

University disclosure and Barring Policy (Staff)

May 2025

There are three distinct parts to the University of Exeter's DBS staff policy.

1. DBS staff policy – the requirements that the University of Exeter on undertaking Disclosure and Barring checks
2. DBS code of Practice – outlines the minimum requirements that the Disclosure and Barring Service (DBS) have for people handling DBS check information
3. Recruitment of Ex-Offenders policy – how the University will approach the recruitment of individuals who have a criminal record history

Please also read the comprehensive Manager's or Applicant's guidance as appropriate.

The University's policy on the use of Disclosure and Barring Service (DBS) checks.

1. Purpose
2. Scope
3. Responsibilities
4. Equality, diversity, and inclusion
5. Levels of disclosure
6. Existing staff
7. Volunteers
8. Renewal checks
9. Temporary workers
10. International Staff
11. Application Process
12. Regulated Activity
13. Legislation
14. Update service
15. Data Protection and confidentiality
16. Lifespan of disclosure and frequency of checks
17. Corresponding University policies and procedures

DBS staff policy

1. Purpose

- 1.1 The Disclosure and Barring Service (DBS), an executive non-departmental public body of the Home Office, provides access to criminal record information through its Disclosure service. This service enables organisations to make safer recruitment decisions by identifying applicants who may be unsuitable for certain work, especially that which involves children or Adults at Risk.
- 1.2 The University is committed to achieving the highest standards in the protection and safeguarding of children, young persons (i.e. those aged under 18) and adults in a vulnerable situation and endeavours to provide a safe environment for staff, students and all those impacted by its activities.
- 1.3 All employees share the responsibility for safeguarding and must remain vigilant in protecting the welfare and safety of others at all times. Employees are responsible for undertaking any mandatory training or specific training relevant to their role regarding safeguarding.
- 1.2 The Rehabilitation of Offenders Act 1974 and the amendment orders prohibit discrimination against persons with prison/criminal records, within defined limits relating to the length of the sentence and the period free of a criminal record after the sentence was completed. Therefore once the sentence and qualifying time free of a criminal record have lapsed, the conviction is described as 'spent' and the person no longer needs to state this when asked about their criminal record. However, where a post involves significant contact with children or vulnerable adults, and in certain other cases, the University is entitled to make enquiries about the applicant's entire criminal record and will seek a certificate from the Disclosure & Barring Service.
- 1.3 The University complies with the DBS Code of Practice and undertakes to treat all applicants for positions fairly and equitably. It undertakes not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.
- 1.4 This document sets out the policy in relation to DBS checks, which should be carried out for any member of staff who joins the University and regularly works with those under the age of 18 years or vulnerable adults. DBS define regular as more than 3 days in a 30-day period or overnight between 14.00 & 06.00, with the opportunity for face-to-face contact.
- 1.5 Regulated activity with vulnerable adults includes providing health care by, or under the direction or supervision of a regulated health care professional, providing personal care such as physically assisting with, or prompting and supervising/training/instructing/advising on eating drinking, toileting, washing, bathing, dressing etc.
- 1.6 For some roles at the University candidates will be required to undergo additional pre-employment screening in addition to DBS checks. Further information can be found on the [Recruitment and Selection](#) pages.
- 1.7 This policy provides clarity and guidance to those who are or are planning to work at the University and those recruiting them. It explains the processes necessary to protect them, vulnerable groups, and the University.

- 1.8 Having a criminal record will not necessarily bar you from working with us. This will depend on the offence and the relevance of the offence to the position applied for.

2. Scope

- 2.1 The policy applies to all potential and current staff, including individuals who have an honorary contract with the University; temporary workers; agency staff; and individuals engaged with the University on a self-employed contract basis. To ensure that applicants are aware of this policy, it will be provided at the outset of the recruitment process for roles where a disclosure will be required as part of the pre-employment checks.
- 2.2 Students who require a DBS certificate for work experience which is part of their academic programme should contact the Admissions Office.
- 2.3 Where an individual is both a student and an employee of the University, it should be self-evident whether the DBS disclosure is required in connection with their employment (processed by HR) or their course of study (processed by Admissions).
- 2.4 The University requires staff employed in certain roles to undergo a DBS check every three years; after a break of service; or sooner if this is a requirement for operational or organisational reasons. In situations where an individual is appointed to, or promoted to, new roles within the University that require a DBS check this will be undertaken if they have not already completed one.
- 2.5 The University will use a third party, First Advantage through their Know Your People portal to complete checks and re-checks on its behalf. Re-checks may be also done using the DBS Update Service where appropriate. PS Connect will maintain a central register of all staff checked and roles due to be re-checked every three years as outlined in the policy.
- 2.6 DBS checks are monitored by the Assurance, Compliance and Risk team. Data is shared with the University Compliance Committee on a termly basis.

