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| Item | Details |
| Reference: |  |
| Status: | **Final** |
| Originator: | **Senior HR Advisor** |
| Owner: | **Head of Human Resources and Organisation Development** |
| Version No: | **3** |
| Date policy was last approved: | **July 2021** |

**Disclosure and Barring Service (DBS) Checks**

**Policies and Procedures**

Key policy details

**Approvals**

|  |  |  |
| --- | --- | --- |
| **Item** | **Date of Approval** | **Version No.** |
| Consulted with Corporate Leadership Team | **7 August 2024** | **2** |
| Consulted with trade unions | **September 2024** |  |
| Reviewed by |  |  |
| Approved by [insert] | **30 October 2024 (CLT)** | **3** |

The policy owner has the authority to make the following minor changes without approval

Legislative changes Job title changes

**Policy Location**

This policy can be found at [insert location of policy e.g. North West Leicestershire District Council (NWLDC) website, Sharepoint page under current policies tab]

**Revision history**

|  |  |  |
| --- | --- | --- |
| **Version Control** | **Revision Date** | **Summary of Changes** |
| [Insert version no.] | [Insert date of revised version] | **[Insert amendments** **made to previous version]** |
| 3 | 30/10/24 | Minor amend from UNISON agreed at the Corporate Leadership Team to highlight how employees obtain their DBS check (link inserted). |
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**Policy Review Plans**

This policy is subject to a scheduled review once every three years or earlier if there is a change in legislation or local policy that requires it.

**Distribution**

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| **Title** | **Date of Issue** | **Version No.** |
| [Insert e.g. distributed to Cabinet, on Website etc]. | Website 03/12/24 | 3 |
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**Policy on Disclosure and Barring Service (DBS)**

**1. General principles**

1.1 North West Leicestershire is committed to safe recruitment practices and, where appropriate and legitimate, will utilise the Disclosure and Barring Service (DBS)

1.2 DBS standard and enhanced checks cover spent and unspent convictions and cautions and will be used for posts that are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) (ROA) and /or the Police Act 1997 (Criminal Records) regulations.

1.3 DBS basic checks cover unspent convictions only and will be used where there is the need for additional security in recruitment – for example where there is the need to use secure government data.

1.4 There is detailed guidance and legislation relating to which posts can be the subject of a DBS check. The role should involve frequent and / or unsupervised contact and / or over a specified period of time with a child (18 and under) or adult at risk (defined as having need for care or support, whether or not it is being provided, if experiencing or at risk of neglect or abuse and as a result of those needs is unable to protect themselves from neglect or abuse or the risk of neglect of abuse). This would include teaching, training or instructing, care or supervision, where this is not merely incidental, giving assistance, providing advice or guidance (in relation to their emotional or educational well-being in the case of children) In these cases an enhanced disclosure would be required, which reveals spent and unspent convictions, cautions, formal reprimands and final warnings held on the Police National Computer, checks against either the Protection of Children Act or protection of Vulnerable Adults lists (or both, if appropriate) and any intelligence the police may hold on an individual that may affect their suitability . There are also some specified jobs that require DBS checks. Traffic Wardens are listed as requiring a standard check. It is important that the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) is not breached by submitting ineligible disclosure requests.

Managers can check the eligibility of a role for a check using the DBS on-line checker tool at the following link: - [Find out which DBS check is right for your employee - GOV.UK (www.gov.uk)](https://www.gov.uk/find-out-dbs-check)

1.5 Legislation is currently in force that allows certain old and minor convictions to no longer be subject to disclosure. In summary the following will **NOT** be included

## **1.6** For those 18 or over at the time of the offence

1.6.1 An adult conviction will be removed from a DBS certificate if:

* 11 years have elapsed since the date of conviction; and
* it is the person’s only offence, and
* it did not result in a custodial sentence.
* it does not appear on the [list of offences which will never be filtered from a certificate](https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check).

If a person has more than one offence, then details of all their convictions will always be included.

1.6.2 An adult caution will be removed after six years have elapsed since the date of the caution and if it does not appear on the list of offences relevant to safeguarding.

## **1.7** For those under 18 at the time of the offence

## **1.7.1 The same rules apply as for adult convictions, except that the elapsed time period is five and a half years.**

1.7.2 The same rules apply as for adult cautions, except that the elapsed time period is

two years.

