

Policy

Disclosure and Barring Service Policy

1. Quick Reference Guide

This policy details the requirements of the Disclosure and Barring process that the Trust is required to operate in line with NHS Employment Check Standards.

2. Introduction

Salisbury NHS Foundation Trust (here in referred to as the Trust) has a duty of care to safeguard the services that it provides to its patients and service users; to this end it implements a robust vetting system as part of its pre-employment checks. This ensures that the Trust protects vulnerable patients by ensuring that appropriate DBS checks are carried out on all eligible individuals. The Trust is also required to comply with legislation around the protection of vulnerable patients, and other guidance in response to the Lampard report (Feb 2015).

The Trust does this by obtaining Disclosure and Barring (DBS) disclosures. The DBS operates as an Executive Agency of the Home Office and was set up to help organisations make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that involving contact with children or adults.

Disclosures from the DBS form part of the range of pre-employment checks carried out by the Trust on newly appointed employees and, where applicable, those already employed by the Trust. These are in accordance with the mandatory NHS Employment Check Standards, Disclosure and Barring Service (March 2013).

Although there is no requirement to DBS check staff employed by the Trust prior to March 2002, the Trust is able to carry out retrospective checks at any time and has introduced a rolling programme to re-check staff every 3 years. Employees are also required to inform the Trust if they are under investigation by the police, receive a conviction, caution etc or are placed on a barred list whilst employed by the Trust.

The Trust is a Registered Body with the DBS and fully complies with the DBS Code of Practice.

Version Details

Version No.	Updated by	Updated on
1.0	Head of Resourcing	February 2018
2.0	Head of Resourcing	September 2020

3. Purpose

- To enable the Trust to provide high quality care to its patients by protecting vulnerable patients by ensuring that appropriate criminal record and barring checks are carried out on all eligible individuals.
- To inform existing staff and prospective employees of the criminal record and barring check process that they will be required to follow
- To ensure that robust recruitment processes are in place within the Trust, in relation to criminal record and barring checks
- To ensure that the Trust is following the appropriate NHS Employment Check Standard.
- To clarify the roles and responsibilities of staff and managers in the application of this policy.

4. Scope

This policy and procedure applies to all prospective and current employees within the Trust including bank workers, individuals working through an honorary contract, volunteers, students, trainees and contractors.

For agency and locum workers, it is the responsibility of the employing organisation to ensure that a satisfactory DBS Disclosure Certificate is held. Ideally, the Trust should only use agencies that are included on one of the Government Procurement Service Health Frameworks. To be included on a framework, agencies are required to carry out appropriate pre-employment checks, including DBS and their compliance is regularly audited, with audits being arranged by the London Procurement Programme (LPP). Agencies should be asked to provide an Agency Worker Placement Checklist for each worker placed in the Trust, which will confirm that a DBS has been undertaken.

5. Duties and Responsibilities

5.1 OD & People Department

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- Providing advice and guidance to managers in the implementation of the policy.
- Monitoring the implementation of the policy within a 3 year rolling programme.
- Assisting managers in dealing with non-disclosure of criminal convictions.
- Monitoring and ensuring that identified positions that would be eligible for a DBS check meets the criteria.
- Processing checks for existing staff who are required to be rechecked.
- Ensuring that all job adverts include a reference to DBS checks if required for the post, and an indication of the level of check required.
- Ensuring that applicants are aware that they will not be able to commence employment with the Trust until their DBS disclosure has been returned.
- Advising the Recruiting Manager where information regarding convictions, cautions, reprimands etc. are detailed at the application stage.
- Ensuring that DBS checks received indicating a conviction are brought to the attention of the People Operations Team and relevant Recruiting Manager.
- Ensuring that the appropriate checks have been carried out for periods of non-UK residence.
- Ensuring that DBS Checks are recorded on the Electronic Staff Record System (ESR).
- Checking the status of the DBS application for substantive and honorary staff and arranging for the original DBS disclosure check certificate to be verified in the department.

