



Disclosure &  
Barring Service

## DBS News

September 2013

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Hello and welcome to September's edition of DBS News.

My last few introductions to DBS News have focussed upon the recent legislative changes and the impact this has had on you, on us and on police forces. Whilst we continue to see some issues as these changes bed in, and deal with our seasonal increase in application volume, our turnaround times are now improving again.

We are working flat out to meet the increased demand, particularly as many of you seek our advice on the changes, and seek progress reports on those applications that are with our police colleagues. We've moved staff from less time critical teams to help, and are providing a very popular call back service.

We really do appreciate your patience during this busy time and the considerable efforts you are making to respond to the changes.

In this edition, we focus on further tips for disclosure application completion - with the two biggest issues remaining: Sections x61 and x66. We now have [workforce guidance](#) on our website which you will find helpful when filling in section x61 and have provided specific examples in our home based article to illustrate the rights and wrongs of x66.

We know many of you work out of hours, and so we're developing our first e-guide to disclosure forms. Some of you have been helping us test this, and we hope to make it available in mid-October. I hope you like the sneak preview in this edition.

It's clear that there is a need for continuing advice about completing application forms, so from next month, those of you who work with criminal record checks will receive this information directly from Sue Quigley our Director for Operations (Disclosure).

We'll be changing the focus of DBS News to cover all of our services at the same time, so I look forward to sharing this with you in the autumn. Please do let me know what you'd like to see.

Of course, if there is anything else we can help you with please just say. We always



applied for relates to working with children.

Our sample showed that more than 200 applications for cleaners in schools had 'Other' crossed on the form as the workforce. Although this work is not directly with children in the same way that teaching is, it **is** within a school environment so both teacher and school cleaner are in the '**Child**' workforce. This also applies to other non-teaching or caring roles that take place in establishments wholly or mainly for children such as schools, nurseries, children's homes.

Here are some other examples we have found where 'Other' workforce has been input in section x61 and it should instead be 'Child' workforce:

- Adult members of fostering, childminding or child care households. Their role is not to care for the child but they **are** in a child-centred environment so you should put 'Child' workforce in section x61, line 1 for these types of positions.
- You are getting it right when you apply the 'Other' workforce to applications for a taxi or private hire licensing application. However, as an example, once the driver has their licence and is then asked by their employer/other organisation to transport children to or from school, 'Child' workforce should be used on that new application.
- In the same way, a school bus driver is also in the 'Child' workforce.

### **Adult Workforce**

We have found a similar pattern in the 'Adult' workforce with cleaners or ancillary staff in care homes where 'Other' is being used in section x61, line 1 instead of 'Adult' workforce.

Although this work is not directly with the service users in the care home in the same way that staff giving personal care or health care do, both work in an environment which caters for adults who need those services. So cleaners and ancillary staff in care homes are in the 'Adult' workforce and this should be put for these positions in section x61, line 1.

When you are driving adults to or from a place where they will attend an activity which is designed for their needs because of their age, health or disability, for example, a day centre, then you are in the Adult workforce even though this is no longer Regulated Activity.

To help you further, the Department of Health have drafted a Factual Note on the Eligibility for DBS Checks within the 'Adult' workforce. Click [here](#) to go straight to it.

### **Other Workforce**

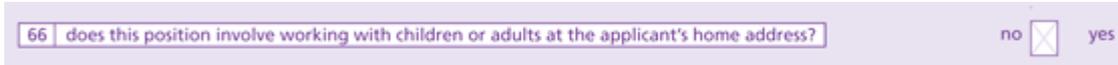
There are very few roles which are eligible for a DBS Enhanced check and are in the 'Other' workforce.

The only position in the 'Other' workforce which is eligible to request children or adult barred list information is taxi or PHV licensing applications.

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## How to get Home Based right

Lots of you are still having problems correctly completing section x66 of the application form. Incorrect application forms often lead to delay and inconvenience to you and applicants, so we want to work with you to get this right.



