

2.4 Disclosure and Barring Service (DBS) eligibility

USE THESE 3 FLOWCHARTS AND INFORMATION TO HELP YOU TO DECIDE WHO IN YOUR CHURCH IS ELIGIBLE TO DO A DBS CHECK. If you are unsure contact the panel office.

Where a role is eligible, it is our policy as well as the expectation of the Charities Commission and many insurance companies that you apply for a DBS check. Our policy states that a check should be repeated every 4 years.

CHART 1:

ARE OUR VOLUNTEERS / TRUSTEES ELIGIBLE TO DO A DBS CHECK?

Does this church have organised activities with children and / or vulnerable adults?
(See note 1 below)

YES

Those working directly with **CHILDREN** are likely to be eligible to do DBS checks.
(See the list of examples & **Chart 2**).

Those involved in activities with **VULNERABLE ADULTS** are eligible if the activity meets the criteria and is carried out frequently enough
(See examples, notes & **Chart 3**).

CHURCH TRUSTEES will be eligible if the activity with children or adults reaches the threshold for the church to be classed as a vulnerable groups charity

NO

There is **NO** eligibility to do DBS checks.

Even though vulnerable people and / or children may **attend** services and there may be occasional family services there is no eligibility to do a DBS unless the church has **specific children or vulnerable group activities**.

PLEASE REMEMBER

Even if no one in your church is eligible for a DBS check, the church still has safeguarding responsibilities.

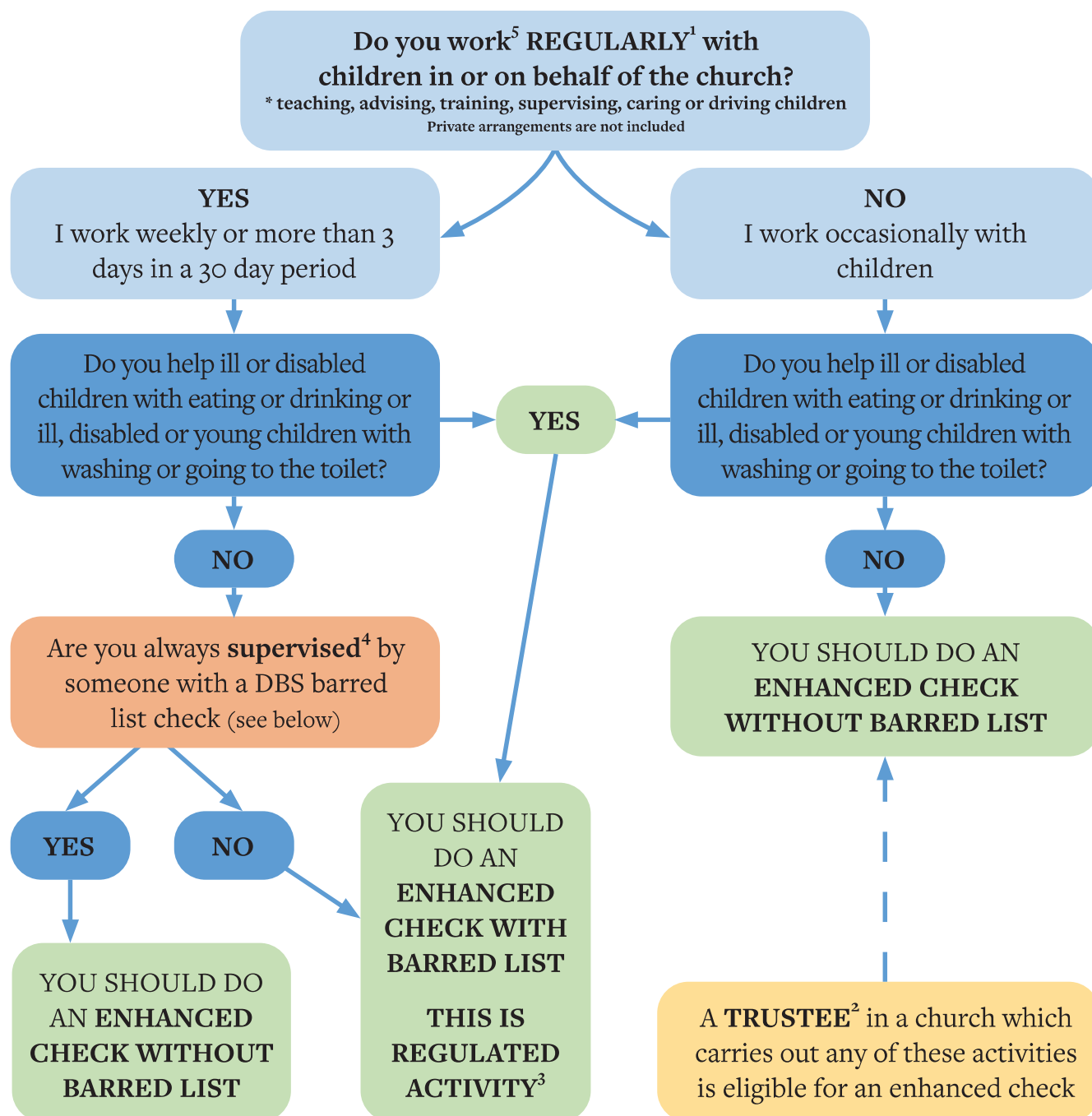
THE SAFEGUARDING VULNERABLE GROUPS HANDBOOK

