**DISCLOSURE AND BARRING (DBS) PROCEDURE**

Age UK Oldham uses the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust. Age UK Oldham complies fully with the applicable Codes of Practice and other relevant legislation <https://www.gov.uk/government/publications/dbs-code-of-practice>.

This policy applies to all relevant employees, volunteers and Trustees and will be made available to applicants at the outset of the recruitment process where a DBS request for disclosure of their criminal record will be required as part of the application process.

It is Age UK Oldham’s policy to require applicants to disclose any 'unspent' criminal convictions as part of their application. Under the Rehabilitation of Offenders Act 1974 (amended) ex-offenders are not required to disclose to prospective employers, convictions defined as 'spent' under the Act. However certain posts, particularly those working with vulnerable groups, in positions of trust or sensitive areas are exempt from these provisions, and in these cases all convictions must be declared and DBS clearance obtained prior to starting employment.

Age UK Oldham will not discriminate unfairly against applicants with a criminal record. Having a criminal record will not necessarily bar an applicant from working with us; the nature of a disclosed conviction and its relevance to the post in question will be considered by the Board of Trustees. This is with the exception of a person who is barred from working with vulnerable groups. It is a criminal offence to employ a person in a 'regulated position' where they have been barred from working with vulnerable groups.

All employees, volunteers and trustees are required to disclose criminal convictions acquired during employment at Age UK Oldham which may be relevant to their position.

**Disclosure and Barring Service** – Age UK Oldham uses FADV (First Advantage), an external Disclosure and Barring Service (DBS) to obtain information to enable us to assess the suitability of applicants for posts working with vulnerable groups or in positions of trust.

DBS disclosure information is held securely on Age UK Oldham’s internal databases with access limited to those who are entitled to see it as part of their duties. A record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken, will however be securely stored for monitoring purposes. DBS disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's full consent has been obtained.

**Appointments requiring a DBS disclosure** - a standard DBS disclosure is required where a person is required to work in a position of trust as defined by the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975. An enhanced DBS disclosure request, which includes a barred list check, is required when working in a 'regulated' activity with vulnerable groups as defined by the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975 **and** be specifically included in the Police Act 1997 (Criminal Records) regulations as able to check the appropriate barred list(s).

* Health care – any health care professional providing health care to an adult or anyone who provides health care to an adult under the supervision of a health care professional;
* Personal care – providing assistance, supervision or advice in relation to activities including eating and washing;
* Social care;
* Assistance with cash, bills or shopping;
* Assistance in the conduct of a person's own affairs;
* Transporting an adult because of their age, disability or illness to or from their home and a place where they will receive health care, personal care or social care.

**I**f a position meets the regulated activity definition and requires a DBS check applicants must be aware that a DBS disclosure is required as part of the application process.

**Process** – Recruiting managers must arrange for a DBS check at an appropriate stage and before the applicant undertakes any of the regulated duties unsupervised.Any appointment or volunteering offer requiring a check will always be subject to DBS clearance.

Requests for DBS checks are made via <https://fadv.onlinedisclosures.co.uk> . For volunteer checks, recruiting managers log in using their own secure password to process the check. All employee checks are carried out by the Personnel Officer.

DBS no longer issue disclosure certificates to employers.

**Positive DBS**  - if a Positive DBS is returned we will contact the applicant for a copy of the certificate and conduct an interview with the applicant to determine the circumstances.  A signed statement and completed DBS Risk Assessment form will then be referred to two Trustees who will consider a range of factors before making a decision on appointment including; any legal or regulatory requirements, the nature of the offence, the age at which it was committed, its relevance to the post in question, whether the applicant has a pattern of offending behaviour and the circumstances surrounding the offence and the explanation(s) offered by the convicted individual.

**Re-Checks** – it is good practice for individuals who work with adults or children to be re-checked every three years or if they move posts.

**Appendix:**

DBS Risk Assessment Form