66 does this position involve working with children or adults at the applicant's home address? no  yes

What you need to consider before you answer x66:

- Where does the applicant (whether in voluntary or paid employment) carry out the main duties of the job?
- Does the work take place at the applicant's own home address, or does it take place in somebody else's home?

**If the applicant is working from their own home address, providing a service or care from the place where they live – cross 'yes' at x66.**

**If the applicant is providing a service or care outside the place where they themselves live, and going to somebody else's home – cross 'no' at x66.**

To help you understand more about how to correctly fill in section x66, we have reviewed a sample of incorrectly completed forms and highlighted common errors for you:

- **Medical professions - Student Nurse /medical student/doctor/practice nurse/psychologist/physiotherapist.**

We understand some medical professionals are asked to administer health care to people who cannot visit a surgery or health care centre; however, they are carrying out their work in the **patient's own home**. Therefore, this is not a home based occupation.

There may be times when a medical professional has their surgery in a part of their own home. You need to determine whether this should be classed as a home based occupation.

Overall, the majority of applications for medical positions are not home based occupation.

- **Social Care for adults - Domiciliary care worker/carers/befrienders/person in charge/delivery drivers.**

For the Adult workforce, the Department of Health has confirmed that only those individuals who take part in the Shared Lives programme are to be classed as a home based occupation. Furthermore, this extends only to the primary carers of the adult, and not the adult members of that household.

## What is the Shared Lives programme?

This used to be known as adult placement and it is when carers share their family and community life with someone who needs some support to live independently. Shared Lives carers support disabled adults, older people with dementia, and people with mental health problems.

If your employee works in a care home, sheltered accommodation or goes to an individual's private home to carry out their duties they are not in a home based occupation.

- **Teaching professions - Teacher/supply teacher/classroom assistant/mentor/classroom support/volunteer reader**

The majority of these posts take place in a school environment and not the teacher's home. Therefore, they are not carrying out a home based occupation role.

There may be some occasions where a child goes to a private house to receive some form of teaching or instruction. Where such teaching or instruction takes place in the teacher's private residence, you should consider this as home based.

Some incorrect examples of home based we've recently received are:

- Lifeguard
- Church reader
- Taxi driver
- Builder
- Prison placement.

We hope this information helps you understand what *is*, and *is not* home based.

### **Home based checks do play a valuable part in the service we provide to you.**

When a home based check is requested, the police consider any relevant information they have in relation to the address on the application form. If they deem it necessary, they will release information on the certificate which may not be in relation to your employee directly, but about people who live at that address, or known associates of your employee or visitors to that address.

Third party information can be useful to employers; it allows them to accurately assess the risk of placing children or adults, who need care or support, in a household.

However, if you tick that box incorrectly you could find yourself in a situation where you have access to information you have no authority to see. You should not use it to make a recruitment decision or you might find it difficult to demonstrate that you did not use it to dismiss someone from or refuse them employment.

The police often contact us to confirm a position is a home based before they continue with their checks. Then we need to contact you; this can add avoidable delays into your recruitment process.

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## Applicant-only certificates: why did it change?

We understand that the introduction of the applicant-only certificate is causing disruption to some of you. This change was introduced by the Government and we apologise if the reasons behind the change have not been clearly explained to you.

When looking at the previous criminal records system, the Government was keen to understand the difficulties that you were experiencing when using it. It commissioned reviews of the vetting and barring scheme and the criminal records regime with a view to scaling them back to common sense levels.

The reviews made a number of recommendations for change. The Government considered these and made changes to the legislation which became law in the Protection of Freedoms Act 2012. A number of the changes were to ensure proportionality and give the applicant greater control over the disclosure of their information.

This included the applicant-only certificate, which ended our practice of automatically sending copies of a DBS certificate to Registered/Umbrella Bodies. There are two key reasons for this change:

- To allow an applicant to dispute, and if appropriate, have corrected any inaccurate information, or any information which should not be disclosed, before being seen by a potential employer. Incorrect information cannot be 'unseen' once disclosed and could have a detrimental effect on applicants seeking employment or voluntary work.
- Provides the applicant with a greater degree of control over their disclosure of information to an employer. For example, they may choose to discuss the circumstances of any criminality information directly with an employer prior to providing the certificate.