3. Responsibilities

- 3.1 The DBS helps employers make safer recruitment decisions and prevents unsuitable individuals from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).
- 3.2 **Recruiting managers** are responsible for ensuring that their job description holds the correct information on DBS checks, in consultation with the relevant HR Advisor, and that they have flagged roles requiring a check when submitting an eSR1. The job description must state that the role requires a DBS check. They are responsible for identifying whether a DBS check is required and at which of the six levels it is required.

In the event that there is a delay to the DBS check, and the staff member commences in role prior to DBS outcome, the Recruiting manager is responsible for carrying out a risk assessment and ensuring that work is controlled and supervised until the outcome is known.

They are also responsible for deciding whether it is appropriate to recruit an individual where DBS reports confirm a conviction or other related information, supported by the Recruitment Manager and their HR Advisor.

- 3.3 **The Recruitment Team (PS Connect)** is responsible for ensuring that candidates requiring a DBS check are sent a link to First Advantage along with the formal offer of an appointment. The offer will be subject to completion of a satisfactory check, so the Recruitment team is also responsible for confirming the candidate's start date once the check has been completed and for issuing letters confirming a re-check is required.
- 3.4 **The HR Admin team (PS Connect)** is responsible for reviewing returned reports for checks and re-checks and ensuring the system is updated with required information. The Resourcing Manager is responsible for providing advice and support where there are issues with checks and decisions are required from Appropriate Managers.
- 3.5 **The candidate / employee** is responsible for disclosing unspent convictions and relevant information in relation to the role they are applying for or, where they are already employed in the role, for alerting their manager to any new convictions that emerge. The candidate is responsible for completing the disclosure application form on the First Advantage website and providing the required documents. The employee is responsible for completing a re-check via when prompted to do so.
- 3.6 **Line managers** are responsible for ensuring that any of their employees who need to renew their DBS checks complete them in a timely manner.
- 3.7 **The Procurement Manager** is responsible in the provision of contracts/contractors that are not employees of the University for compliance with the appropriate checks as required in alignment with the University's Safeguarding Children Policy.
- 3.8 **All employees** share the responsibility for safeguarding and must remain vigilant in protecting the welfare and safety of others at all times. Employees are responsible for undertaking any mandatory training or specific training relevant to their role regarding safeguarding.

4. Equality, diversity and inclusion

- 4.1 In developing this policy we have followed our process for inclusive decision making to help create a working environment where people feel welcomed, valued, and supported.

5. Levels of Disclosure

- 5.1 For positions **working with children and vulnerable adults**, an Enhanced with or without a Barred List check DBS certificate will be requested. This involves an extra level of checking with local police force records in addition to checks with the Police National Computer and the government department lists held by the Department for Education and Skills and the Department of Health, where appropriate. The majority of posts which require a DBS certificate within the University will be subject to an Enhanced Certificate.
- 5.2 Where an employee will be carrying out regulated activity, then a Barred List check will also need to be carried out. More information on this can be found at **Regulated Activity**.

- 5.3 The list of checks available can be found on the [DBS Master Roles List](#).
- 5.4 All other positions covered by the Exceptions Order 1975 to the Rehabilitation of Offenders Act 1974 are subject to a Standard DBS certificate. This contains details of all convictions on record (including spent convictions), plus details of any cautions, reprimands or warnings. It is unlikely that it will be necessary to conduct a Standard DBS certificate on any positions at the University.
- 5.5 The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance and criteria on the filtering of these cautions and convictions can be found at the [Disclosure and Barring website](#).

6. Existing staff

- 6.1 In the event that existing staff are taking on additional duties which may require them to complete a DBS check, this will be discussed with them fully by their line manager before the paperwork is completed.
- 6.2 A line manager can request a DBS check for an existing member of their team by completing a DBS Request and Approval form. Please note, this form should be completed by the individual's line manager (or an appropriate member of the team, other than the individual who requires the DBS check).
- 6.3 If an existing member of staff's circumstances change and a new DBS check would show content, they must inform their line manager.

