

CITIZENS ADVICE REIGATE AND BANSTEAD DISCLOSURE AND BARRING (DBS) POLICY AND PROCEDURE

1. Introduction

This policy should be read in conjunction with the [DBS guidance for BMIS](#) and the [procedure for processing a DBS application](#).

The Citizens Advice Reigate and Banstead disclosure and barring service (DBS) policy covers issues relevant to background checks for eligible staff and volunteers with the Disclosure and Barring service, commonly referred to as [DBS](#), formerly known as the Criminal Records Bureau (CRB).

Staff and volunteers can start in their role pending receipt of their DBS certificate at Citizens Advice Reigate and Banstead. However, for all eligible roles under the legislation an appropriate DBS certificate must be in place before commencing any '[regulated activity](#)'. This is regardless of any other type of clearance, e.g. police vetting, and regardless of whether the regulated activity is supervised or not.

Citizens Advice Reigate and Banstead will use the [DBS eligibility tool](#) to find out which roles or activities could be eligible for a standard or enhanced DBS check. The eligibility tool is not intended to act as legal advice and doesn't cover every role.

Citizens Advice Reigate and Banstead take client protection seriously and in addition follow best practice and Citizens Advice policy. In this regard we are committed to re-screening people in eligible roles every 3 years to limit clients' exposure to risk.

A disclosure following a DBS check, e.g. a criminal record, does not automatically make someone unsuitable for work in Citizens Advice Reigate and Banstead. However, Citizens Advice Reigate and Banstead will not recruit in any capacity, an individual who has been convicted of a sexual offence against a child or vulnerable adult, regardless of when the offence took place.

2. Level of check

2.1 Determining the level of check

Citizens Advice Reigate and Banstead may verify the level of check required by using the [DBS eligibility tool](#) or by [contacting DBS](#).

Citizens Advice Reigate and Banstead will determine which of the following types of DBS check may be required for its staff and volunteer roles:

- A standard check
- An enhanced check with adult barred lists
- An enhanced check with child barred lists
- An enhanced check with both adult and child barred lists

2.2 Standard check

A standard level certificate contains details of all spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer (PNC) which have not been filtered in line with legislation.

Citizens Advice Reigate and Banstead have determined that the following roles (whether paid or volunteer) are likely to need to obtain a standard DBS check:

INSERT LIST

2.3 Enhanced check

An enhanced level certificate contains the same PNC information as the standard level certificate but also includes a check of information held by police forces.

Citizens Advice Reigate and Banstead have determined that the following roles (whether paid or volunteer) are likely to need to obtain an enhanced DBS check:

INSERT LIST

2.4 Barred list check

An enhanced level certificate with barred list check(s) contains the same PNC information and check of information held by police forces as an enhanced level check but in addition will check against the children's and/or adult's barred lists.

Citizens Advice Reigate and Banstead have determined that the following roles (whether paid or volunteer) are likely to need to obtain an enhanced DBS check with barred lists:

INSERT LIST

IMPORTANT: Citizens Advice Reigate and Banstead staff and volunteers pending the outcome of their DBS check should **not** carry out any regulated activities even if they are supervised.

2.5 Basic disclosure

A basic disclosure certificate shows any 'unspent' criminal convictions someone may have in the UK.

Under the Rehabilitation of Offenders Act 1974, some criminal convictions can be treated as 'spent' – meaning they're not relevant to basic disclosure – after a certain length of time. This is because a basic disclosure only shows any unspent convictions someone may have.

Citizens Advice Reigate and Banstead have determined that the following individuals will require a basic check:

INSERT LIST

Any individual that needs a basic disclosure check must apply using the following link:
<https://www.gov.uk/request-copy-criminal-record>

A charge of £25 applies to all applicants. These checks cannot be carried out through Citizens Advice.

IMPORTANT - Before an individual can apply for this check they need to verify their identity first through [GOV.UK Verify](#). This takes about 15 minutes, is free and has clear step by step instructions.

If the individual is a resident in Scotland, the standard check application must be done through [Disclosure Scotland](#).

3. Existing disclosure results from an another organisation

Citizens Advice Reigate and Banstead will not accept a disclosure result gained via another organisation if it is **more than 6 months old or is a different level to what is required.**

Citizens Advice Reigate and Banstead will consider the following when deciding whether to accept a disclosure certificate that has been gained from the applicant's former employer:

- If the applicant has committed any recent offences - these will show on a new application
- Is the certificate for the same level and workforce? If the position requires an enhanced check, Citizens Advice Reigate and Banstead will not accept a previous standard certificate
- That the details on the DBS certificate match other ID documents provided by the applicant

4. Insurance

4.1 Insurance cover

Insurance cover relates to each individual in Citizens Advice Reigate and Banstead. If a person has convictions, a risk assessment will be carried out in line with an accepted risk assessment tool or framework.

If an unspent criminal conviction is revealed, the Insurers will need to consider if cover can be granted. As each case is individually viewed and assessed, Citizens Advice Reigate and Banstead will submit to the Insurers:

- the name of the prospective volunteer or employee
- full details of the conviction (including sentence, fine, date)
- a copy of the risk assessment

Where a DBS check returns a disclosure of sexual offences against children or vulnerable adults, insurance will not be available. Therefore, Citizens Advice Reigate and Banstead will not recruit an applicant in any role at the local office who has committed this type of offence. This is because our public liability insurance provides cover against injury to persons and damage to property, but sexual abuse is specifically excluded from the policy. The exclusion is common practice for the vast majority of insurance providers for public, voluntary and charitable sectors.