forms your Safeguarding Policy and Procedures.

You should still attend **TRAINING** to ensure you know how to respond if you have concerns about a situation or individual.

1. **ORGANISED ACTIVITIES** with children could include Sunday School or Youth club and for vulnerable adults this could be regular organised pastoral visiting of vulnerable adults in their homes or a transport rota or luncheon club for elderly or disabled people. See charts 2 & 3 for more details. These activities will usually be held regularly and consistently. Usual Church worship services do not count as organised activity for vulnerable groups even if there are children and / or vulnerable adults present.

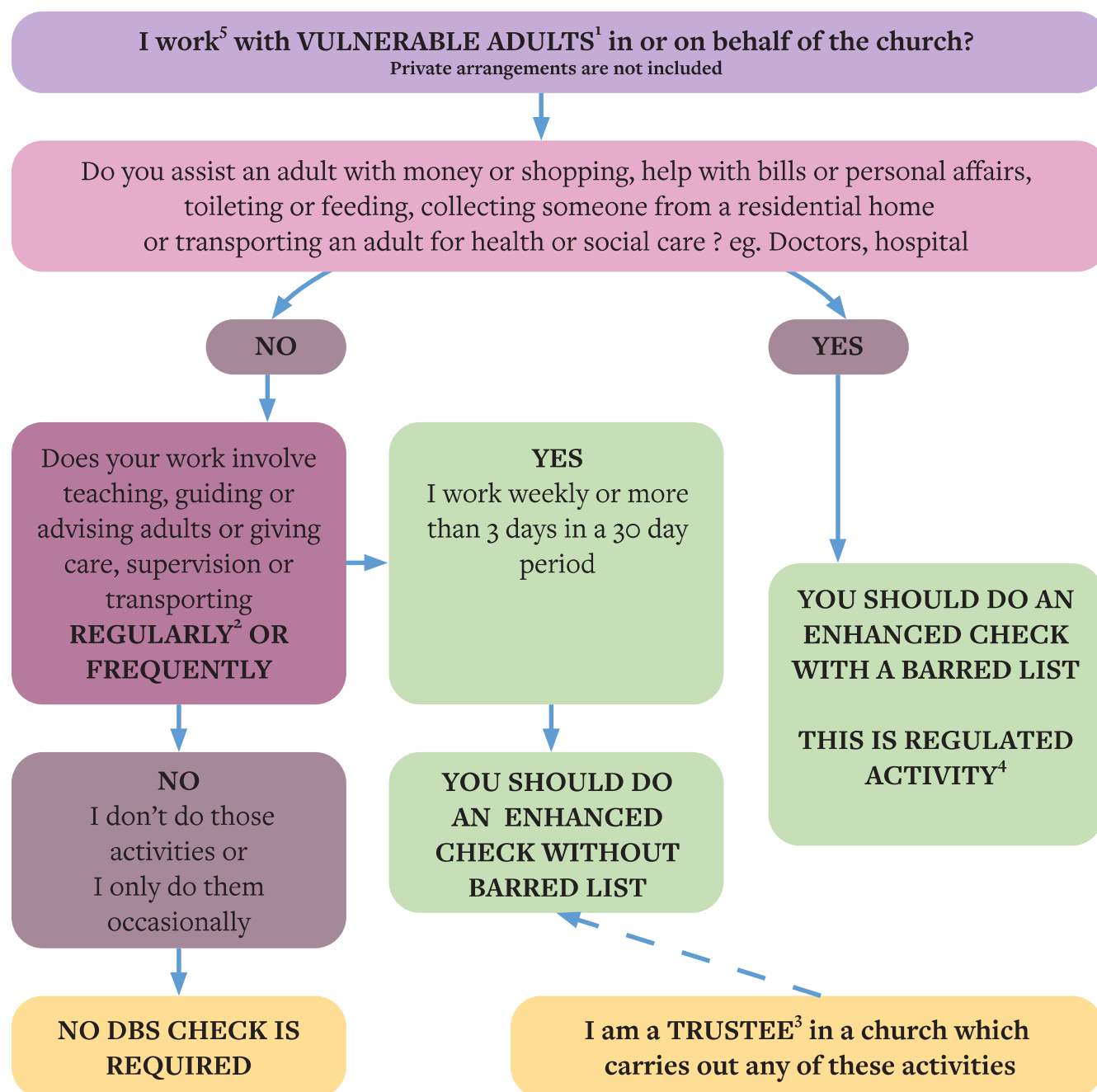
CHART 2: WORK with CHILDREN



NOTES and definitions for work with children

- 1) **REGULAR(LY) / FREQUENTLY** means: at least weekly, or anytime on more than 3 days in a 30 day period, or overnight (any time 2am -6am). There are exceptions.
- 2) **CHURCH TRUSTEES** not engaged in direct work with children or vulnerable adults are only eligible to apply for a DBS check if there are activities with vulnerable groups within that church which enable the church to be classed as a **VULNERABLE GROUPS CHARITY** (children and/ or vulnerable adults). Such trustees can do a DBS check without a check of the barred lists. This is in line with Charity Commission guidance. If the trustee is engaging in direct work with a vulnerable group they will be entitled to a check based on that work not on the title trustee but should also note the role “trustee” on the panel verifier’s form.
- 3) **REGULATED ACTIVITY** – See 2.3 in this Safeguarding Vulnerable Groups Handbook.