5.2 Recruiting/Line Manager

The Recruiting/Line Manager is responsible for:

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- Identifying positions that would be eligible for a DBS check.
- Discussing sensitively and appropriately with the candidate at interview stage, information disclosed at the application stage regarding convictions, cautions, reprimands etc.
- Ensuring that candidates are not unfairly discriminated against during the recruitment and selection process on the basis of criminal convictions held.

- Ensuring that confidentiality is maintained regarding any convictions disclosed by candidates at any stage of the recruitment process.
- Ensuring that applicants are aware that they will not be able to commence employment with the Trust until their DBS disclosure has been returned.
- Assessing the level of supervision required for an employee who is starting a new role without a Standard DBS disclosure being received and to confirm via e-mail to the People Operations Team that they will make the necessary arrangements for supervision until a satisfactory disclosure is received.
- Ensuring that they only use agency/locum staff from Government Procurement Service Health Framework approved agencies and that they implement any recommendations identified via LPP audits of agencies.

5.3 Prospective/Existing Employees

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- Prospective employees should accurately complete their E-DBS application informing the Trust if they have been charged with any criminal offence.
- Prospective employees should inform the Trust if they are charged with an offence prior to taking up employment with the Trust.
- Prospective employees who are registered on the Children's List or Adult's List must not apply for any role which involves working with children or adults.
- Existing employees must inform their line manager if they are charged with a criminal offence whilst employed by the Trust.

6. Definitions

Rehabilitation of Offenders Act (ROA) 1974

The ROA is aimed at helping people who have been convicted of a criminal offence and who have not re-offended since. Anyone who is convicted of a criminal offence and has been sentenced to less than two and a half years in prison, benefits as a result of the Act if they are not convicted again during a specified rehabilitation period. This period will depend on the sentence given for the original offence. If the person does not re-offend during the rehabilitation period, then they become a "rehabilitated person" and their conviction becomes "spent".

Once a conviction is "spent", the convicted person does not have to reveal it or admit its existence in most circumstances. However, there are some exceptions relating to employment and these are listed in the Exceptions Order to the ROA. The two main exceptions are related to working with children or vulnerable adults.

A number of posts within the Trust will be exempt from the ROA and the Trust is entitled to know about all previous convictions regardless as to whether they are considered "spent" or "unspent". This information is obtained via a DBS disclosure.

The Independent Safeguarding Authority

The Independent Safeguarding Authority (ISA) is an independent non-departmental public body set up by the Home Office to provide safeguarding arrangements for children and adults.

The ISA maintains two lists, the Children's List and the Adult's List, which are used to check whether someone is barred from undertaking specific work with children or adults. These Lists have replaced the three previous barred lists that were checked:- PoCA (Protection of Children Act), POVA

(Protection of Vulnerable Adults Act) and list 99.

Where a post is classed as “regulated activity” with regards to working with children or adults the Trust is required to carry out a barred list check, which must be requested as part of an enhanced DBS disclosure.

It is a criminal offence for a person registered on the Children’s List and/or the Adult’s List to knowingly apply for, offer to do, accept or do such work. It is also an offence to employ such a person in a regulated position.

The Trust has a legal duty to refer information to the ISA if an employee has harmed, or poses a risk of harm to vulnerable groups. Further information can be found in the Safeguarding Children Policy.

From 1 December 2012 the Criminal Record Bureau and the ISA merged into a single new non-departmental public body called the Disclosure and Barring Service (DBS).

The Disclosure and Barring Service (DBS) is an executive agency of the Home Office and provides access to information about criminal convictions and other police records to help employers make an informed decision when recruiting staff. The DBS provides controlled access to criminal records and related information through its disclosure service, enabling employers to make safer recruitment decisions by identifying candidates who may be unsuitable to work with Vulnerable Groups.

Disclosure certificate – a certificate that provides criminal record information, depending upon the type and level of disclosure requested.

Update service – is the online service where issued Disclosure Certificates can be registered and kept up to date. Registered applicants can then take issued certificates from role to role where the same level and type of check is required.

Status check – the term “Status Check” is the record accessed by registered organisations on the Update Service in relation to the Disclosure Certificate. This allows registered organisations to be able to see whether there has been any change to the DBS information since the last Disclosure Certificate was issued.

