

## **INFORMATION REGARDING DBS CERTIFICATES**

For applicants applying for positions involving assess to children, young people or adults at risk

**The work for which you are applying involves substantial opportunity for access to children, young people or adults at risk, and as such is exempt from the Rehabilitation of Offenders Act 1974. We will therefore ask you if you have any prosecutions or convictions, even if they would normally be regarded as “spent”. The information is treated in confidence. We obtain confirmation of this information by asking you to apply for a Disclosure and Barring (DBS) Certificate, formerly known as a CRB disclosure.**

### **WHAT IS A DBS CERTIFICATE?**

This is a document containing information held by the police and government departments. It can be used by employers to make safer recruitment decisions. Certificates are provided by the Disclosure and Barring Service (DBS). This was formerly provided by the Criminal Records Bureau (CRB).

The Certificate service offers organisations a means to check the background of job applicants to ensure that they do not have a history that would make them unsuitable for posts they are trying to fill. The details of a person's criminal record will include convictions, cautions, reprimands and warnings held on the Police National Computer, and will also include details from lists of those considered unsuitable for working with children, young people or adults at risk. There are two levels of Certificate: Enhanced and Standard. The Council will determine which is the appropriate level of check for the type of post.

**Enhanced Certificates** - These are for posts involving a greater degree of contact with children, young people or adults at risk, in general involving regularly caring for, supervising, training or being in charge of such people. They involve the checks mentioned above and also an additional check on local police records. Exceptionally, in a very small number of cases, additional information may be sent under separate cover to the employer and should not be revealed to the applicant (for example if disclosing it would prejudice an ongoing police investigation.)

**Standard Certificates** – These are generally for posts that involve working with children, young people or adults at risk. They can include people who work in schools, hospitals and care homes in any capacity.

### **CAN I REFUSE TO APPLY FOR A DBS CERTIFICATE?**

You have no obligation to apply, but the Council may choose to withdraw the offer of a position if a candidate declines to apply for a DBS Certificate.

### **WHAT WILL A DBS CERTIFICATE COST?**

If you are a job applicant and a DBS Certificate is required for the position, the Council will pay for the Certificate direct. If you are applying for some form of licence

rather than for a job, a charge will be made and you will be asked to pay before the check is processed.

### **HOW DO I APPLY FOR A CERTIFICATE?**

If your role is subject to a DBS we will ask you to complete an online DBS application and to provide information to help the DBS confirm your identity.

You will be sent a link to the online DBS system. The information required will include your full name and other names you have been known by; addresses where you have lived over the past five years; date and place of birth; national insurance number; passport/driving licence details.

Once you have submitted your online application, you will then be required to produce your ORIGINAL identity documents to be verified. You will receive an email from the Council stating where you should take your ID documents and which documents are required.

### **WHAT INFORMATION WILL APPEAR ON MY DBS CERTIFICATE?**

Positions working with children, young people and vulnerable adults mean that there is no concept of “spent” convictions, and details of any criminal record that you might hold will normally appear on your DBS Certificate.

However, certain old and minor cautions and convictions will not be disclosed. For those 18 or over at the time of the offence: an adult conviction will be removed from a DBS certificate if:

- i) 11 years have elapsed since the date of conviction; and
- ii) it is the person’s only offence, and
- iii) it did not result in a custodial sentence

Even then, it will only be removed if it does not appear on the list of offences which will never be removed from a certificate.

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

An adult caution will be removed after 6 years have elapsed since the date of the caution – and if it does not appear on the list of offences relevant to safeguarding.

For those under 18 at the time of the offence:

The same rules apply as for adult convictions, except that the elapsed time period is 5.5 years

The same rules apply as for adult cautions, except that the elapsed time period is 2 years.

### **WHO WILL RECEIVE MY DBS CERTIFICATE AND WHEN?**

You will receive your DBS Certificate in the post. Bracknell Forest Council will not receive a copy of the Certificate. However, we will be able to see on the online

system whether a clear Certificate was issued to you or whether it had additional information on it.

If your Certificate shows additional information, you will be required to produce your Certificate to the person who requested you complete a DBS check so a discussion can take place about the information. If you are applying for a position and you are aware that additional information may appear on your Certificate and you wish to discuss this before applying for a check, please contact the person who requested you carry out a DBS check.

The information will be used only in connection with the job applied for and will be held securely, according to the DBS Code of Practice.

### **WHAT IS YOUR POLICY IN RELATION TO EMPLOYING EX-OFFENDERS?**

*A criminal record, or other information, will not prevent appointment unless the selection panel considers that the conviction renders you unsuitable for appointment.*

*In making this decision the Council will consider the nature of the offence; how long ago it was and what age you were when it was committed; whether there is a history or pattern of convictions; the relevance of the conviction to the post; the risks to customers, clients, and employees; and any other factors which may be relevant, including appropriate considerations in relation to our published policy on Equal Opportunities.*

*Our decisions will be based on confidentiality and discretion and access to criminal record information will be on a need-to-know basis.*

Our full policy statement on the recruitment of ex-offenders is available on request.

### **CAN I CHALLENGE THE INFORMATION ON MY CERTIFICATE IF IT IS INCORRECT?**

Yes. If you think that any information contained on your Certificate is incorrect please contact the DBS on **0870 909 0811** immediately and ask about the dispute procedures.

### **FURTHER DETAILS**

For further details, visit

<https://www.gov.uk/disclosure-barring-service-check>