



2.0 Safeguarding

DBS and Safer Recruitment

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Introduction

It is essential that voluntary organisations carry out appropriate background checks on staff, volunteers and trustees.

The use of [Disclosure & Barring Service](#) (DBS, formerly CRB) checks should be part of your overall **approach to safeguarding and detailed in your safer recruitment policy and practice.**

This is strongly recommended by the **Charity Commission**. You can only carry out checks for certain roles and activities.



Image: Volunteer with a group of older people



DBS Eligibility

If you're not sure whether to carry out a check, you can use the **DBS eligibility tool.**

[DBS Eligibility Tool](#)

Accessing DBS Checks

The only check that individuals can obtain for themselves is the [Basic Check](#). A basic check can be requested for any position or purpose. Basic checks will only contain details of convictions and conditional cautions considered to be 'unspent' under the terms of the [Rehabilitation of Offenders Act 1974](#). Please be aware that many roles will require a higher level of check.

All other types of **DBS** check must be obtained by employers through an umbrella body registered with the **DBS**. The **DBS Registered Body** that is carrying out checks on your behalf should confirm the eligibility for the correct level of check.



External Link

Further information on **DBS** registered bodies and to search for one that meets your needs is available on the **DBS** website:

[DBS Registered Body](#)

or contact us for a short list of providers with an understanding of third sector requirements:

safeguarding@wcva.cymru

Where staff or volunteers are working with children or adults at risk, it is important that the correct level of **DBS** check is requested. **Eligibility for checks is determined by a close match to the job or role description.**

Levels of Check

- **Standard checks** are appropriate for roles such as finance officer or treasurer, where you wish to ascertain the individual has no known history of fraud.
- **Enhanced checks** are appropriate for roles where there is contact with children or adults at risk allowing the opportunity for a relationship of trust to develop. Enhanced checks will be made available for roles meeting the eligibility criteria.
- **Enhanced checks with a barring list check** (adult workforce, children's workforce, or both) are required by law for individuals working or volunteering in roles which are defined as '**regulated activity**'.

Regulated Activity

Under Safeguarding Vulnerable Groups and the Protection of Freedoms legislation, there are specific activities and work that a person who has been barred from working with a particular vulnerable group (children and/or adults) must not do. This is known as **regulated activity**.

If the role will involve regulated activity, an enhanced check with a barring list check is required **by law**.

If a voluntary organisation is engaging a member of staff or volunteer in **regulated activity** then a **DBS enhanced check** including a check against the relevant barring list(s) (children and/or adults) must be carried out before they start in that role.

Employers who wish to engage a person in regulated activity must not knowingly employ a barred person and are therefore eligible to ask for an **enhanced DBS check** to include a check against the relevant **DBS barring list** (children and/or adults list). This barring list check will show if someone is included or not on the relevant **DBS** list.

Other work not meeting the definition of **regulated activity**, but which includes substantial contact with a child or (**vulnerable**) adult at risk, may be eligible for an **enhanced DBS check** as a matter of best practice. This type of check will not include a check against the barring lists.



Image: Volunteer working with a group of children.



It is not always necessary to carry out a new check every time you take on a new member of staff or volunteer, or need to recheck existing staff. Find out more from the **DBS Update Service**.

[DBS Update Service](#)

You can also contact the **WCVA safeguarding service** to discuss check eligibility and the use of **DBS** checks, including the **Update Service**, as part of your overall recruitment plan.

Any staff member or volunteer who harms a child, young person or adult at risk with whom they have contact in the course of their role, or who appears unsuitable for a role in contact with vulnerable groups, should be reported to the **Local Authority Designated Officer (LADO)** at the outset of your disciplinary process. (Section 5, Wales Safeguarding Procedures: www.safeguarding.wales)

Duty to Refer to the DBS

There is a legal duty placed on the employer or voluntary organisation when they place a member of staff or a volunteer into regulated activity called the duty to refer. This is required when the person working in regulated activity has caused harm or poses a risk of harm to the people they are working for or caring for (**adults at risk or children**) in their regulated activity role.

The duty to refer must be enacted when the organisation has decided to remove the worker/volunteer permanently from the regulated activity position, due to the (**risk of**) harm. The duty still applies if the worker/volunteer retires, steps down or resigns from the role. Referrals should be made to the **Disclosure and Barring Service (DBS)** using the form supplied on their website to allow the **DBS** to consider barring the individual from regulated activity.



External Link

Further information can be found in the DBS referral guidance is available on the UK government website: [Making Barring Referrals to the DBS](#)

Resources

DBS Guidance Leaflets

UK Government

<https://www.gov.uk/government/publications/dbs-guidance-leaflets>

DBS Update Service

UK Government

<https://www.gov.uk/dbs-update-service>

Safeguarding

Wales Council for Voluntary Action

<https://wcva.cymru/safeguarding/>

DBS Factsheet

Wales Council for Voluntary Action

<https://wcva.cymru/wp-content/uploads/2020/01/DBS-Factsheet.pdf>



Cefnogi Trydydd
Sector **Cymru**

Third Sector
Support **Wales**

Third Sector Support Wales is a network of support organisations for the whole of the third sector in Wales.

It consists of the 19 local and regional support bodies across Wales, the County Voluntary Councils (CVCs) and the national support body, Wales Council for Voluntary Action (WCVA).

For further information contact
<https://thirdsectorsupport.wales/contact/>

Disclaimer

The information provided in this sheet is intended for guidance only. It is not a substitute for professional advice and we cannot accept any responsibility for loss occasioned as a result of any person acting or refraining from acting upon it.