

# Disclosure and Barring Service (DBS)

## Policy & Procedure

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# Contents

- Introduction .....3
- Scope .....3
- Core principles .....3
- Types of DBS check.....4
- Determining the correct level of check .....5
- Role-based guidance .....5
- Basic DBS checks by exception.....8
- Recruitment process.....8
- Starting work before receipt of a DBS certificate.....9
- Recruitment and employment of people with criminal records ..... 10
- Self-disclosure during employment..... 11
- Overseas candidates and overseas residence ..... 11
- Repeat checks and the Update Service..... 11
- Internal moves and role changes..... 12
- TUPE and inherited colleagues..... 12
- Costs ..... 13
- Storage, confidentiality and handling of DBS information..... 13
- Referrals to DBS..... 14
- Fit and Proper Person checks for directors..... 14
- Responsibilities ..... 14
- Appendix 1: DBS eligibility decision guide ..... 16
- Appendix 2: Risk assessment for disclosed criminal record information ..... 17
- Appendix 3: Recruitment of people with criminal records statement ..... 20
- Appendix 4: DBS information handling statement..... 20
- Appendix 5: Equality Impact Assessment ..... 21
- Appendix 6: Change register ..... 23

## Introduction

This policy sets out BrisDoc's approach to Disclosure and Barring Service (DBS) checks at recruitment stage and during employment. It explains when DBS checks are required, how the correct level of check is determined, how disclosure information is handled, and how BrisDoc considers information relating to criminal records fairly and proportionately.

BrisDoc provides health care services to adults and children. Some roles therefore require Standard or Enhanced DBS checks because of the nature of the role, patient contact, regulated activity, or the setting in which the role is carried out. Other roles will not be eligible for Standard or Enhanced DBS checks. In those cases, BrisDoc will not require a Basic DBS check as a matter of routine, although a Basic DBS may be required where a role-specific risk assessment identifies a proportionate reason.

BrisDoc uses an external registered body or umbrella body to process DBS applications on its behalf.

BrisDoc complies with the DBS Code of Practice and is committed to the fair treatment of candidates, employees, casual workers and other workers who have a criminal record.

BrisDoc is a Ban the Box employer and is committed to fair access to employment for people with criminal records.

## Scope

This policy applies to:

- Employees employed on a permanent or fixed-term contract
- Casual workers, including bank workers
- Directors and Non-Executive Directors, where relevant
- Contractors, agency workers, secondees, volunteers or honorary workers where BrisDoc determines that a DBS check is required or where BrisDoc needs assurance that an appropriate check has been completed by another organisation
- Self-employed clinicians, locums and other independently contracted clinical workers engaged by BrisDoc.
- Existing workers whose role changes, or where new information suggests that a further suitability assessment may be required

For ease of reading, this policy uses the term "colleagues" to refer collectively to the groups above, except where a distinction is needed.

## Core principles

BrisDoc will apply the following principles:

- DBS checks will be role-specific, proportionate and limited to the minimum level necessary to safeguard patients, colleagues, co-owners, service users and the public.

- Standard, Enhanced and barred list checks will only be requested where the role meets the relevant legal eligibility criteria. The level of check will be based on the actual duties of the role, not job title, seniority or general organisational access.
- Where a role is not eligible for a Standard or Enhanced DBS check, BrisDoc will not require a Basic DBS check as a matter of routine. A Basic DBS check may be required by exception where a documented role-specific risk assessment identifies a proportionate business, safeguarding, security, medicines management, financial, information governance or governance reason.
- Access to patient-identifiable information does not, by itself, determine eligibility for a Standard or Enhanced DBS check. Patient contact may include face-to-face, telephone, video or other direct communication where that contact is a normal and intended part of the role.
- BrisDoc is a Ban the Box employer. Criminal record information will not normally be requested at application stage unless it is legally necessary and proportionate for the role. Where criminal record information is required, it will be considered fairly, confidentially and in relation to the duties and risks of the role.
- DBS checks are one part of safer recruitment and ongoing suitability assessment, alongside identity checks, right to work, employment history, references, professional registration where relevant, occupational health clearance where required, and ongoing management oversight.

