**Fact sheet 2e:**

**Volunteers and DBS checking**

 An organisation’s duty of care involves ensuring that potential volunteers are suitable for the volunteering activities in which they are interested.

Information in this document:

* The purpose of DBS checking
* When is a DBS check required for a volunteer?
* COVID-19 volunteers and DBS checks
* Which type of DBS check?
* Is it better to get DBS checks for all volunteers, just to be on the safe side?
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**The purpose of DBS checking**

A Disclosure and Barring Service (DBS) check provides information on an individual’s criminal history. This information should be used to help volunteers involving organisations decide if someone is suitable for the role in which they are interested. DBS checking should form part of wider safeguarding practice at the organisation that includes a policy on the recruitment of ex-offenders.

 🖰 [Sample recruitment of ex-offenders policy](https://www.gov.uk/government/publications/dbs-sample-policy-on-the-recruitment-of-ex-offenders/sample-policy-on-the-recruitment-of-ex-offenders)

Disclosure and Barring Service (DBS) checking is issued under section 122(2) of the Police Act 1997. To ensure that you comply with the law concerning handling DBS checks, visit the following Gov.uk web area:

 🖰 [DBS checks: guidance for employers](https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers#applicants-rights)

**When is a DBS check required for a volunteer?**

Volunteer roles likely to meet the criteria involve:

* Working with children, vulnerable adults
* Working in a health care or educational setting,
* Handling sensitive financial information.

This kind of activity is called ‘regulated activity’. Examples include transporting, teaching and caring, including personal care to those who are vulnerable due to age, illness or disability. Some individuals are prohibited from doing work involving ‘regulated activity relating to children’ and/or ‘regulated activity relating to adults’. An enhanced DBS can check for individuals’ names on the relevant barred list/s.

You should risk assess all volunteering roles to determine whether a DBS check is required. Factors to consider include:

* Whether individuals are left alone or have the opportunity to be alone with vulnerable individuals in the course of their volunteering
* Whether individuals are supervised in person whilst carrying out their role by a DBS checked employee/volunteer.
* If the organisation recruits young/vulnerable volunteers, whether risk can be managed by limiting their access to out of the way, unsupervised rooms or other locations.

In addition there is a useful tool on the Gov.uk website that you can use to check whether your potential volunteer needs a DBS check: [www.gov.uk/find-out-dbs-check](http://www.gov.uk/find-out-dbs-check)

If the situation is still unclear, contact your local Volunteering Coordinator (see back page) for tailored help.

**Which type of DBS check?**

According to government advice, there are three types of checks available for volunteers: basic check, standard check and enhanced check. Individuals can pay for a basic check if they want to (£23) but you should not request potential volunteers to provide one as a condition of recruitment into any role. This is because the Rehabilitation of Offenders Act 1974 states that individuals are not required to disclose past convictions unless the role they are interested in is listed as an exception to the Act. If a volunteering role involves regulated activity, it is the organisation’s responsibility to apply for either a standard or enhanced check as appropriate.

Basic checks can be used for any position or purpose. A basic certificate will contain details of convictions and cautions from the Police National Computer (PNC) that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974.

Standard checks reveal information about unfiltered spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer. To be eligible for a standard check, the position (paid or voluntary) must be specified in the Exceptions Order to the Rehabilitation of Offenders Act 1974.

Enhanced checks also source information from local police forces and can also be specified to check the ‘barred’ lists, which name individuals prohibited from working with children and vulnerable adults. To be eligible for an enhanced check, the position (paid or voluntary) must be on both Rehabilitation of Offenders Act 1974 (Exceptions Order 1975) and the Police Act 1997 (Criminal Records) regulations. Typical roles include regularly caring for, training, supervising or being solely in charge of children, specified activities with adults in receipt of health care or social care services.

* [Government information on types of DBS check & convictions](https://www.gov.uk/government/publications/disclosure-application-process-for-volunteers/disclosure-application-process-for-volunteers)

🖰 [DBS filtering guidance](https://www.gov.uk/government/collections/dbs-filtering-guidance)

**Is it better to get DBS checks for all volunteers, just to be on the safe side?**

The simple answer is no; it is illegal to apply to DBS check a volunteer unless the role is eligible for one. In 2012, changes in legislation handed more responsibility to organisations in deciding whether it was necessary to DBS check volunteers applying for certain roles. The legislation requires volunteers involving organisations to balance their duty of care to others with not exceeding their powers as regards DBS checking.

* [Information on Gov.uk on individuals’ rights](https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers#applicants-rights)

**Cost of DBS checking volunteers**

Checks for ‘eligible volunteers’ are free of charge. ‘Eligible volunteers’ are people involved in helping activities who are not being paid (apart from for travel and other approved out of pocket expenses) and not only looking after a close relative. Additionally, eligibility requires that the volunteer must not:

* Benefit directly from the position for which the DBS application is being submitted
* Receive any payment (except for travel and other approved out-of-pocket expenses)
* Be on a work or training placement
* Be in a trainee position that will lead to a full time role/qualification
* Be a paid foster carer or a member of a foster care household.

**Applying for a DBS check**

* Online DBS checking: we recommend using [Charity Backroom](http://www.charitybackroom.org.uk/)
* Gov.uk: [up-to-date procedure](http://www.gov.uk/disclosure-barring-service-check/overview)

If the applicant has subscribed to the DBS Update Service, the employer can check their certificate online without needing to go through the process above using the [DBS update service](http://www.gov.uk/dbs-update-service).

Transgender process for DBS checks

This confidential checking process is for transgender applicants who do not wish to reveal details of their previous identity to the person who asked them to complete an application form for a DBS check. For more information:

* [DBS Transgender Applications guidance](https://www.gov.uk/guidance/transgender-applications)
* Email: sensitive@dbs.gov.uk

**Useful contacts**

[Disclosure Service](https://www.gov.uk/government/organisations/disclosure-and-barring-service)

www.gov.uk/government/organisations/disclosure-and-barring-service

Email: customerservices@dbs.gsi.gov.uk

DBS helpline: 03000 200 190

Disclosure helpline: 03000 200 192

Minicom: 03000 200 191

* [NACRO](http://www.nacro.org.uk) www.nacro.org.uk

A crime reduction charity that supports

ex-offenders and their families.

T: 0845 600 3194

E: employeradvice@nacro.org.uk

[theInformationHub](http://hub.unlock.org.uk/) [www.hub.unlock.org.uk](http://www.hub.unlock.org.uk)

Self-help information for people with convictions, run by Unlock.

Helpline: 01634 247350 (M-F, 10am-4pm)

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resource library, users are urged to check independently on matters of specific interest.