



Title
Enhanced Disclosure and Barring Service (DBS) Check Policy and Procedure
Principle
Homekare Community Services is committed to safer recruitment practices that protect adults at risk who use our services, the team member's we employ, and the wider community. As a CQC-registered domiciliary care provider, we have a statutory and ethical duty to ensure that all individuals working for or on behalf of the organisation are suitable, safe and fit to carry out their roles.
Objectives
This policy sets out Homekare Community Service approach to obtaining, assessing, recording and reviewing Enhanced Disclosure and Barring Service (DBS) checks for all relevant team member's. It applies across the full employment lifecycle — from pre-employment through to ongoing employment and, where necessary, mandatory referral to the DBS. Homekare Community Services believes that an Enhanced DBS check is one important layer in a comprehensive safer recruitment framework. It is not used in isolation but alongside rigorous reference checks, employment history verification, values-based interviews and induction monitoring. ⚠ IMPORTANT: It is a criminal offence under the Safeguarding Vulnerable Groups Act 2006 to knowingly employ a person who is barred from working with adults or children in regulated activity. It is equally a criminal offence for a barred person to work or seek to work in regulated activity.
Scope
This policy applies to: • All permanent and temporary employees of Homekare Community Care Services • All agency and bank workers deployed by Homekare • Self-employed contractors or individuals engaged to deliver care or support activities • Volunteers engaged in any activity with service users • Students and trainees on placement • The Nominated Individual, Director and Registered Manager This policy applies from the point of application to employment through the duration of the employment relationship and includes obligations upon leaving employment where a mandatory DBS referral may be required.

Responsibilities

Role	Responsibilities
Director / Nominated Individual	Overall accountability for compliance with this policy; approval of policy; oversight of CQC countersigned DBS requirements at registration
Registered Manager	Day-to-day responsibility for DBS policy implementation; oversight of SCR; approval of positive disclosure risk assessments; authorisation of provisional employment arrangements; mandatory DBS referral decisions
HR & Compliance Lead	Initiating DBS applications; maintaining the SCR; conducting annual Update Service status checks; tracking renewal due dates; storing and disposing of disclosure information in line with UK GDPR
Care Manager	Ensuring no team members are deployed to regulated activity roles without the required DBS check confirmed; reporting any concerns about team members conduct to the Registered Manager
All Team Member's	Declaring any new cautions, convictions or police matters to the Registered Manager promptly; registering with and maintaining the DBS Update Service; informing Homecare Community Service of any change in barred status

Procedure

1. Types of DBS Check

1.1 Enhanced DBS Check (without Barred List)

An Enhanced DBS check reveals: convictions (including spent, subject to filtering rules), cautions, reprimands, warnings, and any relevant information held by local police forces. This level applies to roles that involve work in specified places or with vulnerable groups, but do not constitute regulated activity.

In domiciliary care, this level applies to:

- Administrative or office team members who have any contact with clients but do not provide personal care
- Maintenance or ancillary workers visiting clients' homes

2.2 Enhanced DBS Check with Adults Barred List

An Enhanced DBS check with the Adults Barred List check reveals everything in a standard Enhanced DBS check, plus whether the applicant is on the DBS Adults Barred List. This level is required where a person is engaged in regulated activity with adults.

At Homecare Community Services, regulated activity with adults is carried out by team member's who:

- Provide personal care — including assistance with washing, bathing, dressing, eating, drinking, oral care, skin and nail care
- Administer or prompt medication
- Provide physical assistance, instruction, guidance or advice in relation to personal care, due to the person's illness, disability or age
- Provide health care or healthcare-related activities
- Transport clients to or from their home due to illness, disability or age

All Homecare Community Services team member's providing personal care must have an Enhanced DBS check with the Adults Barred List. Deployment to a personal care role without this check is not permitted.

