How to use the Disclosure and Barring Service

The Disclosure and Barring Service (DBS) carries out criminal record checks for specific positions, professions, employment, offices, works and licenses included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and those prescribed in the Police Act 1997 (Criminal Records) regulations.

Before you consider who is required to have a DBS check, you first need to assess whether the roles of the positions you are proposing to advertise are eligible for a DBS check.

All roles must be assessed individually against the legislative eligibility criteria to establish whether, within the law, a DBS application can be submitted and to what level. A DBS check should not be submitted without establishing this.

Eligibility to apply for a DBS check depends on the specific role a person will perform whilst conducting their duties within an organisation, you may find the DBS eligibility guidance helpful to take you through this process - <https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>

We have also provided an online eligibility tool that should assist you in assessing whether your volunteer and work placements roles are eligible for a DBS check, please see <https://www.gov.uk/find-out-dbs-check>.

DBS Workforce guidance is available at <https://www.gov.uk/government/publications/dbs-workforce-guidance>

Department for Education guidance on regulated activity with children is available at <https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>.

Department of Health guidance on regulated activity with adults is available at <https://www.gov.uk/government/publications/new-disclosure-and-barring-services>.

If you assess that the roles are eligible for a DBS check then please see <https://www.gov.uk/disclosure-barring-service-check/overview> for further information on the DBS application process, including links to the identity checking guidance.

In order to obtain DBS checks for you’re volunteer and work placements you will need to submit applications via an Umbrella Body. An Umbrella Body is an organisation that is registered with the DBS to submit applications on behalf of other organisations that are not directly registered. To find a suitable Umbrella Body you can use our Umbrella Body Directory which is available at <https://www.gov.uk/find-dbs-umbrella-body>.

The Umbrella Body will also be able to advise you on the eligibility criteria for DBS checks and will help you to reach a decision about whether the services that you intend to provide are legally entitled to a DBS check.

For Standard and Enhanced DBS purposes, the definition of a ‘volunteer’ is outlined within the Police Act 1997 (Criminal Records) Regulations 2002 as: *“A person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third party other than or in addition to a close relative.”*

For the purpose of a DBS check, it is deemed that ‘unpaid’ means not in receipt of any payment (for example, remuneration, allowance, financial benefit, payment in kind, or other means of support) in relation to the activity. The applicant must therefore not:

* receive payment for activities (except for travel and other approved out-of-pocket expenses)
* be on a placement/work experience
* be on a course that requires them to do this job role
* be in a trainee position that will lead to a full-time role/qualification.

If the roles are not in relation to the four bullet points above, it would be voluntary and the DBS would not make a charge for the processing of the application.

For positions that are not eligible for DBS checks, individuals can obtain a Basic Disclosure from Disclosure Scotland (any UK resident can obtain a Basic Disclosure), which will show any relevant ‘unspent’ criminal record information. Please see <https://www.mygov.scot/basic-disclosure/apply-for-basic-disclosure/> for further information about this service.