1.8 See [www.gov.uk/government/collections/dbs-filtering-guidance](http://www.gov.uk/government/collections/dbs-filtering-guidance) for more information on what will not appear on the DBS certificate and for the list of offences that will never be removed.

1.9 A number of posts within NWLDC have, therefore, been identified as requiring a DBS check. This list is held by Human Resources and has been drawn up with reference to the guidance and consultations with Team Managers and Heads of Service. The list of current roles is attached at Appendix 4, but clearly this will change over time and should not be considered to be exhaustive. It is the responsibility of the recruiting or employing manager to consider the role and duties of each job to assess whether a check is required.

1.10 This policy will be updated to take account of changes in legislation that occur from time to time.

**2. Process**

2.1 If a DBS check is needed for a post the advert and job pack will contain reference to this requirement.

2.2 Where a DBS check is required, new applicants will not be confirmed in post until a satisfactory DBS check has been received. This is:

1. To ensure the Council does not risk an unsuitable person obtaining access to a

child or adult at risk.

1. It is not good practice to start someone in a post and then dismiss them because of an unsatisfactory DBS check.

2.3 The non-confirmation in post will be made clear on the letter of appointment and a satisfactory DBS check will be a contractual requirement. Therefore, in appropriate posts if someone commits an offence which makes them unsuitable to work with children or adults at risk they will be in breach of the contract of employment, being unable to fulfil one of the conditions.

NWLDC will use a processing organisation to undertake the actual check. This is because insufficient quantities of Enhanced and Standard checks are carried out to meet DBS thresholds and Basic checks can only be carried out by a limited number of certified bodies.

The Council currently uses uCheck, the largest DBS umbrella body in the UK. uCheck is recognised by the DBS as a top responsible organisation for Basic checks and is a registered umbrella body for Standard and Enhanced checks. They comply with the standards required by the DBS for carrying out all levels of DBS checks.

DBS questionnaires are completed on-line by applicants who are sent a link.

Identity verification is carried out by Human Resources (HR) and confirmation that the post is eligible for the standard of check requested.

2.5 It is important that the identification of applicants is verified accurately and comprehensively. Human Resources staff will do most of the checking. There are circumstances, however, when this would not be possible, such as staff who work at other sites and where it is inconvenient for them to attend at the Council Offices. In such circumstances the forms may be checked by the post’s supervisor, but in accordance with guidelines issued by HR. Applications will be verified and processed by a Senior Human Resources Adviser.

2.6 A disclosure that reveals that someone does have a conviction does not automatically mean that a person is not suitable for the post. The relevance of the conviction and the risks posed must be assessed in accordance with the NWLDC Code of Practice for dealing with contra indicators arising from DBS checks and assessing the risk to working with children and adults at risk.

**3. Rechecking DBS / DBS update service**

3.1 DBS checks are not automatically updated, so they will only contain information available at the date the disclosure is made. In order to ensure that information is up to date it has been agreed that NWLDC will reimburse individuals’ subscription fee to the DBS Update Service (see <http://www.gov.uk/dbs-update-service> for details about subscribing. Individuals will be responsible for joining and updating their subscriptions annually). A three-year on-line check will be carried out. Individuals must supply details of the outcome of the check, and this will be recorded on the I-Trent system. The I-Trent system will also be used to issue reminders to the individual and their manager when a recheck is due. They must then make arrangements for this to be carried out.

3.2 If using the update service, the information on the original certificate has changed the record will indicate this and a new check will need to be carried out. Where new information is disclosed the member of staff will be treated in accordance with the NWLDC Code of Practice for dealing with contra indicators arising from DBS checks and assessing the risk to working with children and adults with safeguarding needs.

3.2 If a decision is made that the new convictions are relevant and the person remaining in post presents too high a risk, the matter will be referred to a disciplinary hearing to be held under the NWLDC Disciplinary Policy and will normally be treated as a gross misconduct consideration

**Policy Statement: Secure Storage, Handling, Use, Retention & Disposal of Disclosures and Disclosure information**

**1. General principles**

1.1 As an organisation using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, North West Leicestershire District Council complies fully with the DBS and Disclosure Scotland Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention, and disposal of Disclosure information and has a written policy on these matters, which is available to those who wish to see it on request.