7. Volunteers

- 7.1 There are some volunteer roles within the University which will require a DBS check ie Multifaith Chaplains. This policy will apply to volunteers as well as staff.

7. Renewal checks

- 7.1 There are no expiry dates for a DBS certificate.
- 7.2 If an individual, signs up to the 'Update Service' then the University is able to check the currency of the DBS certificate.
- 7.3 DBS checks should be renewed every three years. HR Admin (PS Connect) will be in touch with the individual and their Line Manager in advance of the renewal date to check:
- Whether a DBS check is still required for the individual in their role.
 - To collect the information required by HR Admin to complete the check.
- 7.4 Once this information is received by HR Admin the standard DBS check process will be followed.
- 7.5 If the check is no longer required then please confirm this back to HR Admin.

8. Temporary workers

8.1 Temporary workers such as those employed through the Temporary Staff Bank (TSB) who are working with children or vulnerable adults on behalf of the University may need to complete a DBS check.

8.2 To request a DBS check for a temporary worker please complete a [DBS Request and Approval Form](#)

9. International staff

9.1 Disclosures for applicants with a substantial record of overseas residence, including current UK residents and British nationals, may not include information on convictions from outside the UK.

9.2 Unless the applicant has little or no previous residence in the UK, a disclosure should still be sought. Should the applicant have periods of overseas residency in the EU, they will be asked to obtain certificates of good conduct or extracts from their criminal record to show to their HR Advisor.

9.3 There are also other countries outside the EU where criminal record information is available. Your HR Advisor will contact the relevant body in the country they have resided in to obtain information on any criminal convictions. The DBS can offer guidance on the availability of [criminal record checks in a variety of foreign countries](#).

10. Application Process

10.1 The applicant will be contacted by the Recruitment Team and asked to complete an online DBS application. An applicant should reveal as part of the application process any unspent criminal convictions and / or cautions relevant to the role applied for. Some roles require that spent convictions still need to be declared.

10.2 If an applicant reveals information and is subsequently shortlisted, Human Resources review in the first instance and where required forward these details to the Designated Safeguarding Officer for consideration. In complex cases, a meeting may be convened with the individual or a Safeguarding Panel. Once a final decision has been made the applicant is advised.

10.3 The DBS application should be submitted and the outcome received prior to employment commencing, as the offer of employment may be withdrawn should the DBS certificate show a conviction, caution or other information meaning the applicant may not be suitable for the role.

10.4 Existing staff are required to notify their Line Manager and HR Advisor if they are subject to an investigation by the Police or Safeguarding Agency or receive a police caution or conviction for a criminal offence. Failure to disclose this information could lead to disciplinary action.

10.5 The job description for the role will state whether a DBS is required and at what level. The individual will therefore know whether a DBS will be carried out as part of the recruitment process.

10.6 Dependent upon the role an individual currently undertakes or will undertake if not already a member of staff, one of the following DBS checks will need to take place.

- Basic check
- Standard check

- Enhanced check
- Enhanced check with child barred list
- Enhanced check with adult barred list
- Enhanced check with child and adult barred lists.

The definition of each of the above can be found at DBS Levels.

- 10.7 If someone is barred from working with children and or vulnerable adults they are breaking the law to seek work in regulated activity within a group for which they are barred.
- 10.8 A DBS check has no official expiry date. Any information included will be accurate at the time the check was carried out. If the applicant has signed up for the DBS update service you can check whether their certificate is up to date online.
- 10.9 This is for Update Service Checks only and the University must still check
- the applicant's identity matches the details on the certificate
 - the certificate is of the right level and type for the role applied for
 - if anything has changed since the certificate was issued.
- 10.10 The date of the DBS check and the certificate number is held on iTrent. All DBS data is held in line with the General Data Protection (GDPR) regulations. Only HR can see vetting check data.
- 10.11 Data collected for the check is held by a third-party (First Advantage), which will also adhere to data protection legislation and their own retention schedules.
- 10.12 A satisfactory check will need to be received by the University before an individual starts work in a post which requires such a check.
- 10.13 It is crucial that employment references are received for applicants working in roles that require a DBS check. Recruiting Managers should ensure that they have been received before confirming a start date to the applicant.
- 10.14 At interview, recruiting panels should ensure that they ask all applicants requiring a DBS for their role for further information about their reasons for leaving previous jobs and any gaps in employment. Further advice on this can be found in the Manager's guidance.
- 10.15 Only exceptionally where a DBS check has been requested, but not yet received, might an individual be allowed to commence work. The employee must not be left unsupervised with children/vulnerable adults at any time during the course of their duties until such time that the DBS certificate is returned and is satisfactory. A satisfactory risk assessment should be conducted by the department to enable them to commence work under supervision. This must be approved by HR and the DSO.
- 10.16 If an applicant has a conviction that has become spent, the University must treat the applicant as if the conviction had not happened unless they are entering a role that is an exception from the Rehabilitation of Offenders Act 1974.
- 10.17 The University must treat DBS applicants who have a criminal record fairly. The University recognises the need to take a proportionate approach to personal and DBS disclosures and will treat all such information in the strictest confidence.