4.2 Subsequent awareness of convictions

If Citizens Advice Reigate and Banstead become aware of any unspent conviction at a later date after a DBS check, the employment of the individual(s) concerned will be ceased or suspended immediately, so as not to invalidate the insurance. To employ an individual with an unspent conviction, would be considered by the Insurers as unreasonable and would not be covered by the insurance policy unless previously referred and agreed.

Where the Insurers decide that an individual cannot be insured due to the nature of the unspent conviction, Citizens Advice Reigate and Banstead will not recruit that individual, in any role.

In cases where the Insurers are prepared to accept the additional risk posed by an individual with an unspent conviction it is likely that the excess will be increased and the indemnity limit reduced. In this situation where the Insurers accept the additional risk, Citizens Advice Reigate and Banstead will decide whether or not to recruit the individual.

4.3 Duty to inform

Staff and volunteers have a duty to tell their manager immediately of any changes in their circumstances that might affect the outcome of their DBS clearance. Should there be any disclosures a risk assessment will be carried out in line with this policy.

5. Recruitment

5.1 Role eligible for DBS checks

Citizens Advice Reigate and Banstead will ensure that members of staff and trustees involved in the recruitment process are aware of this policy and understand the [DBS Code of Practice](#).

For all Citizens Advice Reigate and Banstead staff and volunteers, the policy is that all eligible roles under the legislation must have an appropriate DBS check. This is regardless of whether or not they have any other type of clearance, e.g. police vetting.

Citizens Advice Reigate and Banstead in its recruitment of staff and volunteers will; follow all the usual employment and Citizens Advice procedures, carry out the necessary due diligence and take up references.

5.2 Roles not eligible for DBS checks

Citizens Advice Reigate and Banstead will ensure that no recruitment decision compromises the safety of clients or the reputation of Citizens Advice Reigate and Banstead or Citizens Advice. Candidates must still undergo the full recruitment process and Citizens Advice Reigate and Banstead will seek references and carry out the necessary due diligence.

Citizens Advice Reigate and Banstead is entitled to ask about relevant unspent convictions or cautions; this applies to both paid staff and volunteers. If a role does not currently qualify for DBS screening, Citizens Advice Reigate and Banstead will not ask the person in the role must about spent convictions.

Citizens Advice Reigate and Banstead policy is that disclosed offences will be judged on an individual basis and that if an individual attempts to conceal an unspent conviction it could result in the withdrawal of an offer or dismissal at a later date.

5.3 Ex-offenders

Citizens Advice Reigate and Banstead will not assume that a criminal record makes someone unsuitable to work at Citizens Advice Reigate and Banstead. It will be made clear to all prospective applicants in our recruitment literature that there is no blanket ban - unless the offence is a bar to the position.

DBS requires every organisation using its disclosure service to have a written policy on the recruitment of ex-offenders. Citizens Advice Reigate and Banstead has an ex-offenders policy in place.

Citizens Advice Reigate and Banstead will not take on, in any capacity, an individual who has been convicted of a sexual offence against a child or vulnerable adult, regardless of when the offence took place.

Any other conviction will be considered on an individual basis. Some serious crimes need particular consideration and will undergo a full risk assessment.

5.4 Offences notifiable to insurers

Certain crimes are notifiable to our Insurers as they have implications for Citizens Advice Reigate and Banstead insurance cover. The notifiable offences are:

- Embezzlement or fraud, including benefit fraud
- Deception (e.g. obtaining property by deception, identity theft)
- Large-scale drug dealing or importation
- Offences of violence or criminal damage, which may also be material to other policies of insurance arranged by Citizens Advice

Citizens Advice Reigate and Banstead may also refer to [Ex-offenders: guidance and policy on recruitment](#) and [who can work or volunteer for local Citizens Advice](#) when considering making a recruitment decision where an offence has been revealed.

5.5 Serving prisoners

Citizens Advice Reigate and Banstead is not permitted to take on serving prisoners as it is not part of a partnership project with a local prison that prison has been recognised by Citizens Advice and NOMS¹.

6. Storage and access

Neither Citizens Advice Reigate and Banstead nor Citizens Advice will be sent a copy of the DBS certificate.

Citizens Advice Reigate and Banstead will only see the certificate when shown by the applicant and will not take a copy of the certificate.

Citizens Advice Reigate and Banstead may keep a record of who has been through the DBS check, when the application was submitted and when the disclosure result was received. However, details of the results of the disclosure will not be recorded. This is in line with the DBS Code of Practice which is in turn based on data protection legislation.

7. Maintaining up to date information

As recommended by DBS, Citizens Advice Reigate and Banstead will carry out a planned programme of rescreening people in eligible roles every 3 years to limit the client's' exposure to risk.

Citizens Advice Reigate and Banstead take client protection seriously and specific staff will be re-screened and this will be made clear in the terms of employment.

¹ National Offender Management Service