**2. Storage and access**

2.1 Disclosure information will be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

**3. Handling**

3.1 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

**4. Usage**

4.1 Disclosure information is only used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.

**5. Retention**

5.1 Copies of completed DBS forms are kept securely until the certificate has been issued and verified. This is so that any queries raised by the DBS can be clarified and, if a contra-indication is received to see if the individual has declared that they have a relevant conviction. They will be destroyed once the certificate has been seen and verified and any queries dealt with.

5.2 DBS certificates are only issued to the subject of a check. individuals are required to bring the original certificate into the council offices for verification. A note is taken of the certificate number, the issue date, level of disclosure and whether it is clear. This is kept on the individual’s personal file and recorded on I-Trent.

**6. Disposal**

6.1 The Council may keep a record of the date of issue of a Disclosure, the name of the

subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference number of the Disclosure, the date of the disclosure and the details of the recruitment decision taken. Such records will normally be held electronically with appropriate secure access controls.

**7. Acting as an Umbrella Body**

7.1 Before acting as an Umbrella Body (one which countersigns applications and receives Disclosure information on behalf of other employers or recruiting organisations), the Council will take all reasonable steps to satisfy itself that they will handle, use, store, retain and dispose of Disclosure information in full compliance with the DBS Code and in full accordance with this policy. The Council will also

ensure that anybody or individual, at whose request applications for Disclosure are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose. The Council will act, at its discretion, as an umbrella Body in relation to the countersignatory of applications from partnership organisations (normally within the public sector, voluntary sector, or charity sector) with whom there is a direct stakeholder link or joint working arrangement.

7.2 Agency workers or contractors

If agency or contract workers are engaged by the council in a role where a check is required, the engaging team manager must ensure that an appropriate check is in place for the individual or make any necessary arrangement with the employing agency for a check to be completed before the commencement of any contract.

**Policy Statement on the Recruitment of Ex-offenders**

1.1 As an organisation using the Disclosure and Barring Service (DBS) to assess applicants’ suitability for positions of trust, NWLDC complies fully with the DBS and Disclosure Scotland Codes of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of a conviction or other information revealed.

1.2 The Council is committed to the fair treatment of its staff, potential staff, or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability, or offending background.

1.3 The Council has a policy on the recruitment of ex-offenders, which

is made available to all Disclosure applicants at the outset of the recruitment process.

The Council actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcomes applications from a wide range of candidates, including those with criminal records.

Ccandidates are selected for interview based on their skills, qualifications, and experience.

A DBS is only requested for posts that are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) (ROA) and /or the Police Act 1997 (Criminal Records) regulations.

A DBS basic check will only be requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned.

For those positions where a disclosure is required, all application forms, job adverts, and recruitment briefs will contain a statement that a disclosure will be requested in the event of the individual being offered the position.

Where a disclosure is to form part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. The Council requests that this information is provided under separate, confidential cover, to a designated person within the Human Resources Team and guarantees that this information will only be seen by those who need to see it as part of the recruitment process.

The Council ensures that all those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. They have also received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g., the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)

At interview, or in a separate discussion, the Council ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

Every subject of a DBS is made aware of the existence of the DBS Code of Practice and a copy made available on request.

The Council undertakes to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment and guidance on the handling of contra indicators is in place.

Having a criminal record will not necessarily bar you from working with for the Council. This will depend on the nature of the position and the circumstances and background of your offences.

**Code of Practice for dealing with contra indicators arising from DBS checks and assessing the risk to working with children and adults with safeguarding needs**

1. **Introduction**

The purpose of this code is to provide guidance on dealing fairly with contra indicators (cautions, charges, and convictions) revealed on a DBS check.

1. **Background**

2.1 It is recognised that, according to statistical probability, there is the likelihood that a proportion of current and prospective employees may have a caution, charge, or conviction for a criminal offence. This will not automatically exclude people from gaining or continuing employment with NWLDC. However, each case must be judged on an individual basis, taking into account the relevance and assessing the risks. This guide sets out how this should be carried out, ensuring all people are treated fairly and in a non-discriminatory way.