This change has been supported by strengthening the basis for the police disclosure of local information. This now ensures that the chief officer of police must have reasonable belief that this information is relevant to the purpose of the disclosure. It also provides an independent element to the resolution of disputes through the DBS Independent Monitor.

It was always recognised that you may need to change your administrative arrangements to receive certificates and we are trying to make this as straightforward as possible. We have listened to your feedback and are developing a service for you to check on the progress of an application and whether a certificate is clear of any criminality information – this is already available for our e-bulk users.

The introduction of the Update Service means that millions of employees and volunteers no longer have to apply for a new criminal records check each time they apply for a job. Instead, they will only have to apply once for a certificate and can then go online for an instant check to find out whether their existing certificate is still up-to-date. This will speed up the recruitment process, saving time and money and making it easier for people to change jobs in the same sector while ensuring robust

safeguarding measures are in place.

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## Update Service: making Status Checks work for you

Now that over [15,000 individuals have subscribed to the Update Service](#) so they can take their certificate from role to role or allow their employer to carry out quick re-checks, even more of you will be able to benefit.

Next time you recruit someone or carry out a re-check of their DBS Certificate, you can take advantage of free and instant online Status Checks if they have subscribed to the Update Service. With the individual's permission, you can use their current DBS Certificate and [carry out a Status Check](#) to see if any new information has come to light since its issue.

If you would like to carry out Status Checks but the individual hasn't subscribed, encourage them to do so when they apply for their next DBS Check at [www.gov.uk/dbs-update-service](http://www.gov.uk/dbs-update-service). Where possible, give them their application reference so they can subscribe straight away. If they forget to subscribe at this time they still have another opportunity when they receive their DBS Certificate.

To subscribe with their DBS Certificate number they must do so **within 14 days** of the DBS Certificate issue date.

### Need to carry out a lot of Status Checks?

If you're concerned that carrying out large numbers of Status Checks could be time consuming, don't be! By carrying out multiple Status Checks at the same time, you will benefit from using the Multiple Status Check facility which we have introduced to allow you to make an almost unlimited number of Status Checks simultaneously.

### Here's how:

You will need to arrange for your organisation or IT department to develop the system, or functionality within your existing system, to be able to submit multiple checks.

We have published a new and improved guide to help your organisation do this. It can be done quickly and simply; all the information needed to develop the system is included in the [Update Service Multiple Status Check Facility guide](#).

### Benefits to you

- Quick online checks of DBS Certificates.
- Ability to carry out large numbers of checks at the same time.
- No more time consuming DBS application forms to fill in.
- You may never need to apply for another DBS check for an employee again.
- Saves you time and money.
- Enhances your safeguarding processes and may help to reduce your risks.
- Easy to incorporate into your existing suitability decision-making processes.
- Less bureaucracy.

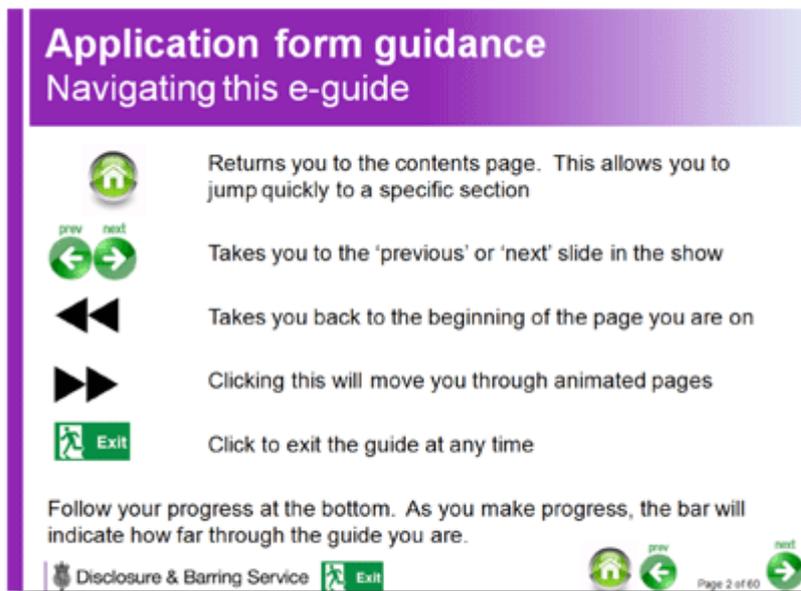
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## Introducing our e-guide

