

Diocese of Oxford

Disclosure and Barring Service Information

Content	Page
What is a DBS Check?	1
Who needs a DBS Check?	1
DBS Renewals	2
DBS Recruiters and Verifiers	2
Portability of DBS checks	3
DBS Update Service	4
Applicants who have spent time Overseas	5
DBS disclosures that are not clear	5
Appeals following DBS risk assessments	6
DBS & Confidential Declaration Forms	7

What is a DBS Check?

The Disclosure and Barring Service (DBS) helps organisations make safer recruitment decisions and prevents unsuitable people from working with vulnerable groups, including children.

The DBS are responsible for:

- Processing requests for criminal records checks (DBS checks).
- Deciding whether it is appropriate for a person to be placed on a barred list.
- Placing or removing people from the DBS children’s barred list and adult’s barred list for England, Wales and Northern Ireland.

A DBS check is a search of police records and, in relevant cases, barred list information, and then the issuing of a DBS certificate to the applicant.

More information can be found at: <https://www.gov.uk/disclosure-barring-service-check/overview>

Only a single paper DBS certificate is sent to the applicant as individuals have ownership over their own information. Employing and volunteering organisations will not receive a copy of the certificate and therefore the applicant will have to show their certificate to the organisation. Copies of DBS certificates should not be taken.

Who needs a DBS check?

Applicants need to be eligible for a DBS check. Eligibility depends on the role which the person is undertaking on behalf of the Church. Anyone undertaking a role which is eligible for an Enhanced DBS check, with or without Barring Information, must have this level of check. The document ‘Activities Eligible for an Enhanced DBS’ can assist with establishing DBS eligibility for roles.

Applicants should not undertake a role without a valid DBS check.

DBS Renewals

The policy of the Diocese, as of the Church of England nationally, is that DBS disclosures should be renewed every five years for those who stay in the same role or post.

Parishes should maintain a record of DBS checks for parish paid staff and volunteers and initiate new applications when they are due. They should be initiated three months before the old one is due to expire to allow for the DBS process, which can be subject to delays.

For clergy and LLMs the record of DBS checks is maintained by the bishop's secretary who will initiate new checks as required.

If a previous check was not clear, the Diocesan Safeguarding Team should have been notified and will have advised the Recruiter or bishop's secretary, following a risk assessment, that there was no obstacle to the applicant starting in role or that this was recommended with a specified condition. If a new check produces only the same information as was available and considered previously, any specified conditions are still being met, and the applicant remains in the same role, the Diocesan Safeguarding Team should be notified and advised that the application is a renewal. They will note the renewal and advise that no further action is needed.

If the applicant has committed a criminal offence since their last DBS check, they should have advised the Recruiter or Parish Safeguarding Officer or the Bishop as appropriate at the time, so that the matter's relevance could be considered. It should be declared again when a new DBS check is applied for and the information passed to the Diocesan Safeguarding Team for consideration.

DBS Recruiters and Verifiers

Recruiter

Parishes should have a designated Recruiter. The Recruiter is responsible for:

- Receiving notifications from the Umbrella Body of the outcome of DBS checks. The Diocese of Oxford recommended DBS Umbrella Body is APCS.
- Being the contact for the Diocese in the event of a DBS Disclosure not being clear. The Recruiter should contact the Diocesan Safeguarding Team as soon as they are notified.
- Championing safer recruitment processes for all those working with children or vulnerable adults and acting as a point of liaison between the parish and the diocese.

Verifier

This person is responsible for verifying the identity of applicants as part of the DBS process and dispatching applications to the Umbrella Body the parish uses for DBS Disclosures.

Who can be a Recruiter / Verifier?

One person can be both Recruiter and Verifier or you can have one Recruiter and multiple Verifiers. The Recruiter role is often undertaken by the Parish Safeguarding Officer or Incumbent. The Verifier role may be undertaken by someone without any other formal role within the process but who has an affiliation with the Parish.

The Diocesan Safeguarding Team should be notified of any newly appointed Recruiters or Verifiers, or if people have left their role. The 'Recruiter and Verifier Declaration' form should be used for any new appointments.

Portability of DBS checks

Portability refers to using a criminal record check obtained in one role, for a new role.

