



DBS Checks and Covid-19

(Combined updates: March, May, August 2020)

Even in During these difficult and pressured times, we should take all available steps to ensure the safety of those we work with. Wherever possible, if you are recruiting staff and volunteers, they should be required to have the appropriate level of DBS check for which their role is eligible, or to share their current certificate, as usual.

As our workforce adapts to the requirements of the coronavirus response, there may be significant demand on the DBS processing service. This guidance is provided to help you to get people active swiftly but safely.

ALL staff and volunteers should stay informed of the guidance on coronavirus to keep themselves safe and healthy, and prevent infection being passed onto anyone else: phw.nhs.wales/topics/latest-information-on-novel-coronavirus-covid-19

icc.gig.cymru/pynciau/coronafeirws

As we practice social distancing, we may create many roles where there should be may have little contact between staff/volunteer and the beneficiary. In the vast majority of such roles (eg deliverer of goods), the Basic Check is the only appropriate measure and is therefore highly recommended.

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1. BASIC CHECKS

This check shows only **unspent** convictions – those for which the individual is still under legal penalty including the rehabilitation period for the offence - and conditional cautions (effectively, a suspension of prosecution with specific conditions attached).

It is possible for the individual applicant to obtain their Basic check online at a cost of £23 [DBS basic check](#) but there is no discount for volunteers. This also provides a way for someone to check what their Basic check would (and they should) disclose.

Basic checks can be asked of anyone who is being recruited into work or volunteering and can be achieved through the use of a self-disclosure form (see box below).

The self-disclosure form can be emailed to the individual who should complete it, print it, sign it, scan it and return it as an email attachment. Where a volunteer lacks the means to follow these steps, an unsigned version sent by email may 'hold' until a signed copy is received by post.

Reminders:

- Basic checks are **not** appropriate for roles requiring **contact in person** with those at risk

- Roles which expect repeated in-person contact with a child or adult at risk, where a relationship of trust is likely to develop, will be eligible for enhanced DBS checks, as a matter of good practice recommended by WCVA and the Charity Commission
- Roles held by staff or volunteers which deliver '[DBS](#) regulated activity' are required by law to be checked against the barring list(s) via an enhanced DBS check

DISCLOSURE FORM (basic check) SUGGESTED WORDING

'Organisation (name)' is providing this self-disclosure form for the purpose of safer recruitment. We can only legally ask you about your **unspent** convictions and conditional cautions (see more information below*). Please do not share with us information that we have no right to know. If you are unsure about your circumstances, you can check online at a cost of £23 [DBS basic check](#).

Please detail below your unspent convictions and conditional cautions. If you have nothing to disclose, please write N/A in the space below.

Sign and date this statement.

Name (print)

Signature

Date

A false declaration may result in disciplinary procedures and possible dismissal.

*Definitions:

Unspent convictions are those for which the individual is still under legal penalty including the rehabilitation period for the offence

Conditional cautions are a suspension of prosecution with specific conditions attached, and which could lead to prosecution at a later stage if conditions are not met.

2. EXISTING DBS CERTIFICATES

Where your new recruit already has a DBS certificate, ensure you 'see' their certificate in all circumstances:

New guidance from the DBS allows you to view it using video conferencing facilities eg skype; [DBS covid-19 changes to ID checking guidelines](#).

- Ask for a close up to check the level of check that was requested and the workforce the person was checked to work with (adults, children or both)
- Ask to see both sides and all pages to view any provided content on criminal history and police information
- Take a screen shot to evidence this viewing, if possible
- Record the date of issue (the only date on a DBS certificate), the level of check and the workforce
- Record any content and risk assess against the role to be performed as usual

Portable DBS checks

There are informal and formal ways to 'port' a DBS check but only within the limits of the certificate, to perform work requiring the same level of check and within the same workforce, only.