DBS Checks – is the disclosure carried out through the on-line Update Service “Status Check” or the submission of a DBS application.

Regulated Activity

Adults

Any activity involving working or volunteering with adults (those aged 18 or over) that is of a specific nature, including:

- The provision of health care by a health care professional or under the direction or supervision of a health care professional.
- The provision of personal care.

Children

Any activity involving working or volunteering with children that is of a specific nature, including:

- Unsupervised activities such as caring for or supervising of children or provision of advice/guidance on well-being.
- Provision of health care by or supervised by a professional.
- Provision of personal care.

7. Levels of Disclosure

7.1 The Types of roles within the Trust that require a DBS check and the level of the check applicable are listed in Appendix E.

7.2 Basic Disclosure

This level of disclosure contains details of 'unspent' (current) convictions. There is currently no requirement to use Basic Disclosures in the NHS but they may be used to confirm the information disclosed by applicants for posts that are not exempt from the ROA but where the individual is appointed to a position of trust e.g. positions in finance, senior management etc. Currently, Basic Disclosures can only be obtained through Disclosure Scotland and the Disclosure certificate is only sent to the applicant.

7.3 Standard Disclosure

Standard Disclosures are required for posts that do not involve an individual having access to patients in the course of their normal duties. 'Access' means having direct, physical contact with patients as part of day to day activities and does not include positions where there is no contact with patients.

Standard Disclosures contain details of both spent and unspent convictions, including cautions, reprimands and final warnings held on the Police National Computer (PNC). If a barring check is required then an enhanced disclosure will be required.

7.4 Enhanced Disclosure

Enhanced Disclosures contain the same information as the Standard Disclosure but may also include any non-conviction information held by the police, where they consider this relevant to the post applied for. This information is referred to as 'approved information' on the Enhanced Check Certificate.

There are two types of Enhanced Disclosure available. One is for staff undertaking regulated activity, which must include a barred list check. It is possible for both barred lists to be checked if the member of staff will be working with both adults and children.

Where a post was previously eligible for an enhanced check but no longer meets the definition of regulated activity, an enhanced check without a barred list check may be requested.

8. Staff Recruited from Overseas

Information available from the DBS is limited to data held on the PNC in England, Scotland and Wales and to a limited extent, Northern Ireland. Although the Trust requests a DBS disclosure for all eligible successful applicants, whether or not they have previously lived in the UK, it is recognised that this may be of limited value as the list of overseas convictions contained on the PNC is not comprehensive.

All applicants recruited from overseas into a role requiring a DBS check will therefore be required to provide a local police check and/or a Certificate of Good Conduct, which gives details of their criminal record status. If necessary, an authorised translation of the police check / Certificate should also be provided at the same time.

After 6 months of employment overseas applicants will be required to complete a DBS check. See Section 11.2.

9. Acceptance of Previous Disclosures – Portability

9.1 In June 2013, the DBS launched its update service, which allows employers to undertake periodic check of employees who have registered for this service. Employees can choose to register for the update service, once registered that will have to give written consent for the employer to Undertake periodic checks on their eligibility. The update service can be accessed via the following link: <http://www.nhsemployers.org/your-workforce/recruit/employment-checks/employment-checks-fags/criminal-record-and-barring-checks-including-dbs-process-eligibility-and-duties-to-refer-to-the-dbs>

9.2 If a prospective employee has an acceptable DBS check in the last 3 years the Trust may decide to accept their Disclosure Certificate rather than carry out a re-check, only the original DBS disclosure will be accepted as part of the portability scheme.

9.3 The previous (portable) disclosure must have the correct level of DBS check and, if barring checks are required; these must have been carried out. They Trust may, in certain circumstance seek written consent from the prospective employee to check the DBS database to check the validity of the disclosure.

9.4 Clinical staff who hold Honorary positions at the Trust do not need a new DBS check in order to commence their honorary post. The Trust must obtain written confirmation from the substantive employer that a check at the correct level has been carried out.

