

Swansea Canal Society



Cymdeithas Camlas Abertawe

DBS and Safer Recruitment

The use of Disclosure & Barring Service (DBS), formally CRB checks, are strongly recommended by the Charity Commission for certain roles and activities.

The only check that individuals can obtain for themselves is the Basic check. A basic check can be requested for any position or purpose, but only contains details of convictions and conditional cautions considered to be unspent under the terms of the **Rehabilitation of Offenders Act 1974**. Many roles will require a higher level of check.

Where Volunteers are working with children or adults at risk, it is important that the correct level of **DBS** check is requested. This is determined by a close match to the role or activity 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 barring list (adult workforce, children's workforce, or both) are required by law for individuals working or volunteering in roles which are defined as 'regulated activity'.

For a short list of providers with an understanding of third sector requirements: safeguarding@wcva.cymru

Regulated Activity

Under **Safeguarding Vulnerable Groups and the Protection of Freedoms Legislation**, there are specific activities and work that a person who is 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 volunteer in **regulated activity**, then a **DBS enhanced check** including a check against the **relevant barring list(s)** (children or adults) must be carried out before they start in that role.

The organisation must not knowingly allow a barred person to engage in regulated activity.

If work is not meeting the definition of Regulated activity but includes substantial contact with a child or vulnerable adult at risk, the volunteer 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.

Updates can be checked by: [**DBS Update Service**](#)

WCVA Safeguarding Service

If any volunteer 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, they 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**](http://www.safeguarding.wales))

Duty to refer to the DBS

There is a legal duty placed on the voluntary organisation when they place a volunteer as a regulated activity member of the team.

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.

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/2020/01DBS-Factsheets.pdf>