2.2 The majority of posts that have been identified as needing a DBS check require an enhanced disclosure. This will reveal both spent and unspent convictions, cautions, formal reprimands and final warnings held on the Police national computer. Checks against the Protection of Children Act (POCA) and Protection of Vulnerable Adults (POVA) lists will be undertaken, as requested on the DBS form. Additionally, we may receive non-conviction information from local police records which may be relevant in relation in connection with the position being applied for. So, an individual may have a clear disclosure, but the police may have information that will impact on the suitability to continue with or be appointed to a post. Although an individual will be sent a copy of their disclosure, this will only contain the conviction and caution information and not information supplied through police intelligence or the Child Protection Register.

**3. Scope of DBS Checks**

3.1 It is more straightforward to make decisions about individuals where a criminal record is revealed prior to the candidate being confirmed in post as contractually confirmation is dependent on a satisfactory check. However, it must be remembered that the existence of a conviction will not automatically prevent someone being confirmed in post. The relevance and risk must be assessed before a final decision is made.

3.2 Where it is shown that existing staff have a conviction the situation is more problematic, taking into account their employment rights and the fact that they may have worked successfully without any suspicion or performance concerns for the duration of their employment. Consideration must be taken of this, and the risks assessed carefully.

**4. Recruitment of New Applicants with a Criminal Record**

4.1 The recruitment pack and advert will indicate whether a post requires a DBC check, and the post will be offered subject to, amongst others, the receipt of a satisfactory DBS disclosure. This means that it is legitimate to withdraw the offer if the information resulting from the disclosure leads to that decision.

4.2 If a disclosure contains information that there is a conviction, caution or reprimand the relevant manager (Team Manager or above) must discuss the matter with a Senior HR Advisor / Head of HR and Organisation Development. They will discuss the relevance of the conviction – number of convictions, how long ago, age the applicant was when the offence took place, nature of the offence and relevance to the post, whether the applicant indicated on the DBS application form that they had a conviction or discussed it with either the recruitment manager of HR Advisor prior to return of the disclosure.

4.3 If both parties conclude that the risk is low the Team Manager / Head of Service should be notified by email of the decision and the reasons. They will have two working days to raise any objection. If no objection is received the individual shall be confirmed in post. A note of the reasons behind the decision will be made and kept on the individual’s personal file.

4.3 If there is any doubt as to whether the appointment can be confirmed or not the individual should be invited to a formal interview with the Team Manager / Head of Service and an HR Advisor / Head of HR and OD. The individual will be given five working days’ notice of the meeting and be given the right to be accompanied. Notes will be taken of the interview and the applicant will be asked to sign them as a true record. Points that should be explored or considered at such a meeting are contained at Appendix 1. It may be that after the meeting further information is required. The applicant will, therefore, be notified of the outcome within fifteen working days. There will be no right of appeal against a decision not to appoint. If the decision is made to appointthe notes and rationale behind the decision / a note that such a meeting has taken place must be kept on the individual’s personal file.

4.4 It may be that there is no option but to reject the applicant. It is illegal to employ someone in what is defined under the regulations as a ‘regulated activity’ if they are barred from working with children or adults with safeguarding needs. It is also illegal for them to try to work with these groups, so a referral will need to be made to the Independent Safeguarding Authority in relation to this.

**5. Existing Employees**

5.1 Where a contra indicator is received for an existing employee and they have declared that they do have a conviction on the DBS form or discussed it prior to receipt of the disclosure with either their manager or an HR Advisor, the same process as outlined in 4.2 and 4.3 will be followed

5.1 Where the conviction has more relevance to the post or if the employee had not indicated that they had a conviction the relevant Team Manager / Head of Serviceand a Senior HR Adviser / Head of HR and OD will meet the individual to investigate the matter further. They will be given five working days’ notice and have the right to be accompanied by a Trade Union Official or colleague. If the perceived risk of maintaining the employee in their current position is high, consideration should be given to suspension and holding the meeting sooner. Notes of the meeting will be taken, and the employee asked to sign them as a correct record.

5.2 If it is felt that the employee can no longer remain in post the matter will be referred to a disciplinary hearing as it will normally relate to gross misconduct under one or all the following areas:

Trust and confidence

Safeguarding

Code of Conduct

The hearing will be heard by a Head of Service who will decide whether or not the employee should be dismissed. There will be the right of appeal under the Disciplinary Appeals procedure.