9.5 A previous disclosure issued within the previous three years or a Research Passport will be accepted for any Researchers working / based at the Trust as long as the correct level of DBS check and, if required, barring checks have been carried out.

9.6 Doctors in Training would not be required to provide a new Disclosure each time they move to a new training post. In general, if a satisfactory check has been carried out within the last three years, no further check should be required. The Doctor will be required to provide the Trust with the original certificate. The Trust may seek consent from the Doctor to check the DBS database to confirm the level of check undertaken and that no restrictions are present

10. Retention and Use of Disclosures, Disclosure Information and Declaration Forms

10.1 Storage

All Disclosure and Declaration information is kept in a locked cabinet with access strictly limited in compliance with the requirements of the DBS Code of Practice. The Trust is required to hold the certain information on its database to ensure effective governance. To this end the Trust will document the date of the disclosure was issued, level of disclosure; e.g., basic or enhanced; against which lists and Disclosure number. This information will be held on ESR; no other information will be held on the system.

10.2 Handling

Disclosure and Declaration information is only passed to those who are authorised to receive it in the course of their duties. The Trust recognises that it is a criminal offence to pass this information to anyone not entitled to see it.

10.3 Usage

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

10.4 Retention and Disposal

Disclosure and Declaration information is kept for no longer than is absolutely necessary (usually six months). Once the retention period has lapsed all documentation pertaining to the disclosure and declaration is shredded.

11. Procedure for Checking

11.1 New Applicants

DBS requirements for internal candidates

Internal applicants may or may not need a new check depending on a number of factors.

- - Check the level of check required.
 - Check the applicant's current certificate.
 - Record the level of the current certificate.
 - Update NHS Jobs.
 - If the current certificate level is not high enough you will need to do a new DBS check.

Successful applicants to the Trust will be sent a link to an online portal (along with their conditional offer letter). The trust counter signatory will counter sign the eDBS via the eDBS system.

On completion of the checking process the eDBS form is submitted via a secure electronic connection to the DBS.

The DBS application is processed by the DBS and may take up to 4 weeks to complete. Once the checks have been successfully completed the eDBS system is updated with the outcome and the individual will receive their DBS certification in the post to their home address. The Recruitment Team will update the applicant tracking system and print out a copy of the outcome for the personal file.

The Trust will only request to see a copy of the certificate if it deemed to be positive/unsatisfactory (refer to Section 13 for more information).

All candidates are asked on their application form if they have any unspent (current) convictions. For those posts where a DBS and/or barring check is required, applicants will also be asked if they have at any time received or had pending a conviction; caution; warning; reprimand or bind-over and if they will be undertaking regulated activity they will also be asked if they are registered on the Children's

List or the Adult's List.

When recruiting, the Trust will inform applicants if a DBS and/or barring check will be required as part of the application process.

The Trust is a Registered Body with a lead signatory and a number of counter-signatories, all of whom are registered with the DBS. The role of the counter-signatory is to process the DBS applications and receive disclosures; to control the use and security of disclosures; to confirm the identity of the applicant and to ensure compliance with the DBS code of practice.

New employees appointed to posts that require a Standard DBS check may start work prior to receipt of a Disclosure Certificate but must be supervised until the Disclosure is received. The Recruitment Team will forward to the Recruiting Manager the DBS Risk Assessment Form for completion.

<http://intranet/departments/employee-relations-hr/recruitment/toolkit/dbs-risk-assessment-forms/>
<http://intranet/media/o2zfv2u3/dbsriskassessmentformguidancenotesforcompletingthe.pdf>

The Recruiting Manager is responsible for assessing the level of supervision required, for ensuring that it is provided and will be required to complete the DBS Risk Assessment Form to confirm that they acknowledge the lack of a DBS Disclosure and will make the necessary arrangements for supervision until a satisfactory Disclosure is received. The completed form is then required to be e-mailed to the OD & People Operational Team via recruitment@salisbury.nhs.uk

Staff requiring a Children's List or Adult's List check will not be allowed to begin work, even under supervision, until the outcome of the check has been received.

The DBS Disclosure Service Standards are that 90% of Enhanced Disclosures are issued within 4 weeks and 90% of Standard Disclosures within 2 weeks.

