

2.7 Blemished Disclosures

A blemished disclosure is a DBS certificate showing convictions, cautions, reprimands or final warnings, or information from the Police.

Having a criminal record will not necessarily prevent someone from working or volunteering.

The panel ensures that all individuals with a blemished record are treated fairly and confidentially

Many minor or old offences are **filtered**⁷ and will not appear on a DBS certificate. These rules were updated in November 2020 and youth cautions will no longer appear on the certificate. Adult cautions will be filtered after 6 years and minor offences committed when an adult will not appear after 11 years (5.5 years for an offence committed when under 18). However, offences leading to a custodial sentence and certain serious offences⁸ **will never be filtered** from a standard or enhanced disclosure even if they are spent. See the links below or contact the office for more information.

On receipt of a blemished disclosure, the panel office will contact the applicant to ask them to confirm the details and information shown on the certificate and to provide additional information if necessary. A risk assessment will be completed and the case will be referred anonymously to a confidential panel to consider if the information shared has safeguarding implications.

Often the panel advises that there is no specific safeguarding risk related to the disclosure and the individual can proceed with the work. In some cases, the panel may advise that the individual can work or volunteer but may make recommendations or stipulate conditions. Some crimes or barring decisions make it unlawful for a person to work with children and/or vulnerable adults and the panel will write to the individual to explain that it is not lawful for them to continue with the role.

If the blemished DBS certificate is a renewal and the applicant's circumstances and role are unchanged and the certificate content has been previously risk assessed by the panel, the previous decision regarding the applicant's suitability would normally remain in force.

Where the decision is that the applicant should not proceed, the panel will contact the church to offer advice and the General Secretary of the denomination will usually be notified.

The panel will write to the individual in each case, to explain the outcome.

An applicant has the right to appeal⁹ a decision made by the panel.

⁷ <https://www.gov.uk/government/publications/dbs-filtering-guidance>

⁸ <https://www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check>

⁹ See the policy page of our website for more on the process and how to appeal <https://panel.cymru/en/policies-and-information>