

Criminal records checks (PVG and DBS): frequently asked questions

This document attempts to answer some frequently asked questions (FAQs) relating to DBS and PVG applications for Quaker Meetings.

Please let me know if you're unsure of any of the answers or if you think there are errors.

The organisation that administers our DBS/PVG applications – called DDC – has information (including FAQs) on its website. DDC also gives advice over the phone or by email.

DDC online help: <https://www.ddc.uk.net/help-advice/dbs-checkfaqs/>

Email: contact@ddc.uk.net

Telephone: 0845 644 3298

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Who's an 'adult at risk'?

This varies *a little* in the various UK jurisdictions. In England, the Care Act 2014 describes an adult at risk as someone who:

- is 18 years and over
- has needs for care and support (whether or not the local authority/ health services are meeting any of those needs)
- is experiencing, or at risk of, abuse or neglect
- as a result of care and support needs is unable to protect themselves from risk of, or experience of, abuse and neglect.

You may also see the term 'vulnerable adult'. This means the same thing but 'adult at risk' has become the preferred term as it describes more clearly that abuse is a result of a perpetrator's behaviour.

What do we mean by 'abuse'?

There are different recognised kinds of abuse, mainly:

- For adults and children: physical, sexual, emotional, neglect
- In addition, for adults: financial, institutional, discriminatory

What do we mean by 'unregulated' and 'regulated' activity?

What's an 'eligible role'?

Any activities supporting **children** – such as teaching, care, supervising would be counted as unregulated activity and would require a DBS or PVG check. If, however, it's frequent (more than 3 times a month, once a week or overnight) and unsupervised it becomes 'regulated' activity. Also if you provide personal care (eg washing, dressing, toileting) – that also becomes 'regulated activity' (for personal care it doesn't matter if it's infrequent).

For adults at risk it's more complicated. Unregulated activity is teaching, training, care, supervision, giving advice, transporting – but it needs to be frequent (once a week, 3 times a month, overnight) AND, importantly, activity that is wholly or mainly for adults at risk. If the activity is open to others – contact with adults at risk is considered to be probably incidental. It's 'regulated activity' – irrespective of the frequency – if you're providing personal care (eg

washing, dressing, toileting), health care, social care, assistance with cash/paying bills/shopping/managing affairs, transport to/from health care.

Many meetings wonder if overseers (and perhaps elders) need to be checked – see the separate question on this. See also ‘who’s an adult at risk?’ if you’re in doubt about who qualifies.

Working out if the role includes regulated or unregulated activity isn’t always easy (and remember it may include neither). DDC can help if you’re unsure. They also have guidance on their website.

It is important to get this right as it determines if a check is needed and, if so, the level of check that will be performed. We should only collect information on an individual’s background if it’s required (partly to respect the privacy of potential applicants). It is in fact only legal to apply for checks for eligible roles. **Eligible roles** are those that include regulated or unregulated activity. For some offenders, if they are added to a barred list, it is against the law for them to apply for a role involving ‘regulated’ activity – so we need to be clear to applicants when checks are needed and the level of check.

What levels of check are there for our roles?

For roles involving unregulated activity:

- ‘DBS Enhanced Check’

For roles involving regulated activity:

- ‘DBS Enhanced Check with Barred Lists’ (in England and Wales)
- ‘PVG Scheme’ (in Scotland)

What does the level of check tell me?

The Enhanced Check contains details of all spent and unspent convictions, cautions, reprimands and final warnings from the Police National Computer and a check of police records held locally. (Some filtering may be performed by the authorities depending on the role and the record.)

For regulated activity or a PVG Scheme application the check also includes a check against the relevant ‘barred lists’. The barred lists record individuals who are not legally allowed to apply or work with children or adults (there are two separate lists) where the role includes regulated activity.

A criminal records check will only tell you about someone’s criminal record. While the PVG Scheme will tell Scottish Friends if someone’s record changes, the DBS is only accurate for the day it’s completed (we say it should be updated every three years).

Neither level of check will tell you if someone is suitable for the role – for example whether they are suitable to support your children’s meeting. The criminal record check is only part of ‘safer recruitment’. Your process is likely to include your nominations committee, a short interview/conversation, references, etc. CCPAS produce a helpful Practice Guide ‘I want to recruit workers safely’.

When can we approve someone to start their role?

You need to wait until the disclosure has been received. The applicant will receive a printed certificate in the post – you can ask to see the original certificate. The verifier can also use their online account (‘Manage applications’

section) to see if a disclosure has been issued – verifiers will only know if a clear disclosure has been issued (or if a blemished disclosure has been approved – see ‘What happens if someone has a blemished disclosure?’.)

