



## Disclosure & Barring Service Policy

The Disclosure and Barring Service (DBS) was established in December 2012 under the Protection of Freedoms Act 2012 to undertake disclosure and barring functions. Principally, it is a service to help employers to assess the suitability of applicants for certain posts by checking information about them held on police records.

In using DBS, the Company undertakes to treat all job applicants fairly and not to discriminate unfairly against any job applicant on the basis of conviction or other information received.

Places Leisure complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosure information, and also with its obligations under GDPR and other relevant legislation.

DBS checks represent one element of the Company's thorough recruitment and selection processes. A DBS Disclosure will only be requested where the Company is satisfied that it is legal, proportionate and relevant to the position concerned, and the check allows the Company to make an informed decision regarding the suitability of an individual for the position they have applied for.

Further information can be found within the DBS Employer Guide - <https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers>

The company uses uCheck to process all full DBS checks online.

## **DBS Update Service**

For an annual subscription of £13, applicants can have their DBS Certificate kept up-to-date and take it with them from role to role. If applicants are a member of the Update Service, we can request that they share their check code with us and this can be used to check their current DBS status.

The GM will need to:

- Obtain the check code from the individual;
- Check that their original DBS was for the appropriate level, i.e. enhanced with Children's Barred List check,
- Check the persons identity;
- Check the name on the DBS Certificate matches this identity;
- Ensure the individual understands we will be carrying out a check on their DBS status;
- Take a note of the DBS Certificate reference number and the persons name and date of birth;
- Log on to <https://secure.crbonline.gov.uk/crsc/check?execution=e1s1> to check the status.

The DBS carry out weekly conviction checks and at 9 month intervals, they check for non-conviction information and update the status immediately. Therefore the information you view is current.

Through the update service we can also check whether the individual has been added to a barred list, since the original DBS was carried out. This is under a separate status check through the same update service, with no additional cost.

The colleague can reclaim the £13 annual subscription through the DBS Update Service claim form. This form can be found on People Knowledge and needs to be sent to the People Team once the Manager has signed the form.

## **Levels of Disclosure**

There are essentially three types of DBS disclosure:

Eligibility for such disclosures is now set out in the following legislation;

- **Standard disclosures** – to be eligible for a standard level DBS certificate, the position must be included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975.
- **Enhanced disclosures** – to be eligible for an enhanced level DBS certificate, the position must be included in both the ROA Exceptions Order and in the Police Act 1997 (Criminal Records) regulations.
- **Enhanced checks with children's and/or adults' barred list check(s)** – to be eligible to request a check of the barred lists (Children, Adults or both), the position must be eligible for an enhanced level DBS certificate as above (be specifically listed in the Police Act 1997 (Criminal Records) regulations) and meet the definition of regulated activity as being eligible to check the appropriate barred list(s).

## Eligibility

The minimum age for a DBS check is 16 years old. This means you cannot request a check for someone who is under 16 years of age.

We employ 14 and 15 year olds in sports helper roles, these individuals are classed as children for the purposes of DBS and their direct Line Manager or Supervisor must be DBS checked. It is likely they will require an enhanced DBS check with children's barred list.

Please note that a number of roles within the company will require a DBS check. The level of check required will depend upon the work undertaken by the individual. It is likely that the enhanced check will be required for Assistant Coaching/Teaching/Instructing roles where they are carrying out work supervised at all times. For example, a Swim Teacher is always supervising an Assistant Swimming Teacher, the Assistant Swimming Teacher would require an enhanced check and the Swimming Teacher would require the enhanced check with Children's barred list.

It is likely that the enhanced check with children's barred list will be required for any teaching/coaching/instructing positions where the work is unsupervised. A table is provided later in the policy to outline the level of check generally required for each role.

It is unlikely that a Group Workout Instructor would require a DBS check unless they are teaching classes which are specifically for under 16s only (for example teen indoor cycling sessions).

In the eyes of the DBS, a child is someone who has not yet reached the age of 18 and is still in education. If the individual is 16 and 17 but has left full time education, they are viewed as an adult by the DBS.

