual for breaching the Data Protection Act 2008 and face action from the Information Commissioner's Office.

If we find evidence of inappropriate list check requests, we may take action with the appropriate registered body who has submitted the DBS application.

The [Department of Health](#) and the [Department for Education](#) have produced guidance that sets out roles now classed as regulated activity relating to adults and children, and takes into account the changes to Regulated Activities made by the Protection of Freedoms Act 2012.

e-guide is a hit

We're delighted so many of you have been using our new [e-guide for completing the DBS application form](#). Within three days of its launch, our website had more than 1,700 hits – which tells us that this is the kind of guidance you have been looking for to help you do your job even better.

Initial feedback has been extremely positive:

- “It was an easy tool to use and worth the investment of time.” (*Julia Parker-Johnstone, Nuneaton & Bedworth Leisure Trust*)
- “I think it is excellent and will definitely help our ID checkers and new counter-signatories.” (*Lisa McDermott, Volunteer and Involvement Adviser (England), The Stroke Association*)
- “I thought it was a very good teaching tool.” (*Sarah Rush, Ramsay Health*)

You have also told us the useful links in the guide are particularly helpful.

Don't forget to complete the questionnaire at the end of the e-guide too. We have already made improvements based on your comments so giving your feedback is vital to making sure the guide does what it should to help you submit fully compliant applications.

Application form guidance
Disclosure & Barring Service
Contents

The following sections of the DBS application form are covered within this e-guide:

Section a Names (a1-a13) a14-a19 a20-a27 The driving licence number Questions	Section w Identity checking
Section b	Section x Position Applied For Level of DBS checks Home Based positions Volunteer applications
Section c Other addresses Unusual address history	Questions
Section e	Section y Statement by registered person

You can jump to a specific section by clicking on [Section](#).

You can also jump to a specific area of interest by clicking on the sub-headings, such as 'Other addresses'.

EXIT X  [← PREV](#) 4 OF 27 [NEXT →](#)

Shaping our shared future

Gaining insight into your experiences and opinions is vital to improving our services. We want to deliver services that meet your expectations, but really we'd love to exceed them.

We want to make future changes and enhancements to our products and services very positive; so it's important we involve you in that process.

We've commissioned two research projects from Ipsos MORI which will take place shortly – Update Service research this month, and Customer Satisfaction and Insight in the New Year. From this, we want to understand what you want and need from our services; barriers and drivers to service usage; likely future service usage and appetite for digital services; levels of customer satisfaction; how well our communications work and what else we can do, and much more.

We want to improve your experiences, continue to deliver what we're doing well and explore exciting opportunities, using your ideas combined with our safeguarding expertise. Please do take part and share your views if you're contacted.

We'll publish the results next year and all responses will be used to inform enhancements to our products and services.

Filtering guide updated

We've recently updated the [DBS filtering guide](#) to include information about question e55 and signpost external guidance that you can get from [Nacro's Resettlement Advice Service](#).

DBS: one year on

On 1 December, the DBS celebrated its one year anniversary.

Our first year has seen us deliver nine of the 10 recommendations made by Sunita Mason in the Criminal Records Review – the review that led to our creation. We've also issued over four million certificates.

We introduced two new services, which have helped to modernise processes. You can now get criminality checks faster with the Update Service, which we launched in June, and applicants now get an opportunity to review their certificate information before it's presented to the employer with the introduction of 'Applicant Only Certificate', which resulted from the introduction of the Protection of Freedoms Act.

We recently launched our new [e-guide](#) to completing the application form and have an exciting development on the horizon in the form of the online eligibility tool. We even went digital with [DBS Disclosure News!](#)

These are all significant outcomes for a new organisation but we haven't achieved this

alone. Our strong relationship with our 3,800 registered bodies has developed over the year and partnerships to help broker security checks also continue to grow.

Year one has been challenging for all of us – we haven't been able to maintain our usual, excellent Public Service Standards performance on all disclosures because of the impact of the policy and process changes on our police colleagues. It's certainly not been for the want of trying, and we are planning now to recover for next year.

"I'm immensely proud of what we've achieved this year, and look forward to strong performance in years to come," said Adrienne Kelbie, our chief executive.

"Helping to protect vulnerable groups and children and assisting employers to make safe recruitment decisions is critical work and the DBS does it better than anyone. I'm confident that our track record for providing the most accurate criminality checks and supporting employers to make secure employment decisions will continue to develop."

In the coming years, we'll seek to become even more modernised and capable of delivering our services in a more demanding world.

Contacts

Address:

PO Box 110
Liverpool L69 3EF

For Disclosure issues and information, please phone:

Customer Services 0870 90 90 811
Minicom line 0870 90 90 344
Llinell Gymraeg 0870 90 90 223

For Barring issues and information, please phone:

01325 953 795.

As a newly merged organisation, we have two different telephone systems so we're really sorry that we can't transfer your call between our offices.

Email:

customerservices@dbs.gsi.gov.uk

Websites:

www.gov.uk/dbs

Use our online tracking service to check the progress of DBS applications by visiting <https://www.gov.uk/disclosure-barring-service-check/tracking-application-getting-certificate>