We’re not sure if this role needs a check – can we get a DBS/PVG just to be on the safe side?

No. We are only able to apply for checks where the role is eligible. If you’re unsure, ask DDC in the first place – they should be able to check the requirements of the role with you and let you know. If there is any uncertainty – perhaps because DDC aren’t familiar with a particular Quaker role – please get in touch with Friends House (at safe@quaker.org.uk).

What’s a disclosure?

A criminal record check is called a disclosure. It will either be a ‘clear disclosure’ or, if the certificate contains information, it will be a ‘blemished disclosure’.

What happens if someone has a blemished disclosure?

All disclosures (clear or blemished) are posted to the applicant. If it is blemished, the verifier will not know a disclosure has been issued. Instead, the safeguarding officer at Friends House is informed. There is an Approvals Panel made up of a few Friends from across the UK and it is their role to make an assessment. They can make three different decisions: ‘yes’ (the person is able to perform the role), ‘yes, but...’ (the person is able to do the role with certain conditions) or ‘no’ (the applicant isn’t permitted to do the role). The Panel follows a process of risk assessment and this is likely to include the involvement of the Area Meeting Safeguarding Co-ordinator (although for very minor offences it is possible a ‘yes’ decision will be made by the Panel without involvement of the meeting). When a ‘yes’ or ‘yes, but’ decision is made the verifier will then see the disclosure has been issued.

How do we change our meeting’s DDC account?

Please let Friends House know at updates@quaker.org.uk. The central database of role holders will then be updated so your verifier and/or DDC account holder can be changed. If you think your meeting would benefit from more than one account – or one account with more than one user – then also let ‘updates’ know. Updates let DDC know of changes once a month and soon afterwards DDC will send new account holders a login to their account.

If you already have an account but you’d like to change some of the settings (such as email notifications) or need help with using it, please contact DDC.

Do we need to get everyone/most Friends supporting our Children’s Meeting checked?

Probably, yes. This isn’t straight forward. You may have one regular person supervising your children’s meeting who is DBS/PVG checked and from time to time they are helped by a rota of people who only help out very infrequently. You may decide as a meeting that it is unnecessary to check everyone. Please consider what would happen if the checked person was prevented from attending one week, or if the checked person is called away during Children’s Meeting (such as popping out to the toilet). It would seem advisable to ask

anyone on a rota to have a check so that you're always covered – but circumstances will vary from meeting to meeting.

Do overseers and elders need DBS/PVG checks?

Probably not. This question is being asked more frequently – particularly in relation to overseers helping ill or frail Friends (who we might describe as 'adults at risk'). Overseers do visit Friends who are unwell at home but this in itself is unlikely to require a criminal records check. Taking a Meeting for Worship to someone at home is something we do as a religious community and again shouldn't require criminal record checks. Sometimes help is given with transport to help those with mobility difficulties attend Meeting for Worship – our view is that this is most likely to be an arrangement between friends rather than a requirement of an overseer. Again this does not require criminal record checks. Consider if the arrangement would continue after the overseer's term finishes – if it would, the lift probably isn't being provided because the Friend is an overseer.

Many of our Quaker communities are made up of Friends who've known each other a long time and it's unlikely that the support we give each other is given because in a particular year we are an overseer or elder.

We appreciate the boundary between what we do in a personal capacity and what we're doing in our service fulfilling Quaker roles is difficult to navigate. We are currently gathering advice so we can give more guidance in this area.

Does the area meeting Safeguarding Co-ordinator need a DBS/PVG?

Probably not. This answer may surprise some people but in our view the Area Meeting Safeguarding Co-ordinator role does not necessarily include any unregulated or regulated activity with children or adults at risk. The Co-ordinator's core role is to deal with disclosures, to ensure the correct practice is being followed in meetings, to advise trustees and those working with children (and perhaps adults at risk), to help with risk assessments for including offenders in our meetings, etc. We appreciate however that the role will vary from area to area. The key question to answer is: for your safeguarding co-ordinator, what part of the role meets unregulated or regulated activity?

Does our Warden need a DBS/PVG check?

Possibly – but not definitely. The role of Warden can vary quite a bit and so consider what part of the job description might involve unregulated or regulated activity. It's quite possible the meeting house might be used by community groups – nursery groups are common and another recent example we've heard about at one meeting house is a singing group for older people with dementia. Supervising and running these groups would require a DBS check – but is that the role of your Warden? It's most likely these groups will be managed and supervised by others who will need to be checked. If the Warden takes care of the building and arrangements for groups to use the premises – these activities alone are unlikely to make the role eligible for a DBS check.