## Types of DBS check

### Basic DBS check

A Basic DBS check shows unspent convictions and conditional cautions. A Basic DBS check can be requested for any role, but BrisDoc will only require one where it is proportionate and justified by a role-specific risk assessment.

Examples of roles where a Basic DBS may be justified include roles with substantial access to controlled drugs, high levels of financial responsibility, significant access to confidential or sensitive systems, or other defined organisational risks.

### Standard DBS check

A Standard DBS check shows spent and unspent convictions, cautions, reprimands and final warnings, subject to DBS filtering rules.

A Standard DBS check may be appropriate for roles that are legally eligible, including some roles in healthcare settings where the role is involved in the provision of health or care services and includes patient contact.

### Enhanced DBS check without barred list check

An Enhanced DBS check includes the same information as a Standard DBS check, plus any additional information held by local police that is reasonably considered relevant to the role.

This may be appropriate for certain roles that meet the legal eligibility criteria but do not involve regulated activity requiring a barred list check.

## Enhanced DBS check with barred list check

An Enhanced DBS check with barred list information includes the Enhanced DBS check and a check of the relevant barred list or lists.

This level of check will only be requested where the role is in regulated activity with adults and/or children, or where the law otherwise permits a barred list check.

## Determining the correct level of check

The People Service will determine the correct level of DBS check before recruitment begins and will record the required level in the job description, advert and recruitment documentation where applicable.

The assessment will consider:

- whether the role involves regulated activity with adults or children
- whether the role provides health or care services under the direction or supervision of a regulated healthcare professional
- whether the role has direct and intended patient contact
- whether patient contact is face-to-face, telephone, video or another form of direct communication
- whether the role works in a healthcare setting where patients are present
- whether the role supervises, manages or directs colleagues who are carrying out regulated activity
- whether the role has significant access to medicines, controlled drugs, financial systems, sensitive systems or highly confidential information
- whether any Basic DBS check is proportionate where Standard or Enhanced DBS is not available

The People Service may seek advice from the DBS, the registered body or umbrella body, NHS Employers guidance, CQC guidance or legal advice where the correct level of check is unclear.

## Role-based guidance

The following table provides indicative guidance. It is not exhaustive and each role must be assessed by duties rather than title alone.

Role or activity category	Usual DBS position	Notes
Clinical colleagues providing healthcare to adults and/or children	Enhanced DBS with relevant barred list check	Applies where the role is in regulated activity. Clinicians, including self-employed clinicians and locums, are

Role or activity category	Usual DBS position	Notes
		required to renew their DBS check every three years.
Clinical support roles providing healthcare under direction or supervision	Enhanced DBS with relevant barred list check	Covers Healthcare Assistants and equivalent roles where healthcare is provided under the direction or supervision of a regulated healthcare professional.
Colleagues who convey patients because of age, illness or disability to, from or between places where they receive healthcare, personal care or social work	Enhanced DBS with relevant barred list check	Adult and/or children's barred list depends on the patient group and duties. This is based on the activity, not the job title.
Patient contact roles involved in directly supporting the provision of health services	Standard DBS, or Enhanced where duties meet enhanced eligibility	Covers roles such as call handling, reception, hosting or similar patient access roles. Patient contact may be face-to-face, telephone, video or other direct communication where this is a normal part of the role.
Chaperone duties	Enhanced DBS may be required depending on duties and eligibility	Must align with the Chaperone Policy and actual duties. If chaperone duties are part of another role, the DBS assessment should consider those duties as part of the whole role.
Operational managers or service leads who directly supervise, manage or direct regulated activity	Enhanced DBS with barred list check may be required	Assessment should be based on whether the role directly supervises, manages or directs regulated activity. Examples may include shift, service delivery or primary care operational management roles.
Corporate or support roles with no patient contact and no regulated activity	No DBS routinely	Covers areas such as HR, Finance, L&D, Transformation, IT, administration or project roles where there is no normal and intended patient contact. Basic DBS only where a role-specific risk assessment justifies it.

