



Home Office

Home Office Disclosure and Barring Stakeholders E-Update

November 2012

Welcome to the latest edition of the disclosure & barring newsletter for stakeholders. The Home Office leads on policy matters on disclosure and barring, the Protection of Freedoms Act and some areas of wider safeguarding policy.

This newsletter provides an update on disclosure and barring issues.

This issue looks forward to the creation of the Disclosure and Barring Service (DBS) on 1st December. DBS unites the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA). It also provides updates on the implementation of provisions within the Protection of Freedoms Act 2012, and an overview of the roadshows held across England, Wales and Northern Ireland during June and July 2012.

It also looks further ahead at some of the developments coming next year, such as 'single certificate' and the DBS Update Service.

Date for Your Diary 1st December 2012: Go Live of the Disclosure & Barring Service (DBS)

A key Ministerial aspiration will be achieved on 1st December. The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) are merging to form a new Non-Departmental Public Body, the Disclosure and Barring Service (DBS).

The Chairman of the DBS Board is to be Bill Griffiths, who is the former Chair of the Forensic Science Service. He said of his appointment:

"The creation of the Disclosure and Barring Service brings together the skills, experience and expertise of staff from the CRB and ISA. It is a very exciting time and while there are challenges ahead, the legislative changes introduced last September and those planned for 2013 will provide the DBS with the platform to further improve the disclosure and barring elements of our work. I very much look forward to working with the DBS Board and colleagues as we further develop the organisation to build upon the effective, robust and proportionate safeguarding and barring arrangements currently in place".

Adrienne Kelbie has been appointed as the DBS Chief Executive Officer. She sends the following message to stakeholders:

"I am delighted to join the DBS and will support you as key stakeholders in continuing to make sound recruitment decisions that recognise the importance of robust safeguarding and barring arrangements. I very much look forward to nurturing long standing relationships with you, along with developing new ways of engaging. I hope to make contact with many of you as we become operational, and look forward to strengthening our work in the years to come."

Ms Kelbie was previously Deputy Chief Executive and Corporate Director of Business Support at Hull City Council.

For Northern Ireland, the DBS will take decisions about whether individuals should be barred from working with children or adults, but AccessNI will continue to provide the disclosure service.

DBS Contact Information

These will be changing **from 1st December**, so please note the following:

Customer addresses will be:

- PO Box 110, Liverpool, L69 3EF (for any disclosure application issues)
- PO Box 181, Darlington, DL1 9FA (for any barring referrals)

For all Freedom of Information, Data Protection, and Subject Access Requests, enquiries should be addressed to the relevant Department at this address:

PO Box 165
Liverpool
L69 3JD

DBS Customer Contact Numbers

For enquiries about DBS checks, call customer services: 0870 90 90 811.

For DBS referrals and safeguarding matters please contact: 01325 953 795.

Protection of Freedoms Act 2012.

The Act received Royal Assent in May 2012, with key provisions implemented during the summer months. From 10th September, the following provisions applied:

- Introduction of a new definition of regulated activity;
- Introduction of a more rigorous 'relevancy' test for when police release information held locally on an enhanced criminal records check*;
- Introduction of a minimum age (16 years) for when someone can apply for a criminal records check*;
- Repeal of controlled activity;
- Repeal of the registration and monitoring aspects of the Vetting & Barring Scheme; and
- Repeal of 'additional information', that is information the police were able to pass to prospective employers, but not to the applicants themselves*.

(* do not apply in Northern Ireland).

Of course, not everything changed on 10th September:

- Appropriate referrals must still be sent to the ISA (from 1st December, the DBS);
- Employers and other organisations must not allow a person who they know has been barred by the ISA (or DBS from 1st December) to engage in regulated activity;
- Everyone within the pre-September definition of regulated activity will remain eligible for enhanced criminal records checks. However, enhanced disclosures for those who are no longer in regulated activity will not include barred list information (with very limited exceptions for fostering and adoption); and
- AccessNI will continue to provide all criminal records checks for individuals in Northern Ireland.

The Home Office, Department of Health (DH), Department for Education (DfE), and the Northern Ireland Executive have produced a 'mini toolkit' for employers and voluntary groups to assist in training and recruitment processes. These include: a PowerPoint presentation that can be adapted for use within organisations, links to further details on regulated activity for children and adults, and guidance on supervision. This toolkit will be available on the new Disclosure and Barring Service website once it becomes operational on 1st December 2012. These will all be accessible through the Home Office website at www.homeoffice.gov.uk , from the 1st December.