At Friends House in London where we have numerous groups renting our rooms, none of our hospitality staff is eligible for DBS checks. We make it a requirement of the booking for groups to be supervised by appropriately checked volunteers/workers.

Do our Area Meeting Trustees need checking?

Possibly. For other roles noted in this FAQ (overseers, safeguarding coordinators, wardens, etc), the question posed is whether any of the activity required of the role holder is unregulated or regulated activity. It's different for Trustees where their oversight role of others may necessitate a check. Charity Commission guidance for England and Wales says trustees of charities providing services for children or adults at risk should be checked. Note the use of 'should' (and not 'must'). Also, it is not the primary function of Quaker communities to provide services for children or adults at risk – our Meetings for Worship are public and open to all. However, if your area meeting has children's meetings (or perhaps provides dedicated services for adults at risk) then it's probably advisable to have one of your trustees checked. This would be the trustee with safeguarding responsibility (if your trustees do not nominate one of their number for safeguarding it would rest with the clerk of trustees).

What do all these acronyms stand for?

- **DDC:** Due Diligence Checking – the company appointed to provide BYM with our criminal record checks.
- **DBS:** Disclosure and Barring Service – the government agency for England and Wales providing criminal record checks. These checks are also called 'DBS' in shorthand.
- **CAS:** Churches Agency for Safeguarding – the previous organisation that provided BYM with criminal record checks. CAS ceased operating in 2017.
- **CCPAS:** Churches Child Protection Advisory Service provides advice and guidance on safeguarding. Many of our area meetings are members and benefit from a phone helpline and its extensive resources.
- **PVG:** Protecting Vulnerable Groups – the scheme in Scotland for those providing regulated activity. In Scotland the government agency is 'Disclosure Scotland'.

How do I keep records?

Verifiers may want to keep a list of their Friends who have had a check and the date of the check (to ensure renewals are done within three years). It is not necessary to make, or keep, a copy of the verification documents when making applications. The verifier only needs to see the documentation. It is not necessary to make, or keep, a copy of the DBS certificate.

Information that's kept in digital files should be kept securely on protected computers so that passwords are required to access files. Data holders should ensure their computers are regularly updated with software security updates. Any information on paper should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Information should only be kept for the purpose for which it was obtained and kept for the time of service. Any DBS records should be destroyed after a suitable period has passed – usually not more than 6 months – after someone ends their service in a role requiring a check or if they leave the meeting. (It's worth noting most safeguarding records should be kept 100 years.)

How often do I get checks done?

At least every three years. Checks are only valid on the day they are done. In England and Wales, if someone's criminal record changes after the check, you won't be told. We say checks should be redone at least every three years. You may decide you wish to perform checks more frequently. In Scotland, for PVG scheme members, changes to criminal records are reported to the 'interested party' (meaning BYM).

We recommend in England and Wales that Friends sign up to the update service. Applicants need to do this within 30 calendar days of the date of issue which is printed on their certificate. This allows the meeting verifier to perform an update more easily online.

Can a Friend use a certificate from another organisation?

Perhaps. Different levels of criminal records checks are performed depending on whether the person is supporting children or adults at risk, and whether the activity is unregulated or regulated. If the check is for the same group (children or adults) and for the right level of activity (unregulated or regulated) then you can accept the certificate. It needs to be not older than three years and you should ask to see the original certificate and make sure it is a clear disclosure.

If a Friend is a member of the update service, so long as the role is similar (see paragraph above), this is also acceptable and we recommend you perform an update check.

What's the DBS update service?

To avoid performing a new application every three years, in England and Wales it is possible to ask the certificate holder to sign up to the DBS update service. For volunteers this is free. Certificate holders need to do this within 30 days of the certificate date. A form is available for the verifiers to ask the applicant to complete to give written permission for the meeting to perform updates from time to time. The form should be kept securely. (Please note, not to be confused with 'updates@quaker.org.uk' for updates to the Quaker database of Friends and role holders.)

Where can I get help?

It depends on the help you need:

- **DDC** on 0845 644 3298 or contact@ddc.uk.net for questions from verifiers or applicants for making applications, online technical questions, whether a role is eligible for checks, regulated or non-regulated activity, level of check.
- **Friends House** at updates@quaker.org.uk for changes to your DDC account holder and meeting verifiers.
- **Friends House** at safe@quaker.org.uk for queries about Quaker roles that DDC is unable to answer, missing roles from the pre-defined role list on the DDC application system, feedback on DDC. (This is also the email for all other safeguarding-related advice for Quaker Meetings.)