10.18 Human Resources will receive an email from the third-party Umbrella Body confirming the check has been completed and that the certificate needs to be sighted.

10.19 The applicant will need to produce the original certificate for Human Resources, which will detail convictions and any barring where applicable, for consideration. In consideration of offences, safeguarding panels will ensure that a fair and measured discussion of any offences is arranged following the disclosure.

10.20 Guidance from HR and DSO should be sought on the conduct of this discussion and any subsequent offer of employment.

11. Regulated Activity

11.1 Any person whose duties are deemed as Regulated Activity must have an Enhanced with Barred list check for either Children or Adults or both. The application process is the same as other checks.

11.2 Regulated activity, related to children, includes:

- any activity of a specified nature that involves contact with children or vulnerable adults frequently, intensively and/or overnight. (Such activities include teaching, training, care, supervision, advice, treatment and transportation.)
- any activity allowing contact with children or vulnerable adults that is in a specified place frequently or intensively. (Such places include schools and care homes, but do not include Universities.)
- fostering and childcare.
'Regulated activity relating to children' is when the activity is frequent (once a week or more) or 'intensive' (takes place on four or more days in a 30-day period).

11.3. Regulated activity relating to adults does not carry a requirement to do the activities listed below for a certain number of times. If any of the regulated activities are carried out then a barred list check for adults needs to be applied for. There are six categories within the new definition of regulated activity with adults. These are:

- Health care - provided by any health care professional, or under the direction of supervision of one;
- Personal care - washing and dressing, eating, drinking and toileting;
- Social Work - in connection with Health or Social Services;
- Assistance with household affairs - cash, bills, shopping;
- Assistance with the conduct of affairs - Power of Attorney/deputies appointed under the Mental Capacity Act;
- Conveying an adult - must be for health, personal or social care due to age, illness or disability. This does not include taxi drivers.

11.4 The Department for Education (DfE) have advised that regulated activity is likely to take place in relation to HE in the following circumstances:

- some students on placements in workplaces arranged by HEIs will carry out regulated activity

- HEI staff or students may interact with children in carrying out paid or voluntary outreach work with schools
 - HEI staff or students may interact with the vulnerable groups through their academic research.
 - some HEI staff working in HEI health centres or learning support units may work with vulnerable adults
- Staff working in student residences will not be covered by the Scheme if care or supervision of students is not an expectation of their role.

11.5 The University, as both an employer and as a provider of professional education, has a statutory duty to notify the Disclosure and Barring Service (DBS) of any individual who may pose a threat to children or vulnerable adults. It is a criminal offence to fail to refer an unsuitable person (employee, student, volunteer) working in regulated activity who has been removed from regulated activity to the DBS for a decision on barring.

11.6 The duty to refer is triggered when the University judges:

- that an individual has caused harm or poses a risk of harm to the relevant vulnerable group, following the application of its staff or student disciplinary procedures; and
- has removed the individual from the workplace, or would or might have removed him/her if the individual has already left. (For example, the duty to refer will apply if an employee resigns before the completion of an investigation if the investigation subsequently establishes that an allegation is not unfounded or malicious.)

11.7 Since this is a statutory duty, this overrides normal data protection principles. The University should not wait for the outcome of an internal appeal: it must refer on the basis of its initial conclusion.

