

## The Mill Policy and Procedure on Disclosure and Barring Service (DBS) checks for employees and volunteers

### Introduction

The Mill is committed to ensuring a safe environment for all those using the centre. As part of this commitment, The Mill will request DBS Disclosures where required for all those carrying out roles or activities in the Mill, whether as an employee or a volunteer.

The Mill positively welcomes the involvement of all sections of the community as set out in its [Equality and Diversity Policy](#) and **Policy on the Recruitment of Ex-Offenders**.

### Roles for which DBS Disclosures are required

The Mill will seek an enhanced DBS Disclosure for trustees, employees and volunteers who will be engaged in a Regulated Activity (e.g. leaders of groups working with unsupervised children on a regular basis). [Regulated Activity is defined by the Safeguarding Vulnerable Groups Act 2006 as work that a barred person must not do.](#)

The Mill will seek enhanced DBS Disclosures with a check against the “barred list” for Regulated Activity which involves working or volunteering with children or vulnerable adults which takes place on a “frequent” “intensive” or “overnight” basis.

The tool at the link below can be used to check which roles are eligible for a DBS.

<https://www.gov.uk/find-out-dbs-chec>

A simple flowchart showing “regulated activity” for children and adults are shown below :

Specified activities with children and what you need to consider			
Activity	Period condition	Supervision	Age of child
Teaching, training or instruction, care or supervision of children	More than 3 days in a 30 day period OR overnight between 2am & 6am with the opportunity for face to face contact with children	Must be considered	Under 18 – but not if the activity is in relation to the child's paid or unpaid employment AND they are 16/17.
Moderating a web service wholly or mainly for children	More than 3 days in a 30 day period ONLY	Not required	Under 18
Advice or guidance wholly or mainly to children	More than 3 days in a 30 day period OR overnight between 2am & 6am with the opportunity for face to face contact with children	Not required	Under 18 – but not if the activity is in relation to the child's paid or unpaid employment AND they are 16/17.
Driving a vehicle for children	More than 3 days in a 30 day period ONLY	Not required	Under 18
Health care or personal care	Once is enough	Not required	Under 18
Registering to be a foster carer or private foster carer	None	Not required	Under 18
Registering to be a childminder or child care provider, including voluntary registration	None	Not required	In line with regulations

**Regulated activities with adults are :**

Providing health care by, or under the direction or supervision of, a regulated health care professional

Providing personal care made up of :

Physical assistance with eating, drinking, toileting, washing, bathing, dressing, oral care or the care of the skin, hair or nails for adults who can't carry this out themselves because of age, illness or disability.

Prompting and then supervising with eating, drinking, toileting or washing bathing, dressing, oral care or the care of the skin, hair or nails for adults who can't decide to do this for themselves because of age, illness or disability.

Training, instructing, providing advice or providing guidance on how to physically assist an adult with eating, drinking, toileting or washing bathing, dressing, oral care or the care of the skin, hair or nails for adults who can't carry this out themselves because of age, illness or disability.

Providing social work by a social care worker to an adult who is a client or potential client.

Assisting an adult who can't manage themselves because of their age, illness or disability with the day-to-day running of their household relating to:

Managing the adult's cash;

Paying the adult's bills;

Shopping

Assistance in the conduct of an adult's own affairs, where:

A lasting power of attorney is created

An enduring power of attorney is registered or applied for

The Court of Protection has made an order in relation to the making of decisions on the adult's behalf

An independent mental health or mental capacity advocate is appointed

Independent advocacy services are provided

A representative is appointed to receive benefits payments on the adult's behalf

Conveying adults to, from or between health care, personal care and/or social work services who can't convey themselves because of their age, illness or disability

Day to day management or supervision of anyone carrying out the above activities.

Take from : NHS Eligibility Roles Leaflet\_adults\_v2 Disclosure and Barring Service.  
[Regulated Activity - Adults](#)

## Getting a DBS

The Centre Manager will arrange a DBS check for Volunteers and staff roles where required. The applicant will be required to fill in a form and provide proof of ID and address as set out by the DBS service. The Mill will pay for staff and volunteer checks. The Centre manager will ask to see DBS when issued and will record the date of issue and disclosure number, but will not take copies of ID or DBS certificates.

## Recruitment

The requirement to undergo a DBS check will be clearly stated in any recruitment materials. A suggested form of words is reproduced below:-

*This post involves working with children and/or vulnerable adults and is exempt from the Rehabilitation of Offenders Act 1974. You must, therefore, declare details of any cautions, criminal convictions, reprimands and final warnings given by the police, and any proceedings being instituted against you. With some exceptions, possession of a criminal record should not, in itself, debar appointment to paid employment or volunteering. If your application is successful you will be required to undertake a disclosure and barring check.*

Employment or volunteering for a role for which a DBS check is required cannot commence until a satisfactory DBS check has been obtained, except in specific circumstances indicated below.

## Starting paid or unpaid work without a DBS check

As indicated above, it is not the Mill's usual policy for employment or volunteering for a role for which a DBS check is required to commence until a satisfactory DBS check has been obtained. However, in circumstances in which it is vital to the running of the Mill that the individual starts work before receipt of a DBS check, it may be appropriate to allow the individual to start following an appropriate **Risk Assessment** endorsed by the Designated Safeguarding Officer.

## Frequency of DBS Checks

DBS checks for staff and volunteers will be renewed after three years.

A schedule will be maintained showing the renewal dates for all DBS checks to enable applications to be made in advance of the expiry date.

## Data Protection

All information relating to criminal records declared by trustees, employees or volunteers will be stored securely and will only be shared on a "need to know" basis with designated trustees.

## Acceptance of DBS checks carried out for other organisations

If an applicant has a DBS issued after 17 June 2013 and has subscribed to the Online Update Service provided by the DBS for a similar role, The Mill can check the status of the disclosure using the update service. If this is not the case, the applicant will need to make a new application for DBS.

## **DBS Disclosures which reveal criminal convictions**

A criminal conviction will not necessarily preclude an individual from working or volunteering at the Mill. However, should the check reveal criminal convictions or cautions, a discussion must take place between the individual and the designated Safeguarding Trustee before a decision is made as to whether or not to proceed with the appointment.

Factors which can be taken into account in making a decision may include:-

- The relevance of the offence to the employment or volunteer role
- The nature and seriousness of the offence
- The time which has elapsed since it was committed
- The age of the individual when it took place
- The explanation offered by the applicant
- Whether the offence has since been decriminalised

A brief record of the discussion and the decision as to whether or not to proceed must be kept and stored securely.

## **DBS “barred” lists**

Should The Mill become aware that an individual on one of the barred lists is seeking to work with children or vulnerable adults, the police should be informed.

If there are concerns about the conduct of anyone at the Mill towards children or vulnerable adults and they are engaging in Regulated Activity on a paid or voluntary basis, they should be removed from the Regulated Activity while an investigation is carried out. The police, social services or their employer should be informed as appropriate.