For those applying for a new role within the Diocese of Oxford, who currently have a DBS check obtained within the Diocese of Oxford, they should not require a second criminal record check, provided that:

- The result of the criminal record check has been seen and is clear
- The DBS check is not more than two years old
- The new role is:
 - With the same “workforce” (i.e. working with children or working with adults at risk); &
 - Eligible for the same or lower level of criminal record check as the previous role

Portability will not apply, and a new criminal record check will always be required if:

- A person’s DBS check is from an organisation outside of the Church of England e.g. a school.
- An individual is seeking ordination, reader or lay ministry training.
- An individual is moving from a voluntary to paid position.
- An individual is moving from a Non-Stipendiary Minister post or Self-Supporting Minister post into Incumbency or someone is starting a new Diocesan role, such as Area Dean.
- A person’s DBS is from another Diocese.
- A person’s new role is with a different workforce. For example, from working with children to working with adults experiencing, or at risk of abuse or neglect and vice versa; or
- The level of check required changes to a higher level (e.g. in their new role a person is eligible for an enhanced plus barred list check but in their previous role their DBS check was only an enhanced level without a check of the barred list).

To accept a DBS check from within the Diocese of Oxford the following criteria must be met:

- The person should have completed a Confidential Declaration Form for their new church role. Any information on it should be referred to the Diocesan Safeguarding Adviser.
- You must confirm the person's identity, by checking documents which detail name, and date of birth, using documents which are on the DBS ID checklist.
<https://www.gov.uk/government/publications/dbs-identity-checking-guidelines>
- The person must still live at the same address, which should be confirmed by checking documents which detail their address, as listed on the DBS ID checklist.
- The disclosure must be clear – this is shown by the words “None Recorded” showing in the Police Records of Convictions, Cautions, Reprimands and Warnings Box and in the “Other relevant information disclosed at the Chief Police Officer(s) discretion” box, and that “None Recorded” or “Not Requested” shows in the other three boxes.
- The Disclosure is appropriate for the parish role proposed.
Those who will be working with children should have “None Recorded” marked in two boxes:
 - Information from the list held under Section 142 of the Education Act 2002
 - DBS Children’s Barred List informationThose who will be working with adults (as defined in the Safeguarding Vulnerable Groups Act 2006 as modified by the Protection of Freedoms Act 2012), should have “None Recorded” or “Not requested” marked in one box:
 - DBS Adults’ Barred List information
- You must confirm that the applicant is still in good standing with the parish given on the Disclosure, by obtaining a written reference (letter on official letterhead, or email from a traceable origin).
- You should record the applicant’s name, date on which the Disclosure was seen, issue date of disclosure and serial number as part of parish records.

Update Service - Disclosure and Barring Service

DBS applicants can now subscribe to the Update Service with a new application or new certificate. Once subscribed the individual has the opportunity to take their certificate with them from role to role, where the same level and type of check are required.

What is a Status check?

With the individual's permission, employers can go online for a free and instant check to find out whether the individual's certificate is still up-to-date.

How can we make a Status check?

Recruiters/Verifiers can go to www.gov.uk/dbs and enter their name and parish together with the applicant's name, date of birth and certificate number. The parish do not have to register or subscribe to carry out a Status check.

The most common result will be this statement:

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

If any other result is received, the applicant must apply for a new DBS certificate. The Diocesan Safeguarding Team must be informed. The applicant cannot work in the role until the issue is resolved.

How can an applicant subscribe to the Update Service?

Applicants can subscribe to the Update Service online by:

- Using their application reference number, if they have not yet applied for their DBS. The DBS must receive the DBS application within 28 days of the applicant subscribing.
- Using their DBS certificate number. This must be done within 30 days of the certificate being issued.

It is free for volunteers to subscribe to the Update Service. There is an annual fee of £13 for employed staff.

How does this affect portability?

If using the Update Service for an applicant, the Verifier will still need to see the applicant's original DBS certificate used to register with the Update Service. It will need to be confirmed that:

- The Disclosure is clear
- The Disclosure is appropriate for the parish role proposed – It is at an Enhanced level (with or without barring information) as appropriate, and with the correct children's or adult's workforce.

The Verifier must confirm the person's identity, by checking documents which detail name, and date of birth, using documents which are on the DBS ID checklist.

The Verifier must check that the applicant is still in good standing with the organisation given on the Certificate, by obtaining a written reference.

The applicant should have completed a Confidential Declaration Form for their new church role. Any issues on it should be referred to the Diocesan Safeguarding Team.

The Verifier should record the applicant's name, date on which the Update Service Status Check was run, date original DBS certificate was seen, issue date of disclosure and serial number as part of parish records.