11.8 The duty to refer is unlikely to apply where a warning is issued and the individual (employee, student, volunteer) is allowed to continue in their role working with children and/or vulnerable adults. Nor will it apply if the behaviour was the result of a lack of professional insight or breach of confidence which are more appropriately issues of 'fitness to practise' which should be referred to a regulatory/professional body rather than the DBS.

11.9 Decisions on **staff referrals** will be made by the DSO and DDSO who will also be responsible for the referral. Faculty Deans/Heads of Services should discuss with their HR Partner whether a referral to DBS is necessary in appropriate disciplinary cases (or cases where an employee resigns before the investigation or disciplinary process is completed).

11.10 Faculties and Services are reminded that it is a criminal offence to fail to refer where the duty to refer applies. Individuals as well as the University as a corporate body can be held to be liable.

11.11 In most cases, an employee will be dismissed for misconduct before a referral takes place. Exceptionally, an employee may be barred for activities outside of employment, in which case the University must remove the employee from regulated activity. Consideration should be given to whether other suitable work is available or whether to apply the appropriate procedure to terminate the employment.

12. Legislation

12.1 The Rehabilitation of Offenders Act 1974 (Exceptions Order 1975) as amended in 2013.

12.2 The General Data Protection Regulation and the Data Protection Act (2018). Please see the staff fair processing notice for more information on how your personal data will be used by the University.

13. Update Service

13.1 Once a DBS check has been completed individuals need to subscribe online (and pay a fee). When the check is required again (eg if it needs renewing) then they can reuse their existing certificate, with the University checking online to see if it is still up to date. The Update Service can only be used if the existing DBS check is at the same level and workforce as the new check that is required.

13.2 To use the Update Service we will need to see your original Disclosure Certificate (we are required to see this in person) as well as a form of photo ID. You should liaise with the team who are in contact with you to arrange the check.

13.3 In some cases, where an employee is also carrying out work for the NHS, then the University will apply for the disclosure for the individual but the individual will need to subscribe to the update service within 19 days of receiving their disclosure. The individual will need to pay for the update service (further information will be supplied on NHS paperwork to the individual).

14 Data protection and confidentiality

14.1 Information regarding offences and any other information provided in a DBS disclosure and or as part of a self disclosure must be kept confidential and on a need-to-know basis. In the event that the Project/work is being co-ordinated by someone external to the Faculty/Service eg Education Liaison Office, then information given in the disclosure will also be shared with the Senior Manager in that department. Applicants need to be confident that information about their convictions will not be disclosed to colleagues unless there is a specific reason for doing so. On appointment an individual with a conviction should be advised as to who within the organisation knows of their conviction and the reason why the information has been disclosed.

14.2 Where the applicant will be involved with working with a partner organisation, explicit consent will be obtained from the applicant to agree to information received in the disclosure being shared with the organisation. The applicant will be asked to sign a written statement agreeing to this.

14.3 Information on decisions will be noted but the disclosure (and any copies) will be destroyed and no record of criminal matters, past or pending will be kept on the individual's personnel file. However, information regarding the post being subject to a DBS check will be recorded (see Statement on the secure storage, handling, use, retention & disposal of Disclosures).

15. Lifespan of disclosure and frequency of checks

15.1 A DBS disclosure will give details of any past convictions to the date that it is issued. Since it provides only "snapshot" information on the date it is issued, Faculties/Services should not rely solely upon the DBS disclosure to manage the risks associated with working with children and vulnerable adults. It is the policy of the University to require a new disclosure every three years

(unless changes in the job mean that it is no longer required). If the individual has subscribed to the DBS Update Service then there may be no requirement to apply for a new disclosure as the University can check the status online.

16. Corresponding University Policy and Procedures

16.1 This policy must be read in conjunction with the following University Policies:

- Policy for the recruitment of under 18-year-old students on campus
- University Safeguarding Policy
- Recruitment and Selection policy
- Under 18s policy
<http://www.exeter.ac.uk/undergraduate/applications/policy/under18/>.
- Incident reporting policy
- Children and Young People on campus policy (with reference to work experience)

Policy Name:	DBS Policy
Owner:	HR Policy
Approved by:	Safeguarding Group
Date approved:	Updated in July 2025 after a review and approval by Safeguarding Group as part of a review of DBS policy and guidance
Equality Impact Assessment date:	EIA historically not recorded (2025) New EIA to be completed as part of review in 2025.
Review date:	2028