11.2 Charging for DBS

All new starters to the Trust who need to have a DBS check in order to carry out their role, will be required to repay the cost. This cost will be deducted from the individual's salary upon commencement and re-payment may be spread over a (maximum) 6 month period for bands 1 to 3 and 3 months for all other bands. For bank staff repayment will be as a one-off payment. The individual will need to complete a form which is part of the existing "commencement form" which is submitted to the Payroll Department.

In the event that they leave the Trust before the full payment has been recovered, this will be deducted from their final salary.

Existing Staff

Repayment will also apply to existing staff who require a check based on a change in role internally.

11.3 Volunteers

All volunteers will require a DBS and barred list check. This will be requested as part of the recruitment process and the DBS Disclosure application process as described in 11.1 will apply.

11.4 Work Experience / Placements

A DBS check cannot be requested for anyone under the age of 16. Students or others undertaking work experience or work placements in the Trust will not be required to have a DBS check, on the basis that the roles they are undertaking will involve them being supervised at all times.

11.5 Honorary Contracts

Staff who hold a substantive post within an organisation adhering to the NHS Employment Checks required to work for the Trust do not necessarily need a fresh DBS check. The Trust must seek written assurances from the individual's host/substantive employer that appropriate employment checks have been carried out and any DBS checks are at the appropriate level and type.

The Trust may request a fresh DBS check if assurances by the host organisation cannot be obtained.

The Trust may refuse commencement of a placement if assurances from the host organisation or a new DBS check cannot be fully satisfied.

11.6 Agency Locums

Agency locums should ideally be sourced through the Trust's approved list of suppliers through the Government Procurement Service Health Frameworks for Agency Staff. The Agencies on the framework agreement have a responsibility to conduct pre-employment checks for their candidates that meet the NHS Employment Checks Standards, which will include DBS and barring clearance.

When booking a locum, line managers should request to see the Agency Worker Placement Checklist from the Agency or receive copies of the workers pre-employment checks, which will confirm details of the DBS Disclosure Certificate that has been received.

12. Existing Employees/Changing Jobs

12.1 All staff who work in Maternity Services, Paediatrics, NICU, Sexual Health, Emergency Department and Safeguarding Leads will be required to undertake a new check every 3 years. Reminders will be sent to staff from the Recruitment Team.

12.2 A new DBS check is not always required where an existing member of staff moves jobs within the same organisation and their roles and responsibilities and level of contact with that vulnerable group has not significantly changed. If the new check relates to Maternity Services, Paediatrics, NICU, Sexual Health and Emergency Department the employee will not be able to take up the post until the DBS Disclosure Check is received.

The trigger for a new check is where:-

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- The employee has never had a DBS check before and is moving to a position that requires them to have a check (the level of check is dependent on the roles and responsibilities of the job).
- The employee has previously had a standard or enhanced check and is moving into a regulated activity, which now requires them to have an enhanced check with barring list.
- The new position requires them to work with a different vulnerable group and they are required to have a check against one or both barred lists.
- There has been a break in service for more than 3 months between leaving the old position and taking up the new position.
- The employee is commencing a recognised training programme eg Nursing Associate, apprenticeship.

12.3 The Trust reserves the right to ask existing employees in relevant positions for a disclosure check to undertake a fresh DBS check if their actions or activities give cause for concern. The grounds for this could be allegations of inappropriate behaviour made by a child or vulnerable adult, or a colleague, parent, carer or member of the public. In such circumstances a full investigation will be carried out in accordance with the relevant Trust policies.

12.4 If during the course of employment an employee is arrested, charged, cautioned or convicted of any criminal offence, they must notify the circumstances to their Line Manager as soon as practically possible and before the start of the next shift. This includes any pending court appearance, bind-overs, absolute and conditional discharges. A failure to disclose such information to the Trust may result in disciplinary action, including dismissal, being taken by the Trust. The Line Manager must discuss such disclosure of information with the People Operations Team.