2.3 CQC Countersigned Enhanced DBS Check

This is a specific type of Enhanced DBS disclosure that is countersigned by the Care Quality Commission. It is required for:

- Registered Managers applying to register with the CQC (first registration)
- Nominated Individuals applying to register with the CQC (first registration)

Key requirements:

- Must be obtained via the CQC online portal — not through a standard umbrella body
- Identity must be verified at a Post Office branch
- Must be less than 12 months old at the date of CQC application submission
- The DBS Update Service certificate is NOT accepted by the CQC for registration purposes
- Allow up to 60 working days for processing

3. DBS Check Level by Role

Role	DBS Level Required	Barred List / Notes
Care Team Member (personal care)	Enhanced DBS	Adults Barred List — MANDATORY. Children's Barred List if service includes under-18s.
Senior Care Team	Enhanced DBS	Adults Barred List — MANDATORY
Care Manager	Enhanced DBS	Adults Barred List — MANDATORY (where direct contact with clients)
Registered Manager	Enhanced DBS (CQC Countersigned for initial registration)	Adults Barred List — MANDATORY

Nominated Individual / Director	Enhanced DBS (CQC Countersigned for initial registration)	Adults Barred List where regulated activity applies
HR & Compliance Lead	Enhanced DBS	Without Barred List unless direct care contact
Administrative Team members	Enhanced DBS	Without Barred List (unless delivering regulated activity)
Ancillary / Maintenance Team members (entering clients' homes)	Enhanced DBS	Without Barred List
Volunteers	Enhanced DBS	Adults Barred List if engaging in regulated activity

4. Pre-Employment DBS Application Process

4.1 Initiating the DBS Check

Homekare Community Services will initiate DBS applications through a DBS-registered umbrella body or directly via the organisation's own registered body status. The Registered Manager or designated HR & Compliance Lead is responsible for ensuring the correct check type and workforce category is applied for each role.

DBS application process:

- The HR & Compliance Lead identifies the correct DBS check level for the role
- An application is initiated through the approved registered organisation
- The applicant completes the online application form
- The applicant provides the required identity documentation — three documents from DBS-approved groups (as per updated DBS ID checking guidelines effective November 2025)
- Identity is verified by a designated verifier at Homekare Community Services — or via Post Office verification for CQC countersigned checks
- The application is submitted and an application reference number is recorded in the Single Central Record (SCR)
- The outcome is communicated to the Registered Manager / HR Lead
- Where information is disclosed, the Positive Disclosure Risk Assessment procedure is initiated

4.2 Identity Document Requirements (Updated April 2025)

DBS updated its ID checking guidelines effective April 2025 (employers had until November 2025 to transition). Acceptable documents are grouped into three tiers:

- Route 1 (primary): Passport (current or expired up to 6 months prior), biometric residence permit, UK driving licence (full or provisional)
- Route 2 (where Route 1 not available): Government-issued identity documents plus proof of address

- Expanded provision for non-UK nationals: Expired Biometric Residence Permits showing Indefinite Leave to Remain accepted up to 18 months post-expiry (from April 2025)

5. DBS Adult First Check — Provisional Employment

Homekare Community Services recognises that obtaining a full Enhanced DBS certificate can take several weeks. In circumstances where it is operationally necessary to start a member of the team before the full certificate is received, the DBS Adult First Check (exclusive to the adult social care sector) may be used.

5.1 When the Adult First Check May Be Used

- Only where the role involves regulated activity with adults and is therefore eligible for an Enhanced DBS with Adults Barred List check
- Only where the DBS Adult First Check application has been submitted simultaneously with the full Enhanced DBS application
- Only where the Adult First Check response is: 'No match exists on the Adults Barred List' — if the response is 'Please wait', employment must not commence in regulated activity

5.2 Safeguards for Provisional Employment

Where provisional employment is commenced following a clear Adult First Check:

- The employee must be directly supervised at all times — no lone working or unsupervised contact with service users
- A written risk assessment must be completed by the Registered Manager prior to first deployment
- The employee must be informed in writing that their appointment is conditional pending the full Enhanced DBS certificate
- Client's and/or their representatives must be informed that the team member's checks are outstanding
- The Registered Manager must actively monitor and chase the outstanding DBS certificate
- If any unexpected information is received on the full certificate, the risk assessment must be immediately reviewed and the provisional employment status reconsidered

⚠ CQC will expect additional safeguards to be demonstrated where team member's are deployed prior to receipt of the full DBS certificate. All provisional employment arrangements must be documented and available for inspection.

6. Portability of Existing DBS Certificates

An existing DBS certificate from a previous employer may be accepted by Homekare Community Service where ALL of the following conditions are met:

- The certificate is an Enhanced DBS check with the correct Barred List(s) for the role
- The certificate is issued within the last 3 years (Homekare Community Service's internal renewal threshold)

- The individual is registered on the DBS Update Service
- A status check via the DBS Update Service has been completed and returns 'Current' (no new information)
- The individual presents their original certificate for visual verification — a photocopy is not sufficient
- The certificate relates to the same workforce type (Adult Workforce)
- The HR & Compliance Lead has verified the certificate holder's identity matches the certificate

Where any of the above conditions are not met, a new DBS application must be initiated before the individual commences work in a regulated activity role.

