



Disclosure and Barring Service (DBS) Policy

Document Author: HR Services Manager

Date Approved: July 2018



| | |
|---------------------------------------|--|
| Document name | PO – Disclosure and Barring Service (DBS) Policy |
| Version | 4.0 |
| Responsible Committee | Trust Management Group |
| Responsible Director | Director of Workforce and OD |
| Document Owner (title) | Deputy Director of Human Resources |
| Document Author (title) | HR Services Manager |
| Approved By | Trust Management Group |
| Date Approved | July 2018 |
| Review Date | July 2021 |
| Equality Impact Assessed (EIA) | Yes (Screening) |
| Protective Marking | Not Protectively Marked |

Document Control information

| Version | Date | Author | Status (S/D) | Description of Change |
|--|----------|------------------------------|--------------|--|
| 1.0 | 25/04/13 | Matthew Hammonds | D | Draft of new policy |
| 2.0 | 03/05/13 | Matthew Hammonds | D | Updated with comments from WPPG |
| 3.0 | 02/08/13 | Matthew Hammonds | A | Approved policy for issue |
| 3.1 | Feb 18 | Risk Team | A | Document formatted – New visual identity |
| 3.2 | June 18 | Associate Director Workforce | D | Reviewed and remains fit for purpose. No amends required propose next review 3 years |
| 4.0 | July 18 | Associate Director Workforce | A | Approved at TMG July 2018 following JSG – No comments. |
| | | | | |
| A = Approved D = Draft | | | | |
| Document Author = HR Services Manager | | | | |
| This document is controlled. If you would like to suggest amendments to this document please contact the document author. | | | | |

| Section | Contents | Page No. |
|----------------|--------------------------|-----------------|
| | Staff Summary | 3 |
| 1 | Introduction | 3 |
| 2 | Principles | 3 |
| 3 | Process | 4 |
| 4 | Associated Documentation | 4 |

Staff Summary

Yorkshire Ambulance Service (the Trust) recognises the importance of its responsibilities as a healthcare provider in ensuring that criminal record and barring checks are carried out in the appointment and ongoing employment of all eligible individuals.

This policy and accompanying guidance sets out how the Trust will ensure compliance with regulatory and legal requirements for obtaining information from the Disclosure and Barring Service (DBS) to enable safe recruitment decisions to be made in the appointment and continued employment of staff, volunteers, temporary staff and contractors.

1. Introduction

- 1.1 The Trust recognises the importance of ensuring that staff who apply for, or work in roles which have direct patient contact, or whose post/profession is eligible for a DBS check for some other reason (as outlined in the DBS checks eligibility guidance document), are initially and at appropriate intervals required to undergo a DBS Check.
- 1.2 This policy should be read in conjunction with NHS Employers Guidance – Criminal Record and Barring Checks.

2. Principles

- 2.1 The Trust will not allow an employee to commence in role prior to a DBS check being completed if it is required for that particular role. In exceptional circumstances, the Trust may make a risk-based decision to appoint applicants while they are awaiting the outcome of a DBS check – for example, in order for them to do their induction training, or to undertake other duties which would not include them engaging in any form of regulated activity. In such cases safeguards will be put in place to manage that individual i.e. supervision, restricted duties and access to patients, until the disclosure has been obtained.
- 2.2 The Trust will take all necessary action to ensure that re-checks are carried out at three yearly intervals, failure to complete forms when requested may result in disciplinary action being taken in accordance with the Trust's Disciplinary Policy.
- 2.3 The Trust will manage the DBS process in line with the principles and definitions outlined in the NHS Employers Guidance – Criminal Record and Barring Checks.
- 2.4 As a registered body, the Trust will observe the Code of Practice for registered persons and other recipients of disclosure information (April 2009)
- 2.5 Possession of a criminal conviction does not automatically make an applicant unsuitable for employment in the NHS. However, where the disclosure indicates that the ISA has made a barring decision against one or both of the barred lists, it is illegal for an employer to allow them to engage in regulated activity from which they are barred. When considering disclosure information the Trust will assess:
 - any legal or regulatory requirements
 - the nature of the offence

- its relevance to the position being applied for
- the length and type of sentence issued
- at what age the individual committed the offence
- whether the applicant has a pattern of offending behaviour, for example, if there are multiple offences
- whether the applicant's circumstances have changed since the offending behaviour for example, where the offence was time-limited or committed as a juvenile, and the individual has taken on responsibilities in life to enhance their standing in society, such as through education or voluntary work
- the circumstances surrounding the offending behaviour and the explanation offered by the individual

2.6 Discussions in relation to information contained in DBS disclosures should be handled sensitively and in the strictest of confidence. If a discussion is required in relation to information returned on a DBS disclosure then this must take place in an appropriate environment i.e. where the conversation cannot be overheard.

2.7 Where existing staff change role within an organisation and the level of DBS check required for both roles is the same, then providing the original DBS check was carried out within the last 3 years, a new DBS check will not be required. If their new role requires a higher level of check, then a new DBS check must be completed before an unconditional offer of the new role is made.

3. Process for Review and Revision

This policy will be reviewed in five years' time unless legislative or other changes necessitate an earlier review.

4. Associated Documentation

This policy operates in conjunction with the following documents:

- NHS Employers Guidance – Criminal Record and Barring Checks