12.5 Employees are also required to declare if they are the subject of a Police investigation, in the UK or abroad, which may lead to one of the above sanctions. The reason for this disclosure is for the Trust to protect its reputation and safeguard the interests of its patients, and to provide appropriate support to the individual employee. Failure to disclose such information may result in disciplinary action being taken by the Trust.

12.6 Any employee refusing to comply with a DBS Disclosure request or does not respond to Trust notification letters within a reasonable time, will be advised that their deliberate and unreasonable refusal to carry out this fundamental legal requirement and/or to comply with this contractual obligation will lead to the employee being subject to disciplinary action, including dismissal, in line with the Trust's Disciplinary Policy and Procedure.

12.7 The Trust will assure employees that any information about convictions that are not relevant to their current post will have no impact on their continued employment with the Trust.

12.8 If during the course of employment, concerns or information comes to light regarding an employee who poses a risk of harm to vulnerable groups and where they have been dismissed, or removed from working in a "Regulated Activity" with children or adults the Trust has a legal duty to refer information to the DBS.

13. Unsatisfactory Checks

A criminal record will not automatically be a bar to employment and the Trust will not unfairly discriminate against a candidate on the basis of a conviction or other details revealed, provided the individual has declared their conviction and the earliest possible opportunity. Inclusion on a barred list will mean that the Trust would not be able to employ an individual in a regulated role.

All applicants are expected to inform the Trust if, before taking up any position offered to them, they are charged with a criminal offence in the UK or another country.

In the event of the application form, Self-Declaration Form and/or DBS Disclosure containing information about an applicant's criminal record, the Recruiting Manager must complete the DBS Risk Assessment Form (Convictions Declared/Undeclared) before any final decision is made.

<http://intranet/departments/employee-relations-hr/recruitment/toolkit/dbs-risk-assessment-forms/>

At this stage advice should also be sought from their People Business Partner, about whether the recruitment process should proceed or employment should continue. This will depend upon an assessment of factors such as the risk to patients or others, whether the nature of the offence/s renders the applicant unsuitable for the position for which they have applied, or, if the offence is of a minor nature, when it took place.

In all instances a discussion should take place with the applicant / employee about the information disclosed in order to ensure all relevant information is obtained before a decision is made.

Where an applicant has failed to inform the Trust of any current or spent convictions, either on their application form or on the Self-Declaration Form, this may result in the withdrawal of an offer of employment or dismissal if employment has commenced.

In the event of a dispute about information contained in a DBS Disclosure, the applicant should register a complaint with the Criminal Records Bureau. Until the dispute is resolved and an amended DBS Disclosure has been issued, the Trust will proceed on the basis of the information contained in the original Disclosure

14. Duty to Refer to DBS

Under the Safeguarding Vulnerable Groups Act, employers have a legal duty to refer information to the DBS if an employee or volunteer has harmed, or poses a risk of harm to vulnerable groups and where they have dismissed them, or removed them from working in a regulated activity with children or adults. This duty equally applies where an individual has resigned before a formal decision to dismiss or remove them from regulated activity has been made.

15. References

NHS Employment Check Standard

16. Equality Impact Assessment for Policies

This document has been assessed against the Trust's Equality Impact Assessment Tool which was presented to the ratifying committee.

Appendices

A - Policy statement on the Recruitment of Ex-Offenders

B - Types of roles requiring a DBS Check and level required

A - Policy statement on the Recruitment of Ex-Offenders

Appendix A

Policy Statement on the Recruitment of Ex-Offenders

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, Salisbury NHS Foundation Trust (SFT) complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. SFT undertakes not to discriminate unfairly against any subject of DBS check on the basis of a conviction or other information revealed.

- We are committed to the fair treatment of our staff, potential staff or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We actively promote equality of opportunity for all with the right mix of talent, skills and potential welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- A criminal record will not necessarily bar someone from working for the Trust.
- A DBS check and the level of the check (Enhanced with a check against the barred lists, enhanced without a check against the barred lists, standard or basic) is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned.
- Where a DBS check 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, except for certain spent convictions and cautions which are "protected",

so not subject to disclosure to employers and that cannot be taken into account. Further information on the filtering of old and minor cautions and convictions is available on request.