The classification of a child is in relation to the regulated activity that our employee is undertaking and not the age of the employee themselves. So as above, the GWOI would require a check if they are teaching classes for under 16s or 16/17 year olds in education.

For our employees, we can DBS check anyone who carries out that type of work and is 16 years or older. The Line Manager or Supervisor (whose duties include the day-to-day management) of someone who has had an enhanced DBS check (with children's barred list for being in regulated activity with children) will also require the same level of check.

Not all roles that share the same job title will be eligible for an Enhanced Disclosure (or a children's barred list check) and each role must be assessed individually by the General Manager (GM). If you are unsure whether a role is eligible to be DBS checked or what level of check can be conducted, please use the DBS eligibility tool in the first instance (<https://www.gov.uk/find-out-dbs-check>). If you are still unsure please seek guidance from the People Team or Safety Team.

To determine the level of disclosure that may be required, managers should follow the following steps;

**STEP 1** – Determine the context of the role – who will the post holder work with? Children, vulnerable adults, or both?

**STEP 2** - Initially consult Appendix A to establish if the position comes under the definition of regulated activity and is therefore entitled to an enhanced DBS check (including a check for the barring list).

**STEP 3** - If the position does not come under this definition then managers should consult Appendix B to establish if the position comes under the definition of regulated activity and is therefore entitled to an Enhanced DBS check (but not including a barring list check).

**STEP 4** - If a post does not come under either of the above definitions then it is not entitled to an Enhanced DBS check or

an Enhanced DBS check for regulated activity. \*Please note it is an offence under the Police Act 1997 to submit a DBS application for a post holder when the role is not eligible for a DBS check.

Role	Level of check required
Lifeguard	Enhanced check with Children's barred list
Duty Manager	Enhanced with Children's barred list
Swimming Teacher	Enhanced with Children's barred list
Junior Activities Instructor	Enhanced with Children's barred list
Gymnastics/Trampoline Coaches	Enhanced with Children's barred list
Sports Coaches	Enhanced with Children's barred list
Fitness Instructor carrying out supervised teen gym sessions	Enhanced with Children's barred list
Group Workout Instructor teaching designated teen sessions	Enhanced with Children's barred list
Assistant Teacher/Assistant Instructor	Enhanced check
Crèche Assistant	Enhanced with Children's barred list
Crèche Supervisor	Enhanced with Children's barred list
Manager of 14/15 year old	Enhanced with Children's barred list

Manager of employee who has an Enhanced check with Children's barred list	Enhanced with Children's barred list
Central Support Functions and Finance	Basic DBS

## Procedure

The following procedure is completed by the line manager with the prospective employee.

1. *The line manager will check whether the new starter is a member of the DBS Update Service.* If they are, see the DBS Update Service section above. If the new starter does already have a DBS certificate, the number for this should be shared with the People Team to update the Resourcelink record.
2. If the applicant does not have a DBS Certificate already, they should be provided with information about the DBS identification checking requirements and the types of identification documentation (ID) they must produce to enable the DBS check to be processed. All of the information relating to the DBS process can be found on the People Knowledge area under the Recruitment tile. DBS ([sharepoint.com](https://sharepoint.com))
3. Applicant brings proof of ID to Centre. The line manager will verify the applicants ID and complete the DBS check request form.
4. The completed DBS check request form is sent to [peopleteam@pfpleisure.org](mailto:peopleteam@pfpleisure.org) (The People Team) together with an explanation of the role, the activity and whether the role will work with children, vulnerable adults or both.
5. The People Team will initially check the form, confirm whether it is ok to proceed with the DBS check, and if so confirm that an email has been sent from uCheck to the applicant for them to complete their personal details.
6. The People Team will be informed by uCheck once the individual has completed their personal details. The People Team will verify the information entered by the applicant with the information submitted on the DBS check request form. If all the information matches up the application will be submitted and sent to the DBS for processing via



uCheck. If there are any queries or questions with the information entered by the applicant the People Team will contact the GM to resolve with the applicant.