Important note regarding the DBS Update Service:

While Homekare Community Services strongly encourages team member's to register with and maintain the DBS Update Service (annual subscription), and will use status checks as part of ongoing employment monitoring, the Update Service is NOT accepted by the CQC for purposes of initial registration. A fresh Enhanced DBS certificate under 12 months old is required for CQC registration purposes.

7. Assessment of Positive Disclosure Information

7.1 Principles

Homekare Community Services is committed to a fair, individualised and proportionate approach to the assessment of any information disclosed on a DBS certificate. A positive disclosure does not automatically disqualify an applicant from employment. Every case will be considered on its own facts.

The following factors will be taken into account:

- The nature, seriousness and circumstances of the offence or information
- The date of the offence and how long ago it occurred
- The age of the applicant at the time of the offence
- Whether it is a one-off incident or part of a pattern of behaviour
- Whether the applicant has declared the information on their application form — honesty is a positive indicator
- The relationship of the offence or information to the role and to the welfare of service users
- Any information provided by the applicant in mitigation or explanation
- Any change in circumstances since the offence

7.2 Automatic Bar from Regulated Activity

Where a DBS certificate confirms that an individual is on the DBS Adults Barred List (or Children's Barred List where relevant), Homekare Community Services MUST NOT employ that individual in regulated activity. This is a legal prohibition under the Safeguarding Vulnerable Groups Act 2006. No risk assessment or mitigating factors override this requirement.

7.3 Positive Disclosure Risk Assessment Procedure

- The Registered Manager reviews the disclosure information in strict confidence

- The applicant is given the opportunity to discuss the information disclosed — a meeting is arranged
- The Registered Manager completes a Positive Disclosure Risk Assessment Form
- Where there is uncertainty, the Registered Manager may seek advice from the HR & Compliance Lead or obtain guidance from Skills for Care
- A written decision is made — either to proceed with employment, defer pending further information, or not proceed
- The decision and rationale are documented and retained on the individual's personnel file
- The applicant is informed in writing of the decision

Disclosure information on a DBS certificate is sensitive personal data under UK GDPR. It must not be shared beyond those with a legitimate need to know, must be stored securely, and must be handled in accordance with the DBS Code of Practice.

8. Overseas Applicants

A UK Enhanced DBS check will only show UK records. For applicants who have lived or worked outside the United Kingdom for more than three consecutive months in the last five years, additional checks are required.

- Homecare Community Service's will request a Certificate of Good Character or equivalent overseas criminal record check from each country in which the applicant has lived or worked
- The applicant is responsible for obtaining overseas checks — the HR Lead will provide guidance on the relevant embassy contact or government equivalent
- In addition to the overseas check, a UK DBS check at the appropriate level must still be obtained
- Where overseas checks cannot be obtained (e.g., due to the country's restrictions), the Registered Manager must conduct a documented risk assessment and apply enhanced supervision arrangements
- Any gaps in employment or residency history must be declared and accounted for on the application form — gaps of more than 28 days require explanation

References: HSCA 2008 Schedule 3; GOV.UK Guidance on Criminal Records Checks for Overseas Applicants.

9. DBS Update Service and Ongoing Monitoring

9.1 Purpose of the DBS Update Service

The DBS Update Service is an online subscription service (annual fee: £13) that allows DBS certificates to remain 'live' and portable between employers. It enables employers to check whether new information has come to light since the certificate was issued.

9.2 Homekare's Requirements

- All Homekare Community Service team member's are strongly encouraged to register with the DBS Update Service at the point of their DBS application
- Where team member's are registered on the Update Service, Homekare Community Service will conduct an annual status check as part of its quality assurance monitoring
- The result of each annual status check is recorded in the Single Central Record (SCR) alongside the original certificate details
- Where a status check returns 'Not Current', the Registered Manager must treat this as a new positive disclosure and initiate a risk assessment and, where appropriate, a new DBS application

9.3 Renewal Policy

DBS certificates have no statutory expiry date. However, Homekare Community Services operates the following internal renewal policy to maintain the highest standards of safeguarding:

Circumstance	Action Required
All Team members — DBS older than 3 years (where not on Update Service)	New Enhanced DBS application required
Team member's registered on DBS Update Service	Annual status check — renewal only if status returns 'Not Current'
Change of role to a higher DBS level requirement	New DBS application at appropriate level immediately
Returning from a break in service of more than 3 months	New DBS application required before return to regulated activity
Any concern raised about conduct relating to client's welfare	Risk assessment and potential new DBS application — Registered Manager decision
CQC registration or re-registration (Registered Manager / NI)	Fresh CQC Countersigned DBS check — under 12 months old at submission

10. Single Central Record (DBS Register)

Homekare Community Services maintains a Single Central Record (SCR) of all DBS checks and pre-employment checks. The SCR is the primary documentary evidence for CQC inspections of compliance with Regulation 19 and is maintained by the HR & Compliance Lead under the oversight of the Registered Manager.

The SCR records the following for each member of team members

- Full name and date of birth

- Role title and whether the role constitutes regulated activity
- DBS check level required
- Date DBS application submitted
- DBS certificate reference number
- Date DBS certificate issued
- Workforce type on certificate (Adult / Child / Both)
- Whether barred list check(s) included
- Outcome — clear, or positive disclosure with action taken
- DBS Update Service subscription status and date of last status check
- Date renewal due or next check scheduled
- Right to work check — date confirmed
- References received — dates
- Identity verified — date and verifier's name

The actual DBS certificate or a copy is NOT stored in the SCR. Only the certificate reference number, issue date, and disclosure outcome are recorded. Full certificates are viewed, assessed, and returned to the individual or securely destroyed.

11. Data Protection and Confidentiality

DBS disclosure information is sensitive personal data under Article 9 of the UK General Data Protection Regulation (UK GDPR). Homekare Community Service's processes this information in accordance with the following principles:

11.1 Lawful Basis for Processing

- Processing is necessary for compliance with a legal obligation (Regulation 19, SVGA 2006)
- Processing is necessary for the substantial public interest of protecting adults at risk
- Explicit consent is obtained from applicants as part of the DBS application process

11.2 Storage and Access

- DBS certificates received by Homekare Community Service's are viewed only by those with a legitimate need (Registered Manager, HR & Compliance Lead, Director where necessary)
- The original certificate is not retained — the reference number and outcome are recorded in the SCR and the certificate is returned to the individual or securely disposed of within 6 months of receipt
- Electronic records of DBS outcomes are stored in password-protected secure systems with access controls

11.3 Retention

- DBS check records (reference numbers, dates, outcomes) are retained for the duration of employment plus 6 years following termination
- Where a mandatory DBS referral has been made, records relating to the referral are retained for a minimum of 10 years

- Records are disposed of securely in line with Homekare Community Service's Confidentiality Policy

11.4 DBS Code of Practice

Homekare Community Service complies with the DBS Code of Practice, which requires organisations registered with the DBS to treat all DBS information fairly and not discriminate unlawfully. A copy of the DBS Code of Practice is made available to all applicants on request.

12. Mandatory Referral to the Disclosure and Barring Service

Under Section 35 of the Safeguarding Vulnerable Groups Act 2006, Homekare Community Service has a statutory duty to refer a person to the DBS where the following threshold is met:

Homekare Community Service MUST refer to the DBS where: (a) it has dismissed or removed a worker from regulated activity, or (b) it would have dismissed or removed a worker, because the worker has engaged in relevant conduct — i.e., harmed, or placed at risk of harm, an adult at risk. Failure to refer is a criminal offence.

12.1 Referral Criteria

A mandatory referral must be made to the DBS in the following circumstances:

- A worker has been dismissed (or would have been dismissed) for causing harm or placing an adult at risk of harm
- A worker has resigned before a disciplinary process concluded, and the grounds would have met the referral threshold
- A volunteer has been removed from a role involving regulated activity because of harm or risk of harm
- An agency worker has been removed from Homekare Community Services roster for the above reasons — Homekare Community Services must also notify the supplying agency

12.2 Referral Procedure

- The Registered Manager identifies that the referral threshold has been met
- The Registered Manager consults with the Director and HR & Compliance Lead — a legal duty is triggered and must not be delayed
- An employer referral is submitted to the DBS online — the form requires details of the individual, the conduct, and any evidence
- A copy of the referral is retained on the individual's personnel file
- The local authority safeguarding team (Nottinghamshire County Council MASH: 0300 500 8080) is also notified where the conduct constitutes a safeguarding concern
- The referral and outcome are recorded in Homekare Community Service's incident log

12.3 Local Authority Notification — NSAB Alignment

In line with the Nottinghamshire Safeguarding Adults Board (NSAB) multi-agency safeguarding procedures, Homekare Community Service's will notify the local authority of any concern about a worker's conduct that may constitute abuse or

neglect of an adult at risk, irrespective of whether the formal DBS referral threshold has been met.

