

DISCLOSURE AND BARRING SERVICE CHECKS

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1 Introduction

This procedure is designed to assist managers and staff who are involved in the recruitment and employment of staff in roles which are regarded as exempt under the Rehabilitation of Offenders Act 1974. They should be read in conjunction with the Imperial College's [Recruitment and Selection Policy](#), [Disclosure and Barring Service Guidance](#) and [Child Protection and Adults at Risk Safeguarding Policy](#)

The ¹Disclosure and Barring Service (DBS) helps organisations make safer recruitment decisions by providing access to criminal record information to assist employers identify candidates who may be unsuitable for certain work due to criminal convictions or those who are barred from working with children or vulnerable adults. The minimum age at which someone can be asked to apply for a criminal record check is 16 years old.

The University uses Mayflower Disclosure Services Ltd (Mayflower) to carry out DBS disclosures and to countersign DBS applications on their behalf. Mayflower Disclosure Services are a registered Umbrella Body who act on behalf of the DBS to process criminal record applications. This allows the University to ask individuals working in specific occupations, for certain licenses and in specified positions to disclose their full criminal history, including [any convictions, cautions, reprimands or final warnings that are not "protected"](#), as defined by the [Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(2013 and 2020\)](#) [PDF].

Requests to Mayflower Disclosure Services for information about criminal convictions for both new and existing staff may only be made by the Staff Compliance team.

¹Known as the Criminal Records Bureau (CRB) up until 1 December 2012

2. Commitment to Equality

The University is committed to the fair treatment of job applicants and staff regardless of age, disability (including mental health), gender, race, religious beliefs, sex or sexual orientation. In line with the DBS Code of Practice, the University undertakes to treat all applicants who have a criminal record fairly and not to discriminate automatically because of a conviction or other information revealed.

3. Imperial College Staff Responsibilities:

3.1 Primary Application Manager

The University's Head of Compliance is the named Primary Application Manager and, as such, is Mayflower's principal point of contact on all matters connected with DBS disclosures.

3.2 Application Manager

The Staff DBS Adviser is responsible for ensuring that statutory DBS checks are only carried out where eligibility for a statutory check exists. They are also responsible for confirming that the correct level of check is undertaken.

3.3 Identification (ID) checkers

The Staff Compliance Assistants are responsible for checking applications, sending identification verification invites through Mayflower for TrustID verification or manually [verifying ID documents](#) supplied by applicants, following the [DBS identity checking guidelines](#), to validate the name, date of birth and address provided by the applicant. Applicants who cannot provide acceptable [ID documents](#) will be asked to go for fingerprinting at their local police station. The Staff Compliance Assistants are also responsible for submitting DBS applications to Mayflower Disclosure Services for processing. They will contact the line manager to confirm whether the individual can commence employment/new duties. They will also carry out annual checks using

the [DBS Update Service](#).

3.4 Recruiting Managers

Recruiting Managers are responsible for ensuring that they assess each new or revised role regarding working with children and/or vulnerable adults and that they take the necessary actions referred to within this guidance to ensure DBS checks are carried out when relevant.

3.5 Individuals applying for a DBS check

Individuals are responsible for completing their DBS application in a timely manner, and either completing the TrustID identification verification or providing suitable ID documents to the Staff Compliance team for verification. Where there is an ongoing need for continued DBS clearance, the individual also undertakes to subscribe to the DBS Update Service.

3.6 Recipients of Disclosure information

All recipients of Disclosure information must adhere to the [Code of Practice](#) published by the Secretary of State under section 122(2) of the Police Act 1997. Failure to comply with the Code of Practice may result in the DBS refusing to issue ²Disclosures to the University.

DBS certificate information must be stored securely, considered only for the purpose requested and destroyed after a suitable period has passed, as outlined in [Disclosure and Barring Service \(DBS\)](#) under 'Important Information' – 'Policy Statement on Secure Storage, Use, Retention and Disposal of Disclosures and Disclosure Information'.

² Disclosure refers to both new applications for DBS certificates and status checks of existing DBS certificates

4 **Evaluating the need for disclosure**

To help determine whether a role is eligible for a DBS check and which level of check (basic, standard, enhanced or enhanced with barred list), if any, is appropriate:

- Line managers should review the [Risk Assessment Guidance](#) and complete the [Safeguarding risk assessment template](#) for roles involving contact with children or vulnerable adults referring to the information below as necessary. **Please note** that where roles do not require a DBS check, the risk assessment should still be completed to ensure that appropriate safeguarding checks have been made.
- [Guidance on the eligibility for statutory DBS checks](#) provides comprehensive advice and guidance on the requirements for specific University roles but is not exhaustive.
- You may also wish to refer to the Government's [DBS eligibility tool and DBS eligibility guidance](#)

If in doubt line managers should discuss the need for a Disclosure with the Staff Compliance team before recruitment/new duties commence.