- 1) Informal portability: Your organisation can choose (at their own risk) to place people in roles that are part of the same workforce (adults or children) and require the same level of check (basic/enhanced only/enhanced with barring list) if they are moving directly from one role to another (no time gaps) without any reason for concern in the previous role, or if the certificate is less than three months old but there is a gap in their working career
- 2) Formal portability: Use the Update Service for a free immediate online status check, [DBS update service](#) but this is only applies if the applicant has already subscribed and the new role is within

their certificate limits. You must still carry out the visual checks of their certificate as above and view also their personal ID eg driving licence. Promote subscribing to the Update Service to anyone getting a new check

3. NEW CHECKS

Some reminders when applying for new checks from the DBS:

- Checks will be easier and swifter whenever the applicant has a current driving licence and UK passport and the application is submitted through an online portal
- Use some of the smaller (**not** the big nationals) providers who could be a little less overwhelmed right now (the 'person' element in the process plays a much smaller part than used to be the case)
- The police timeframe to return their information hasn't changed and may suffer if they may lose capacity to undertake this work

4. FREE, FAST-TRACK CHECKS

In response to coronavirus (COVID-19), the Home Office and the Disclosure and Barring Service (DBS) have put temporary arrangements in place, to provide standard and enhanced DBS checks and fast-track emergency checks of the adults' and children's Barred Lists, free-of-charge. This is for the purpose of emergency recruitment and back-filling of vacancies during the pandemic, also requiring relevant temporary registration for the role. These checks will not be eligible for subscription to the Update Service.

The roles which can apply for free checks and fast-track barring list checks are: nurse, nursing associate and midwife, registered health professional, registered social worker, registered medical practitioner, pharmacist or pharmacy technician.

Reference: www.gov.uk/government/publications/covid-19-free-of-charge-dbs-applications-and-fast-track-barred-list-check-service

5. DBS ADULT FIRST CHECK

Working with adults at risk in regulated activity **only**.

DBS Adult First is a service available to organisations who can request a check of the DBS adults' barred list (cost £6). Depending on the result, a person can be permitted to start work, under supervision, with vulnerable adults before a DBS certificate has been obtained.

More guidance regarding adult first checks can be found [here](#).

The requests carry strict criteria:

- the position must require a criminal record check by law
- the position must be eligible for access to the DBS adults' barred list
- the organisation must have requested a check of the DBS adults' barred list on the DBS application form

The DBS' reply to an adult first check request will contain one of the following responses and will clearly state that it only forms the first part of the criminal record check application process and that further information will follow:

- option 1: 'Registered Body must wait for the DBS certificate'
- option 2: 'no match exists for this person on the current adults' barred list'

If the adult first check indicates that the Registered Body must wait for the DBS certificate, the details provided may have indicated a match on the DBS adults' barred list. However, further investigation is required to confirm this and you should await the certificate. Alternatively, the check will state that no match exists for the individual on the adults' barred list.

6. FOR ALL ROLES REQUIRING A DBS CHECK

Remember that you can:

- Use video facilities for checking ID and request scanned ID images during application process
- Use the Update Service for formal porting of checks: if role is in the same workforce (children or adults, or both) and same level of check (enhanced with/without barring list check). View the certificate and ID using video facilities
- Use a recent certificate (ideally printed in the last 6 months, this date will be on the certificate) for informal porting: if role is in the same workforce (children or adults, or both) and same level of check (enhanced with/without barring list check) and ask about career during this period. View the certificate and ID using video facilities
- For enquiring about a basic check (can be asked for all roles, appropriate for roles without any actual contact, will cost £23 online), use a self-disclosure form to ask about **unspent convictions** only

Reference: www.gov.uk/government/news/covid-19-changes-to-dbs-id-checking-guidelines

7. USEFUL LINKS

- [Covid-19 guidance for the charity sector](#)
- [DBS check guidance for employers](#)
- [DBS guidance leaflets](#) (including Welsh language copies)

8. DISCLAIMER

This guidance is intended for information only. It is not a substitute for legal or professional advice and WCVA accepts no liability for any loss occasioned as a result of any person acting or refraining from acting upon it.