Last month, we told you that an e-guide was being developed to replace our training events. This is in line with our Principles; a commitment to deliver, where possible, services which are digital by default. Some of you have now tested the guide and given us your feedback. Thank you for taking the time to do this. It has been really useful in helping us tailor the guide to meet your needs.

The aim of the guide is to help you reduce the number of application forms rejected due to errors. Recently, there have been a number of changes to the way you fill in the application form and these are reflected in the e-guide. We are really pleased that everyone who took part in testing believes the e-guide will help reduce errors when completing the application form.

Below is a little sneak-preview of what you can expect in the way of instructions when you use the e-guide:



We want the finished product to be user-friendly, so we were delighted to hear that our test audience found the guide “very useful, clear and easy to use”. One respondent said that: “As someone who is IT challenged, I found it easy to use and to understand.”

Having you on board at an early stage to help with the testing helped us identify some practical issues. We appreciate the time you have spent in helping us to get the guide right. We have now resolved these issues, and are pressing ahead with the finishing touches.

We look forward to sharing the e-guide with you shortly on our website.

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## Unlocking Criminal Record Checks

Trying to turn your life around following a conviction or caution can be tough – particularly in applying to get a new job. While we provide you with information to help you recruit the right people to the role, having a criminal record should not always stop someone from getting a job or even applying for one.

To help bring some clarity, we have teamed up with Unlock, the national charity that provides information and advice services for people with convictions, to publish a detailed guide all about the DBS checking process for people who have a criminal record.

The guide is called ‘Unlocking Criminal Record Checks’ and is available [here](#) from Unlock’s website. It contains information that will help those with convictions understand how the process works and how it impacts on them.

Alongside the guide, Unlock has recently published two articles that will really help applicants with a conviction or caution understand a bit more about dealing with their criminal record in the world of work:

- ‘*Ways to find out about your criminal record*’ available [here](#)
- ‘*Disclosing your convictions to employers*’ available [here](#)

We think you will find them – and the guide - really useful so please share or signpost them to applicants, colleagues and organisations with whom you work.

You can help any applicant worried about having a criminal record by passing them the Unlock Helpline number. They should call 01634 247350 and press 1 or use the various other ways listed [here](#) to get in touch.

Unlock can provide applicants with advice and offer support to organisations recruiting people with convictions. If you want to get in touch with Unlock, email them on [enquiries@unlock.org.uk](mailto:enquiries@unlock.org.uk) or call 01634 247 350.

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## More ways to keep up-to-date

As well as signing up to our e-database to receive updates about topics that interest you, did you know that another way to keep in touch with all our latest news and updates to guidance is by subscribing to email alerts through our website?

When a latest news story is added, or we make a change to a guidance document on the site you can opt to be alerted.

These emails are managed by GOV.UK so all you need to do is sign up! Here’s how:

- Go to [www.gov.uk/dba](http://www.gov.uk/dba) and scroll down the page until you see the ‘Latest

notices' box:

## Latest

### DBS filtering guide

updated 13 September 2013 Guidance

### DBS criminal record checks: Police performance

updated 10 September 2013 Statistics

### DBS workforce guidance

published 10 September 2013 Guidance

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 [atom](#)    [email alerts](#)

- Click on the 'email alerts' link. You can then use the dropdown boxes to choose the type of information you want to be alerted to

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## 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](mailto:customerservices@dbs.gsi.gov.uk)

### Websites:



[www.gov.uk/dbs](http://www.gov.uk/dbs)

Use our online tracking service to check the progress of DBS applications by visiting [www.homeoffice.gov.uk/dbs-online-tracking](http://www.homeoffice.gov.uk/dbs-online-tracking)