5 **Levels of Disclosure**

5.1 Basic check

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

Where a basic check is required, the cost is £18 and individuals can apply [directly to the DBS](#).

The DBS offers three further levels of Disclosure. These applications can only be processed and submitted to Mayflower Disclosure Services by the Staff Compliance team.

5.2 Standard check

The standard check is available for duties, positions and licences included in the [Rehabilitation of Offenders Act 1974 \(Exceptions\) Order 1975 \(2013 and 2020\)](#) [PDF] for example, some roles within an NHS setting where there is access to patients in a non-healthcare role, court officers, employment within a prison, and Security Industry Authority (SIA) licences.

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

5.3 Enhanced check

The enhanced check is available for specific duties, positions and licences included in both the Rehabilitation of Offenders Act 1974 (Exceptions Order 1975) and the Police Act 1997 (Criminal Records) regulations, for example, 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 and applicants for gaming and lottery licences. Please refer to our [Guidance on the eligibility for statutory DBS checks](#) for further information on eligibility.

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 that's considered relevant to the role.

5.4 Enhanced with a barred list check

The enhanced check with barred list check(s) is only available for those individuals who are carrying out [regulated activity](#) and a small number of positions listed in Police Act 1997 (Criminal Records) regulations, for example, prospective adoptive parents and taxi and Private Hire Vehicle (PHV) licences.

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](#).

An Adult Barred list check and/or Adult Workforce can only legally be requested for specific roles. Please refer to our [Guidance on the eligibility for statutory DBS checks](#) for further information on eligibility.

Fees for DBS Standard and Enhanced checks will be paid from central University funds.

6 **Checks on New Staff**

Where a DBS check is required, applicants should be made aware that a Disclosure will be sought from the successful candidate.

Line managers should therefore indicate the need for a DBS check:

- 1) when requesting a job advertisement so that the HR Recruitment Hub can ensure that the relevant standard wording is included in both the job advertisement and person specification.
- 2) when requesting a contract of employment so that the HR Recruitment Hub can ensure that the relevant standard wording, including outlining the DBS application process, is contained in the conditional offer letter and/or contract of employment.

Conditional offers of employment and employment contracts will set out contractual requirements in relation to DBS checks.

The successful candidate will not normally be able to commence employment until a successful

Disclosure has been received except where appropriate arrangements for [supervision of activity with children or vulnerable groups](#) can be made pending receipt of their Disclosure.

7 Checks on Existing Staff

In certain circumstances it may be necessary to obtain a Disclosure for an existing member of staff. This is most likely to occur where the duties of an existing member of staff change such that they will have regular one-to-one contact with children or vulnerable adults, for example, a staff member who takes on a pastoral responsibility as a Warden or Personal, Senior or Senior Faculty Tutor.

A Disclosure should be obtained before the new duties are assigned. Line managers should therefore indicate the need for a DBS check when requesting a change of contract so that the HR Staff Hub can ensure that the relevant standard wording, including outlining the DBS application process, is contained in the contract change letter or sent separately.

A Disclosure cannot be obtained without a member of staff's consent. If a member of staff withholds their consent, then line managers must ensure that they do not work in a regulated activity with children or vulnerable adults without supervision. Where this is not possible, line managers may need to change the member of staff's duties, or, if the issue was prompted by the enrolment of a child or vulnerable adult at the University, relocate the student so that they do not work in close proximity with the member of staff, for example, by placing them in a different hall of residence if the staff member concerned is a Warden. In such cases, existing employees have the right to withhold their consent to a Disclosure and should suffer no detriment for doing so.

8 Transgender process for DBS checks

DBS offers a confidential checking process for transgender applicants. This 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 about the transgender process, email sensitive@db.gov.uk or see the [DBS Transgender Applications guidance](#)

9 Using a DBS certificate issued in another employer's name

The University can only legally accept a DBS certificate issued in another employer's name, providing that the individual has:

- Subscribed to the DBS Update Service; and the DBS clearance is:
- At the same level and for the same Workforce type as their new University role
- Have the same barred lists checks (if these apply)

10 Applying for a Disclosure

The [Staff Compliance team](#) will send an invite from Mayflower disclosure services to make a DBS application as per the [DBS Applicant process](#).

11 Receiving the Disclosure

The DBS will send the DBS certificate directly to the applicant. The Staff Compliance team will email the individual and line manager once the check is complete.