Role or activity category	Usual DBS position	Notes
Governance, quality, complaints or risk roles with access to patient-identifiable information but no patient contact	No DBS routinely, or Basic DBS by exception	Access to patient information alone does not create Standard or Enhanced DBS eligibility. Manage through information governance controls, confidentiality, role-based access and audit trails.
Governance, quality, complaints, duty of candour or investigation roles with routine direct contact with patients or families	Consider Standard DBS	Telephone or video contact may count as patient contact where it is a normal and intended part of the role. The assessment should consider the nature, frequency and purpose of the contact.
Digital, IT or systems roles working in patient-facing clinical settings	Consider Standard DBS	Eligibility depends on actual duties, setting, patient contact and whether the role supports provision of health services in areas where patients are present. Privileged system access alone does not create Standard or Enhanced eligibility but may justify Basic DBS by exception.
Facilities, estates or premises roles with no patient contact and no significant medicines, security or financial responsibility	No DBS routinely	Basic DBS only where a role-specific risk assessment justifies it. Incidental presence in a building where healthcare is provided does not automatically create DBS eligibility.
Facilities, estates, logistics or premises roles with significant medicines, controlled drugs, secure storage, transport, ordering, key-holding or security responsibilities	Basic DBS usually justified	Standard or Enhanced only if patient contact or regulated activity criteria are met. Medicines governance, access controls, audit trails and separation of duties remain the main controls.
Board, director or senior governance roles	Basic DBS or criminal record declaration as part of Fit and Proper Person assurance, depending on role and Board decision	Standard or Enhanced only where the role itself meets DBS eligibility criteria. Access to confidential Board papers or patient-identifiable information does not, by itself, create Standard or Enhanced DBS eligibility.

Role or activity category	Usual DBS position	Notes
Volunteers, contractors, agency workers, secondees, honorary workers or externally employed workers	Assessed according to duties	BrisDoc may require evidence of an appropriate check from the employing, contracting or host organisation. Self-employed clinicians and locums are subject to BrisDoc's clinical DBS requirements, including three-year renewal.

## Basic DBS checks by exception

Where a role is not eligible for a Standard or Enhanced DBS check, BrisDoc will not require a Basic DBS check automatically.

A Basic DBS check may be required where the People Service, in discussion with the recruiting manager, determines that it is proportionate because of the nature of the role.

Examples may include:

- significant access to controlled drugs, medicines or secure medicines storage
- significant access to financial systems, cash, purchasing cards or payment authorisation
- significant access to highly sensitive organisational systems or confidential records
- privileged IT administrator access
- senior governance or Board-level accountability where a criminal record declaration alone is considered insufficient
- lone working in non-clinical premises with substantial trust or security responsibilities
- other specific organisational risks that are clearly documented

The rationale for requiring a Basic DBS check must be recorded and reviewed if the role changes. A Basic DBS should not be used as a substitute for information governance controls, medicines governance controls, supervision, reference checks, employment history checks or role-based access controls.

## Recruitment process

Where a DBS check is required, the advert, job description and offer documentation will make this clear.

Criminal record information will not normally be requested at application stage. Where it is legally necessary to request criminal record information earlier because the role is exempt from the Rehabilitation of Offenders Act 1974, this will be made clear to candidates.

Successful candidates will receive a conditional offer of employment or engagement subject to satisfactory pre-employment checks. These may include, depending on the role:

- identity checks

- right to work checks
- employment history and references
- professional registration checks
- qualifications checks
- occupational health clearance
- DBS check at the correct level
- overseas criminal record checks or certificates of good conduct where relevant
- Fit and Proper Person checks for director-level roles where applicable

Where a DBS check is required, the People Service will issue the candidate with instructions for completing the DBS application through BrisDoc's DBS provider.

Original identity documents must be checked in line with current DBS identity checking guidance. The People Service or authorised recruiting manager must satisfy themselves that the documents are genuine and relate to the applicant.

The People Service will complete the employer section and submit the application to the DBS provider.

The People Service will record limited DBS information, including the level of check, certificate number, date of issue, outcome and employment decision.

## **Starting work before receipt of a DBS certificate**

Where a DBS check is required for the role, candidates should not normally start work until the DBS certificate has been received and reviewed.

In exceptional circumstances, BrisDoc may allow a new starter to commence before the DBS result is received where there is a clear service need and a documented risk assessment has been approved by a Director.