Dependant on the nature of the conviction redeployment to a suitable vacancy would be explored as an alternative to dismissal.

5.3 If it is decided that the employee can remain in post the rationale behind that decision must be recorded. It may be appropriate to introduce safeguards to reduce potential risk of working with vulnerable service users. This may involve more regular supervision, review of practice issues and procedures etc.

**6. Matters to Consider**

6.1 **The Relevance of the Record and the Nature of the Work Being undertaken**

The first point to consider is whether the information revealed on the disclosure would have a direct impact on the type of work being undertaken. The job description is a good reference point for this and could indicate whether the individual will be spending a large proportion of their time with a vulnerable service user and in what location – for example, spending a large proportion of time unsupervised with a service user in their own home would provide a higher risk than working in a group in a community centre.

6.2 **The Seriousness of the Offence**

Attached at Appendix 2 is a list of Schedule 1 offences and other offences against children. It is likely that if the offence is on this list the person is unsuitable to work with children and serious consideration should be given to work with adults with safeguarding needs. Further information will need to be obtained before a final decision, which should not be based solely on the offence being on the list.

6.3 **How Long Ago the Offence was Committed**

A recent offence and one committed whilst in current employment with NWLDC would carry more risk than one committed a considerable number of years ago. For example, people who have had a troubled childhood may choose to work with young people to try and help them not to follow the same route.

6.4 **Refusal to have a DBS check**

If an applicant refused to have a DBS check, they would not be confirmed in appointment and the provisional offer would be withdrawn.

If an existing employee refuses a check or re-check their manager must meet with them and explain the importance and the contractual requirement. If possible, the reason why they are refusing the check should be explored and assurances given as appropriate. If they still refuse the matter will be referred to the disciplinary process as it is a contractual matter and would be seen as a refusal to undertake a reasonable management instruction.

**Appendix 1**

**DBS Contra Indicator Interview Checklist/ Considerations**

* Does the individual agree that the information is correct? If not, why?
* If not, what action has been taken to amend their record?
* What is the person’s attitude towards the offence?
* Were there particular circumstances at the time that led to the offending (e.g., dysfunctional family, acute financial difficulties)?
* What penalty was awarded?
* Is there a pattern of convictions – is it a one-off or one of several
* Is the nature of convictions similar?
* Was it committed when the person was a juvenile or an adult?
* Details of the offence (e.g., if a drug offence was it for possession of a small amount of cannabis for personal use or possession of a Class A drug with intent to supply)?
* Seriousness of offence.
* Is there evidence of change (e.g., since offence obtained job, married, got a mortgage)?
* Has the individual declared the criminal conviction when completing the DBS application form? If not, why not?
* What is the extent of unsupervised working with vulnerable users?
* Are the convictions related to the type of work that is being undertaken?
* Will it pose a potential risk to service users or colleagues?
* When was the crime committed – length of time since last conviction?
* Consider other information, such as references

In Addition, for NWLDC Employees

* How long has the person been employed with NWLDC
* Has their line manager any practice concerns or issues with the individual?
* Does the conviction/caution preclude them from continuing in their current post

**Appendix 2**

**Schedule 1 Offences and Other Offences Against Children**

The murder or manslaughter of a child or young person (including the aiding, abetting, counselling, or procuring the suicide of a child or young person).

## Common assault or battery.

**Offences under the Offences against the Person Act 1861:**

### S 5 manslaughter of a child or young person

S 27 the abandonment or exposure of a child under two so as to endanger to its life and health

S 56 taking away or detaining a child with intent to deprive a person having the lawful care of charge of such child of the possession of such child or receiving or harbouring a child with such intent knowing it to have been so taken away or detained.