- 4) **SUPERVISION** means that an individual responsible for the activity is present throughout the activity; please note it does not simply mean that there is more than one adult present in the same room. The supervisor must have a DBS enhanced check with a barred list check. If there is no supervisor present the work is **UNSUPERVISED**
- 5) **WORK or VOLUNTEERING** is treated the same for the purpose of DBS eligibility

CHART 3: WORK with VULNERABLE ADULTS



NOTES and definitions for work with adults

- 1) A **'VULNERABLE ADULT OR ADULT AT RISK'** for DBS purposes is someone 18 and over who is receiving a health and social care service e.g., Residential accommodation or sheltered housing or health care or any care because of their age, health or disability (para 9 & 10 Police Act 1997 (Criminal Records) (Amendment) Regulations 2013).
- 2) **REGULAR(LY)/ FREQUENTLY** means at least weekly, or anytime on more than 3 days in a 30 day period, or overnight (any time 2am -6am). There are exceptions.
- 3) **CHURCH TRUSTEES** not engaged in direct work with children or vulnerable adults are only eligible to apply for a DBS check if there are activities with Vulnerable Groups within that Church which enable the church to be classed as a **VULNERABLE GROUPS CHARITY** (children and/ or vulnerable adults). Such Trustees can do a DBS check without a check of the barred lists. This is in line with Charity Commission guidance. If the trustee is engaging in direct work with a vulnerable group they will be entitled to a check based on that work not on the title trustee but should also note the role "trustee" on the panel verifier's form.
- 4) **REGULATED ACTIVITY** – See 2.3 in the Safeguarding Vulnerable Groups Handbook.
- 5) **WORK** or **VOLUNTEERING** is treated the same for the purpose of DBS eligibility.