13. Staff Obligation to Disclose New Information

All employees and workers engaged by Homekare Community Services have an ongoing duty to inform the Registered Manager without delay if, at any time during their employment, they:

- Receive a caution, conviction, reprimand or warning from a court or police
- Become aware of information that may affect their suitability to work with adults at risk
- Are placed on the DBS Adults Barred List or Children's Barred List
- Become subject to a professional conduct investigation

Failure to declare such information may result in disciplinary action up to and including dismissal. Where the information indicates a safeguarding risk, Homekare Community Services will take immediate action to protect clients, including suspension from duties and DBS referral where the threshold is met.

14. Training and Awareness

To ensure this policy is understood and effectively implemented, Homekare Community Services will:

- Provide all team member's with an explanation of the DBS check process at induction
- Ensure that the Registered Manager, HR & Compliance Lead and Care Manager's receive training in safer recruitment including the assessment of positive disclosures
- Embed safer recruitment and DBS awareness in the mandatory training matrix
- Ensure the Registered Manager is aware of the mandatory DBS referral duty and receives refresher training on this obligation
- Reference DBS requirements in the Team Code of Conduct and Recruitment Policy

Relevant training providers: Skills for Care, Safer Recruitment Consortium, NSAB-endorsed safeguarding training.

15. Monitoring and Audit

Compliance with this policy is monitored through the following mechanisms:

- Monthly review of the Single Central Record (SCR) by the HR & Compliance Lead to identify any outstanding checks, renewals due or Update Service flags
- Annual audit of all DBS records as part of the Quality Assurance framework and Annual Audit Schedule
- CQC-facing governance reports will include DBS compliance as a standing agenda item at Quality Governance Meetings
- Any instance of non-compliance (e.g., a person deployed without the required DBS check) must be documented as an incident and an improvement action raised
- The policy is reviewed annually or earlier if legislative or regulatory changes require

16. Breaches of This Policy

A breach of this policy — for example, deploying a member of team member in a regulated activity role without the required DBS check, or failing to make a mandatory DBS referral — constitutes a serious governance failure. Any breach must be:

- Immediately reported to the Registered Manager (or Director if the RM is involved)
- Documented as a significant incident and recorded in the incident log
- Reported to the CQC as a notifiable incident under Regulation 18 of the Care Quality Commission (Registration) Regulations 2009 where it has resulted in harm or risk of harm to a service user
- Subject to a root cause analysis and an improvement action plan
- Reviewed at the next Quality Governance Meeting

Linked Legislation and Guidance

Legislation / Framework	Relevance to This Policy
Regulation 19, HSCA 2008 (Regulated Activities) Regulations 2014	Fit and proper persons — DBS checks mandatory for all employed in regulated activity
Schedule 3 & 4, HSCA 2008	Pre-employment check requirements; good character assessment
Safeguarding Vulnerable Groups Act 2006 (SVGA 2006)	Defines regulated activity; barring lists; duty to refer to DBS
Protection of Freedoms Act 2012	Revised definition of regulated activity; DBS filtering rules
Rehabilitation of Offenders Act 1974 (Exceptions Order 1975)	Treatment of spent convictions in care sector recruitment
Equality Act 2010	Fair, non-discriminatory application of DBS requirements
UK General Data Protection Regulation / Data Protection Act 2018	Lawful handling of DBS disclosure information as sensitive personal data
CQC Single Assessment Framework	Evidence of safe staffing and governance compliance
Skills for Care — Safer Recruitment Guidance	Best practice DBS process and Adult First Check guidance
NSAB Multi-Agency Safeguarding Adults Procedures	Local mandatory referral and safer recruitment standards
NICE NG21 (Home Care for Older People)	Safe staffing and recruitment standards in home care
SCIE Safer Recruitment Principles	Risk-based assessment of disclosure information

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