If the applicant has not received their certificate after 14 days from the certificate issue date and it is no later than three months after the certificate issue date, the applicant can request a reprint by:

- **Email:** complete the [DBS Reprint Form](#) email it to DBSReprints@dbs.gov.uk
- **Telephone:** call the DBS on 03000 200 190 (Choose option 2 and then option 1 to speak to a DBS Advisor)

The applicant should also email the [Staff Compliance team](#) to advise that they have not received their certificate and have requested a reprint.

12 Disputes

Where an applicant disputes the information provided in a Disclosure, they can apply to the DBS for a decision about whether it is accurate. This dispute will need to be resolved before the individual can commence employment/new duties. Applicants should inform either the Primary Application Manager or the Application Manager by emailing the [Staff Compliance team](#) if they request a review and keep them updated about what happens with their certificate.

13 Withdrawing a DBS Application

If a DBS application has been made but is no longer required, it can be withdrawn before it reaches printing stage by emailing the Application Manager at Staffdbs@imperial.ac.uk to request this.

The application fee is non-refundable.

14 Checks for Overseas Applicants

The DBS can only access criminal records held on the Police National Computer. If the University is recruiting an overseas applicant, a DBS disclosure may not provide a complete picture of their criminal record.

If the individual has been living overseas within the past five years, an overseas' criminal records check should be applied for, to cover that period.

The individual is responsible for applying for this check from the relevant authority abroad. This should be done in accordance with the requirements for the country in question.

Departments may support with the provision of information required for the application, where they are able and at the request of the applicant.

The cost of any overseas check will be borne by the individual. It is at the department's discretion whether they recompense for this payment, as part of any onboarding expenses.

In the event that the overseas criminal records' check cannot be obtained, then a review of other documentation should be considered, in line with the guidance set out in [Keeping children safe in education - GOV.UK \(www.gov.uk\)](#).

The Staff Compliance team will advise the individual and their line manager on carrying out an overseas check, which will need to be applied for by the individual according to the requirements of the country in question. Guidance on applying for an overseas check is given below:

- following the Home Office guidance: [Criminal records checks for overseas applicants](#); or
- contacting the [embassy or High Commission](#) of the country in question or telephoning the Foreign & Commonwealth Office (FCO) Response Centre on 020 7008 1500; or requesting that the individual obtain a certificate of good conduct, the equivalent of a DBS disclosure or any other references.

15 Checks for casual worker, honorary and volunteer roles

The requirement to evaluate the need for a DBS check applies to all roles, whether paid or unpaid. The DBS process is only one part of the safer recruitment requirements. Where roles involve contact with young people or children under the age of 18 (or vulnerable adults) then a risk assessment must be undertaken and mitigations, including training, put in place.

Completed risk assessment templates relating to casual workers, honorary and volunteer roles should be provided to StaffDBS@imperial.ac.uk. These will be reviewed by the Director of Safeguarding to ensure all statutory measures to safeguard children are in place. As the risk of unsuitable practices or participants is potentially greater when the activity is undertaken by non-employees of the University, the review of the risk assessment is required before a DBS check can be processed.

16 Annual Check and DBS Update Service

Although there is no official expiry date for a DBS check any information revealed will only be accurate at the time the certificate was issued.

Where DBS checks are an essential and ongoing requirement (i.e. over 12 months) for the role, the University requires members of staff to subscribe to the [DBS Update Service](#), and give written consent for the Staff Compliance team to carry out annual checks on their DBS status, on or around the anniversary of the original DBS certificate issue date.

The current annual subscription fee for the Update Service is £13. Departments will refund the annual subscription costs for the duration of the individual's employment.

Where staff do not sign up to the DBS Update Service then DBS checks will be repeated every three years, except for Student Recruitment and Outreach, Global Summer School, Early Years Education Centre (EYEC), and Warden/Halls of Residence appointments, where repeat checks will be carried out annually. The Staff Compliance team will notify staff and departments as required. This duration is the maximum period permitted by University before a repeat check is required.

17 Under 18's annual exercise

To ensure that all relevant staff who may have regular one-to-one contact with children have been DBS checked, the Staff Compliance team will, at the end of August each year email relevant departments to request that they identify which members of staff (including those holding supplementary roles such as Personal, Senior and Senior Faculty Tutors) require DBS disclosure, the reason for this and the level of disclosure required. They will then contact individuals to arrange the completion of the DBS application and process.

18 Further information

To find out more about DBS checks, and Safeguarding in general, please visit:

- [Disclosure and Barring Service - GOV.UK](#)
- [DBS checks: detailed guidance - GOV.UK](#)
- [Imperial College DBS guidance webpage](#)
- [Imperial College Safeguarding webpage](#)

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