- Our policy statement on the recruitment of ex-offenders, is made available to all DBS applicants at the outset of the recruitment process.
- We will only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended) and where appropriate Police Act Regulations (as amended), we can only ask an individual about convictions and cautions that are not protected.
- At interview, or in a separate discussion, we 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.
- We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.
- All information received as part of this process will be treated as highly confidential and in line with our policy regarding the security, storage and retention of applicants and staff criminal records information, and as required by the DBS Code of Practice.

Appendix B - Types of roles within the Trust requiring a DBS Check and the level of check applicable

This list is not exhaustive and is provided as a guide. When in doubt Recruiting Managers should view the job description and person specifications for a post in order to make a final decision on the suitability and level of a check along with advice from the Recruitment Team. Further guidance can be found by going to <https://www.gov.uk/find-out-dbs-check>

Enhanced DBS check <u>with</u> a check against the 2 barred lists held by the Disclosure & Barring Service	Enhanced DBS check without a check against the barred lists	Standard Disclosure DBS Check only	Basic Check
Required for positions which fall under the definition of regulated activity ie any activity involving working or volunteering with adults or children that is of a specific nature. See below.	Required for positions which do not fall under the definition of regulated activity where they are still eligible for an enhanced check, but without a check against the barred lists. See below.	Will be for all other positions covered by the Exceptions Order 1975 to the Rehabilitation of Offenders Act 1974. See below.	Defined as a position of Trust. The Trust considers all employees as working in a position of trust and therefore will request a basic disclosure check if the role does not fall into the 3 other categories.
<p>Examples of posts in "regulated activity" requiring an Enhanced disclosure check AND automatic check against the 2 barred lists:</p> <ul style="list-style-type: none"> - Medical staff – including training grades/locums - Nurse/Midwife (permanent/bank) - Nursing/Midwifery Assistant (permanent/bank) - Trainee practitioners such as Associate Practitioner - Physician Associate - Allied Healthcare Professionals such as Physiotherapist, Occupational Therapist, Speech and Language Therapist, Play Therapist (permanent/bank) - Porters with direct patient activity in adult's and children's areas. - Drivers transporting patients. 	<p>Examples of posts in "regulated activity" requiring an Enhanced check but no check against the 2 barred lists.</p> <ul style="list-style-type: none"> - Housekeepers in Paediatric areas (Permanent and Bank) - Healthcare Scientists (role dependent) - Department Managers in Paediatric/Maternity areas not in supervision of those in regulated activity. - Security Officers. - Customer Care - Chaplains - Volunteers - Ward Support Workers 	<p>Examples of posts requiring a Standard check only.</p> <ul style="list-style-type: none"> - Ward clerks/Receptionists/Outpatient Co-Ordinators/Medical Secretaries/Administration in clinical areas (Permanent and Bank). - Catering staff delivering food to wards. - Environmental Porters. - Maintenance and Estate staff (not in Paediatric/Maternity areas). - Healthcare Scientists (role dependent ie Lab based. Not in Paediatric/Maternity areas. - Governors where they do not meet the frequency test for going into the children's ward. - Maintenance and Estate staff in clinical areas. - Housekeepers in clinical areas (permanent and bank) 	<p>Examples of posts requiring a Basic check only.</p> <ul style="list-style-type: none"> - Non-Executive Directors - Estates and Facilities staff without direct patient/service user contact

<ul style="list-style-type: none"> - Pharmacist (registered with GPC) - Pharmacy Technician (registered with GPC) - Radiographers - Bank staff – Clinical in regulated activity - Healthcare scientists (role dependent) - Counsellors - Nurse Managers (in supervision of those working in regulated activity) - Department Managers (in supervision of those working in regulated activity) - Medical Director - Director of Nursing - Volunteers – delivering food to wards and providing assistance to patients who cannot feed themselves unaided. - Pharmacy Assistant – ward dispensary duties. - Porters transferring patients - Clinical Psychologists 		<ul style="list-style-type: none"> - Board level Directors (with no direct line management for posts requiring enhanced check) 	
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