Information for Northern Ireland can be found at: <http://www.dhsspsni.gov.uk/svg>

Disclosure and Barring Roadshows

To help stakeholders understand the changes to regulated activity introduced in September and other provisions within the Protection of Freedoms Act, the Home Office ran 12 regional roadshows across England, Wales and Northern Ireland. These were attended by over 2,300 delegates from all sectors, such as church groups, NHS trusts, schools and colleges, sports clubs, staff representatives, voluntary sector organisations and employers.

Each event included a Q & A session with a panel of experts. These included the CRB, ISA, Home Office, the Police, the Departments for Education and Health (Departments from the Northern Ireland Executive attended the Northern Ireland event), and Sunita Mason, the Government's Independent Advisor on Criminality Information Management. Sunita explained the approach she took in conducting her two reviews into the Criminal Records Regime.



***Delegates at the Peterborough Roadshow
– 12 July 2012***



Delegate Packs and Badges

Feedback from delegates was very positive with 78% indicating that attending greatly increased their understanding of the new changes.

The Home Office also provided keynote addresses at four events in Wales organised by the Wales Council for Voluntary Action Criminal Records Unit, supported by the Welsh Government, in July. These were attended by over 400 delegates and received positive feedback from Welsh based third sector stakeholders. For advice and guidance on disclosure and barring services for the third sector in Wales, contact: cru@wcva.org.uk.

Disregard of certain convictions for historical consensual sexual acts

Through the Protection of Freedoms Act 2012, the Home Office have also introduced a process enabling those with historic convictions for consensual sex (in England and Wales) to apply to have them disregarded or deleted from their criminal records. If approved, such convictions will not appear on future criminal records checks. This was a commitment made by Government in the Coalition Agreement, and met through the Protection of Freedoms Act 2012. These new provisions commenced on the 1st October and further details about the process can be found using the following link:

<http://www.homeoffice.gov.uk/publications/crime/decriminalised-sexual-offences/guidance-application?view=Binary>.

Queries and applications can be sent to this address:

chapter4applications@homeoffice.gsi.gov.uk

Future developments for 2013

DBS Update Service. Early next year, a new, online service will be launched. This service offers applicants applying for new criminal record checks the opportunity to register with the DBS Update Service. This service will remove the need for unnecessary repeat applications for DBS checks by allowing employers to use a simple online service to confirm whether or not an individual's check is up-to-date or not. This will establish if further relevant information has been identified since the initial criminal record certificate was issued. More details about the DBS Update Service will be released in 2013. The same service is expected to be launched in Northern Ireland in 2014.

Single Certificate. Also during 2013, the DBS will start issuing the certificate to the applicant only. This will allow the applicant to dispute and make appropriate representations regarding information released on the certificate, without this information having already been seen by the employer. Registered Bodies will, however, be able to track the progress of applications online so that they know whether a certificate has been issued or not, and when. An independent element has also been introduced to the disputes process.

In Northern Ireland, AccessNI will continue to issue two certificates until portable disclosures are launched there.

More information will be available on these new services in early 2013 – in the meantime it is business as usual.

Future Communications

Future communications will also be issued by the Disclosure and Barring Service. Information will be provided on disclosures, referrals and barring as well as on new services as they are developed and rolled out.

The Home Office will continue to provide information on any future policy developments and the Northern Ireland Executive will act similarly for stakeholders in Northern Ireland.

ACTION REQUIRED FROM YOU NOW

To receive communications on DBS services directly, we would like to pass your contact details to the DBS. If you do **not** want this, then please contact the Home Office stakeholder engagement and communications team **before** 14th December via their mailbox:

HOSPPUEnquiries@homeoffice.gsi.gov.uk

We hope that you have found this newsletter useful and informative.

We would like to take this opportunity to wish you all a very Merry Christmas and a Happy and Peaceful 2013!!

Stakeholder Engagement and Communications Team
Safeguarding & Public Protection Unit
Home Office

TO CUT OUT AND KEEP

| Useful Contact Details | |
|--|--|
| DBS Disclosures | 0870 90 90 811. |
| DBS referrals and safeguarding matters | 01325 953 795. |
| Disregard Applications | chapter4applications@homeoffice.gsi.gov.uk |
| Home Office Enquiries | HOSPPUEnquiries@homeoffice.gsi.gov.uk |