**Offences under CYP Act 1933:**

#### S 1 assault/neglect etc of person under sixteen

S 3 allowing a person under sixteen to be used for begging

S 4 causing or allowing a person under sixteen to be used for begging

S 11 exposing a child under twelve to risk of burning

S 23 causing, procuring or allowing a person under sixteen to take part in a dangerous performance

##### Infanticide Act 1938

#### S 1(1) infanticide

**Offences under the Sexual Offences Act 1956, against a child or young person:**

#### S 2 procurement of woman by threats

S 3 procurement of woman by false pretences

S 4 administering drugs to obtain or facilitate intercourse

S 5 intercourse with girl under thirteen

S 6 intercourse with girl between thirteen and sixteen

S 7 intercourse with idiot or imbecile

S 10 incest by a man

S 11 incest by a woman

S 12 buggery

S 13 indecency between men

S 14 indecent assault on a woman

S 15 indecent assault on a man

S 16 assault with intent to commit buggery

S 19 abduction of unmarried girl under eighteen from parent or guardian

S 20 abduction of unmarried girl under sixteen from parent or guardian

S 22 causing prostitution of women

S 23 procuration of girl under twenty-one

S 24 detention of woman in brothel or other premises

S 25 permitting girl under thirteen to use premises for intercourse

S 26 permitting girl between thirteen and sixteen to use premises for intercourse

S 28 causing or encouraging prostitution of, intercourse with, or indecent assault on girl under sixteen

Any attempt to commit against a child or young person an offence under Sections 2, 5, 6, 7, 10, 11, 12, 22 or 23 of the Sexual Offences Act 1956.

Any other offences involving bodily injury to a child or young person. Offences under S 1 of the Indecency with Children Act 1960 (except with regard to CYPA 1993, S 15)

An offence under the Protection of Children Act 1978, S 1(1)(a) except with regard to CYPA 1933, SS 15, 99).

##### Offences under the Child Abduction Act 1984 Part 1:P

#### S 1 abduction of child by parent etc

S 2 abduction of child by other persons

##### Prohibition of Female circumcision 1995

**Offences under the Criminal Justice Act 1988**

An offence under Section 160 (possession of indecent photographs of children).

##### Offences under the Sexual Offences (Amendment) Act 2000

An offence under Section 3 (abuse of position of trust).

A person of 18 years or over has sexual intercourse or engages in sexual activity with a person under 18 years of age whilst they are in a position of trust in relation to that person.

**Appendix 3**

**People Banned from Working with Children**

**Under the Protection of Children Act 1999 and the Criminal Justice and Court Services Act 2000, a number of people are banned from working with children. These are:**

* People on the DfES List 99
* People on the DoH List
* People on the National Assembly of Wales List
* People aged 18 or over convicted of certain specified offences again those aged under 18 (or 16 in some instances) and given a hospital or guardianship order or a custodial sentence of 12 months or more.

Suspended sentences of 12 months or more are treated as qualifying sentences.

The specified (Schedule Four) offences are:

* murder or manslaughter
* rape or burglary with intent to commit rape
* grievous bodily harm
* cruelty to children
* kidnapping, false imprisonment and abduction
* indecent assault on a man or a woman
* sexual intercourse with a child under 13
* intercourse with a girl aged between 13 and 16
* buggery with a child under 16
* indecency between men
* abuse of trust
* incest and related offences
* assault with intent to commit buggery
* indecency with children under the age of 14
* offences relating to or encouraging child prostitution
* offences relating to child pornography

**Appendix 4**

**Posts requiring DBS checks**

|  |  |  |
| --- | --- | --- |
| **Customer services** |  |  |
| Customers Services Staff | B | Access to DWP information |
| Control Centre Staff | B | Access to sensitive information and provision of service |
| **Finance** |  |  |
| Revs & Bens Visiting Officers \* | E | Access to sensitive information and provision of service |
| Revs & Bens staff\* | B | Access to DWP information |
| **ICT** |  |  |
| ICT Staff | B | Provision of secure email |
| **Housing** |  |  |
| Safe and Well Co-ordinator | B | Personal visits, security – this was only allowed as a basic |
| Support Team Leader | B | Personal visits, security |
| Older Persons Support Officers | B | Personal visits, security |
| Housing Officers | B | Visiting homes |
| Maintenance Operatives | B | Visiting homes |
| **Community Services** |  |  |
| Senior Enforcement Officer | S | Management of staff |
| Civil Enforcement Officers x6 | S | Requirement under DBS regs |
| Leisure Services Team Manager x1 | E | Staff management (regulated activity) |
| Health & Wellbeing Officers | E | Only when working in schools |
| Health & Wellbeing Exercise Instructors and Coaches (not all depending on role) | E | Training and instructing children |

\* New staff will be recruited by Hinckley and Bosworth BC