7. The People Team will input the DBS e-form reference number on ResourceLink and the date of when the check is submitted to the DBS.
8. Once the applicants DBS check is complete the People Team will be informed by uCheck and will then inform the GM:
  - a. When completed DBS checks are clear the People Team will inform the GM. The GM can then confirm the appointment and start date of the employee (assuming all other pre-employment checks are complete). The People Team will be able to view a copy of the DBS certificate on the uCheck portal.
  - b. When completed DBS checks have a positive disclosure the People Team will inform the GM. The GM will request to see the individuals DBS certificate. The positive disclosures section (below) must then be followed. The People Team will not be able to view a copy of the DBS certificate on the uCheck portal.
9. The People Team will update Resourcelink with the Disclosure Certificate reference number, issue number and the date of when the GM is informed of the results by the People Team.
10. The applicant keeps the Disclosure Certificate. The Company must not keep a copy.
11. The People Team carry out a monthly audit to check whether all of those individuals in a DBS required role have a DBS recorded on the system. Any anomalies will be communicated to the GM on a monthly basis.
12. No applicant's offer of employment will be confirmed in the eligible role until the DBS Disclosure Certificate is received and accepted. They must not start work in an eligible role until the GM has signed off the Certificate or received confirmation from the People Team that the DBS check is clear. Please see section below on New Starters for any exceptions.

## **Volunteers**

The DBS have a clear definition for a volunteer – the applicant must be undertaking unpaid voluntary work which is not for work experience or as part of any educational course or programme. The volunteer must only be in receipt of expenses and no other remuneration or benefits. The GM must make the People Team aware if a DBS check is being requested for a volunteer.

## **New Starters**

Anyone starting a role requiring a DBS must wait for the DBS check to be returned before they commence work. However, there may be times where this would cause operational disruption or impact our ability to properly provide our services. In these cases, the role can commence with the appropriate risk assessment and control measures in place to reduce the risk. For example, the new starter would be supervised all of the time, they only carry out training or carry out alternative work until the DBS is returned. A copy of the risk assessment must be sent to the Safety team prior to the start date of the individual via [incidentreports@pfpleisure.org](mailto:incidentreports@pfpleisure.org)

To support the Hiring Manager, the People Team will email them at the point the offer is being processed, prompting them that the role requires a DBS check and sharing the link to the DBS application.

At the end of each month the People Team will carry out an audit of new starters first shift against the date their DBS was returned and seek the appropriate risk assessment confirmation where the shift was worked prior to the DBS return.

**If an individual has transferred from another company within Places for People, or has transferred into a DBS role, they will need to have a check undertaken as if they were a new starter (i.e. before they undertake the duties of their new role).**

## Tracking

Managers and/or applicants are able to track the progress of their DBS application online using the DBS tracking service. You will need the form reference number and applicant's date of birth.

<https://secure.crbonline.gov.uk/enquiry/enquirySearch.do>

## Positive disclosures

Should the DBS return a positive disclosure, the People Business Partner or Advisor will be in touch with the GM.

The GM will discuss the disclosed details with the applicant before any recruitment decision is made.

During the discussion the GM will complete the Positive Disclosure Assessment of Suitability form Assessment of Suitability Form.doc ([sharepoint.com](https://sharepoint.com)) to obtain relevant information in order to make an informed decision regarding the applicant's



suitability for the position applied for.

The GM will consult with the People Team before the final recruitment decision is made, to ensure a consistent approach is being adopted across the Company.

Rechecking

There is no legal requirement to recheck employees, unless specifically required for Ofsted or other Governing Bodies (for example, British Gymnastics, Lawn Tennis Association or Amateur Swimming Association). However, not re-checking the DBS carries risk as the status of the original DBS may have changed and as an Employer we would not automatically know about this. As such, re-checking is being introduced from the 1st April 2023. All DBS checks will be re-checked at a 3 yearly interval. Once the existing DBS check reaches 3 years, the check will be carried out in full and then the individual will be asked to sign up to the update service going forward. The People Team will let the GM know in advance of the expiry that the DBS process needs to commence for that individual.

The original DBS certificate must be dated within 30 days for the individual to be able to sign up to the update service. Please see section on 'Update Service' for further information.

DBS information

Information type ▾

Title ↑

DBS Update Service Claim Form



DBS Check Request Form



Assessment of Suitability Form



Appendix - Definition of regulated...



Appendix - Definition of regulated...