Applicants who have spent time Overseas

If an applicant for a position that is eligible for a DBS check has lived outside of the UK for 12 months or more, in the last 10 years, the following procedure must be followed:

- Ask the applicant to complete a Confidential Declaration Form as usual.
- Complete a DBS check for the required level and workforce.
- In relation to their overseas residence, the applicant should be asked to obtain criminality information (also known as a certificate of good conduct/character) from their relevant embassy/high commission/police force. This means that in addition to the DBS check, the candidate/applicant must seek this additional check to cover the time they spent abroad. Procedures per country can be found on the Home Office Website:
<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>
- If such information is not available from the embassy/high commission etc. or if there are concerns about the reliability of the information provided, the person(s) making the appointment should take extra care when taking up references and checking any previous employment record. In such cases, additional references should be sought and at least one reference from a previous employer should be contacted by telephone as well as by letter.
- Ensure that you obtain a reference, Clergy Current Status Letter or equivalent from a suitable person in authority from the overseas employment and from a verifiable source.

DBS Disclosures that are not clear

For parishes that use APCS as their DBS Umbrella Body, the following process will be followed if a DBS Disclosure is not clear:

- APCS informs the Diocesan Safeguarding Team and the parish Recruiter that a disclosure has been issued that is not clear.
- The Diocesan Safeguarding Team contact the applicant and ask for the DBS certificate to be supplied within four weeks.
- The Diocesan Safeguarding Team contact the parish Recruiter to explain that the applicant should not start in their role until the process is complete.
- Once the Diocesan Safeguarding Team have received the DBS certificate they will support the parish Recruiter to undertake a disclosure interview with the applicant and the Recruiter will complete a report.
- On receipt of the report the Diocesan Safeguarding Team will consider the risk and seek additional advice as appropriate.
- The Diocesan Safeguarding Team will contact the parish Recruiter and the applicant with the outcome of the risk assessment. This will include a recommendation of a) no obstacle to the appointment b) recommended with a specified condition c) not recommended.
- It is for the parish to decide whether to accept the recommendation and make the appointment.
- The Diocesan Safeguarding Team will return the DBS Disclosure to the applicant or destroy any copy which has been provided.

If the applicant does not provide their DBS certificate within four weeks the Diocesan Safeguarding Team will send one reminder. If this is not received within a further two weeks the application will be closed and the parish Recruiter will be advised that no recommendation can be made because the applicant did not provide their certificate.

Parishes who do not use APCS must inform the Diocesan Safeguarding Team as soon as they become aware of a DBS disclosure that is not clear. The process detailed above will then be followed.

For Clergy and LLM DBS Disclosures, the Diocesan Safeguarding Team should be contacted straightaway if a disclosure is not clear. Following a risk assessment process the Diocesan Safeguarding Team will make a recommendation. The decision on ordination, licensing or granting PtO lies with the bishop.

Appeals following DBS risk assessments

If the applicant has received a recommendation with a condition or has not been recommended, it is open to them to appeal the recommendation. Note, however, that the decision on appointment lies with the parish or, for clergy and LLMs, with the bishop.

The applicant should write to the Diocesan Safeguarding Team, explaining their reasons for considering the recommendation inappropriate.

The Diocesan Safeguarding Team will then arrange a new risk assessment, which will not contain any members of the original risk assessment panel. They will supply to the new panel the original report from the parish, the recommendations of the original risk assessors and the appeal letter from the applicant.

The new panel will consider the matter and make their own recommendation to the Diocesan Safeguarding Team. They may choose to a) uphold the original recommendation, or b) make a fresh recommendation. In either case they will provide reasons.

The Diocesan Safeguarding Team will then advise the Recruiter and the applicant of the outcome of the appeal.

Until the matter is resolved the applicant should not take up the role.

The recommendation of the appeal panel is final and no further appeal can be considered.

DBS & Confidential Declaration Forms

Applicants are expected to provide details of all offences, including spent offences, in their Confidential Declaration Form, so that matters of concern can be followed up as necessary.

Applicants do not have to declare any adult conviction where it would be filtered by the Disclosure and Barring Service, and not detailed on a DBS certificate. This includes adult convictions where:

- (a) 11 years (or 5.5 years if under 18 at the time of the conviction) have passed since the date of the conviction;
- (b) it is your only offence;
- (c) it did not result in a prison sentence or suspended prison sentence (or detention order) and
- (d) it does not appear on the DBS's list of specified offences relevant to safeguarding (broadly violent, drug related and/or sexual in nature).

Please note that a conviction must comply with (a), (b), (c) and (d) in order to be filtered.

This also includes adult cautions where:

- (a) 6 years (or 2 years if under 18 at the time of the caution, reprimand or warning) have passed since the date of the caution and
- (b) it does not appear on the DBS's list of specified offences referred to above.

Please note that a caution etc. must comply with (a) and (b) in order to be filtered.

Further guidance is provided by the DBS and can be found at:

www.gov.uk/government/publications/filtering-rules-forcriminal-record-check-certificates

www.gov.uk/government/publications/dbs-filtering-guidance