2.5 Examples of roles and their eligibility for DBS checks

It is not possible to produce a definitive list based on job title alone as eligibility is based on the actual work undertaken and its frequency, but the following examples are for general guidance. The terms “worker” and “working” also includes volunteers.

Roles working with CHILDREN: (see also CHART 2)

- 1) A **SUNDAY SCHOOL TEACHER/YOUTH WORKER** working **regularly*** and unsupervised is engaged in **regulated activity*** and must do an enhanced check (with a barred list check). The same role working regularly but **supervised*** is eligible to do an enhanced check (but without a barred list check)
- 2) A **SUNDAY SCHOOL** teacher/youth worker working occasionally (whether or not supervised) should do an enhanced check (without a barring list check).
- 3) Any worker who helps ill or disabled children with eating or drinking or ill, disabled or young children with washing or going to the toilet, even if only once or occasionally must do an enhanced DBS (barred list check).
- 4) A **CHURCH TRUSTEE** in a church that holds Sunday school and/or children/youth activities is eligible for an enhanced check without a check of the barred list even if they personally do not take part. If a church holds services where children may attend or with occasional children’s services but no other organised children’s activities/work the trustees are NOT eligible for a DBS check.
- 5) The **OPEN THE BOOK** safeguarding policy requires volunteers to do a DBS check through their local church.
- 6) In a **CRÈCHE** or **TODDLER GROUP** OR **‘MESSY CHURCH’** where children may be unaccompanied or a worker may be responsible for the children, the workers would be eligible for an enhanced check (with/without a barred list check depending on other factors.) If the parents/carers are always present and constantly in charge of their own children, helpers are not eligible for a DBS check. (See 3 above for toilet / nappy changing).

Roles working with VULNERABLE ADULTS (see definition note 1, CHART 3)

The frequency of activity is key to DBS eligibility for those working with adults (see note 2 on previous page).

- 7) A **PASTORAL VISITOR** who visits vulnerable elderly or disabled adults regularly (approx. weekly – see note 3) and provides care, advice, teaching or support is **eligible** for an enhanced check. Those visiting less frequently are not eligible.
- 8) A **PASTORAL VISITOR** who helps a vulnerable adult with finances/bills/cash/shopping (regardless of frequency) must complete an enhanced check with a barred list check
- 9) A **LUNCH CLUB** or **FOOD BANK VOLUNTEER** who only distributes food and chats to the visitors is not eligible. However, if that role involves **teaching, advising or guiding adults at risk⁶** regularly or frequently it is eligible. (Para 6 Police Act 1997 (Criminal Records) (Amendment) Regulations 2013)
- 10) A **LUNCH CLUB** worker or **PASTORAL VISITOR** who helps a vulnerable adult with their food or to go to the toilet must do an enhanced check with a barred list check.
- 11) A volunteer who **TRANSPORTS** elderly and vulnerable church members to church regularly/frequently is eligible for an enhanced check without a barred list check. (This must be organised by or on behalf of the church not a private arrangement). Transporting adults infrequently is **not eligible** unless it is from a care home or to receive social care or health care.
- 12) A volunteer who **TRANSPORTS ADULTS** in order for them to receive medical care or conveys someone from a care home to church must do an enhanced check (with barred list check). (This should be a church not private arrangement)
- 13) A **CHURCH TRUSTEE** in a church that organises activities for vulnerable adults such as weekly visiting of elderly and vulnerable members is eligible for an enhanced check (without a barred list check). If a church holds services where vulnerable adults attend but there are no other organised activities specifically for the vulnerable, the trustees are NOT eligible.

Other roles

- 14) **MINISTERS** should usually complete an enhanced check with a check of the child and adult barring lists. This is because of the usual or expected duties. However, the accurate completion of the verifiers form is important to check if the role includes regulated activity.
- 15) The roles of **SECRETARY** or **TREASURER**, **CARETAKER** or **ORGANIST** are not eligible unless the role is also a **TRUSTEE** (see 4 & 13 above) and/or meets the criteria as set out in Charts 2 / 3.

* See also notes on previous pages (2.4)