Before this can happen:

- identity checks must have been completed
- right to work must have been confirmed
- satisfactory references must have been received, including the most recent employer wherever possible
- occupational health clearance must have been received where required
- professional registration must have been confirmed where applicable
- a written risk assessment must be completed
- safeguards must be put in place

Safeguards may include:

- restricted duties
- no unsupervised patient contact
- no regulated activity until the relevant check is confirmed, unless legally permissible and specifically risk assessed

- restricted access to medicines, controlled drugs or sensitive systems
- enhanced supervision
- temporary access controls
- a defined review point while the DBS outcome remains outstanding

The individual must be notified in writing that their continued employment or engagement is conditional on receipt of a satisfactory DBS outcome.

## **Recruitment and employment of people with criminal records**

BrisDoc is a Ban the Box employer. Criminal record information will not normally be requested at application stage and will only be requested where it is legally necessary, proportionate and relevant to the role.

BrisDoc will not unfairly discriminate against candidates, employees or casual workers who have a criminal record. A criminal record will not automatically prevent someone from working for BrisDoc.

Any decision will depend on:

- the nature of the role
- the level of DBS check legally permitted or required
- the nature, seriousness and relevance of the offence or information
- the age of the individual at the time
- how long ago the matter occurred
- whether the matter is spent or unspent, where relevant
- whether the matter is protected by DBS filtering rules
- whether there is a pattern of offending
- the circumstances and explanation provided by the individual
- whether the individual disclosed relevant information when required to do so
- the level of risk or opportunity to cause harm or damage in the role
- any mitigating factors and evidence of rehabilitation

Where disclosure information is received, BrisDoc will discuss the matter with the individual before reaching a final decision to withdraw an offer, change duties, commence a formal process or terminate employment.

The discussion will normally be led by the People Service with the recruiting manager or line manager as appropriate. A risk assessment will be completed and retained confidentially.

Managers must seek advice from the People Service before withdrawing an offer of employment or acting in relation to an existing member of colleagues because of criminal record information.

The outcome of any risk assessment involving criminal record information must be clearly documented, proportionate and defensible. The record must show how the decision relates to the role, the duties, the level of patient or public contact, any safeguarding implications, and any associated organisational risks.

## **Self-disclosure during employment**

Colleagues are expected to notify BrisDoc promptly if, during their employment or engagement, there is a change that may be relevant to their suitability for their role. This includes convictions, cautions, charges, investigations, professional restrictions, safeguarding concerns or other matters that could reasonably affect their role.

The matter will be considered confidentially and proportionately. Disclosure will not automatically lead to disciplinary action or termination, but failure to disclose relevant information may itself be treated as a conduct matter.

## **Overseas candidates and overseas residence**

Where an applicant has lived or worked overseas, BrisDoc may request an overseas criminal record check, certificate of good conduct or equivalent document where this is available and proportionate.

Where the role is eligible for a DBS check, a DBS check will still be obtained even where the person has not previously lived in the UK, recognising that DBS may not hold full overseas information.

Where documents are issued in a language other than English, BrisDoc may require a certified translation.

## **Repeat checks and the Update Service**

A DBS certificate does not have a formal expiry date. However, BrisDoc requires clinicians, including self-employed clinicians, locums and independently contracted clinical workers, to have a DBS check renewed every three years where their role requires a DBS check. This requirement supports BrisDoc's insurance, safeguarding and clinical governance arrangements.

Clinicians must maintain an appropriate and in-date DBS check in line with this requirement. Where a required DBS renewal is not completed in time, the clinician may be restricted from undertaking clinical work until the check has been completed and reviewed. Any decision about pay, duties or continued engagement will be considered on a case-by-case basis, taking account of the individual's employment or engagement status, the reason for the delay, service requirements and any available alternative duties.

BrisDoc does not carry out routine repeat DBS checks for all other colleagues, including honorary contract holders. However, BrisDoc reserves the right to request a new DBS check or other employment check where this is relevant and proportionate.

BrisDoc reserves the right to request a new DBS check or other employment check where:

- the individual changes role and the new role requires a different or higher level of check
- the duties, setting, patient contact or regulated activity status of the role changes significantly
- new information is received that may affect the individual's suitability
- required by law, regulation, contract, commissioner requirement or CQC assurance need
- the previous check is no longer appropriate to the current role
- the individual is a clinician or self-employed clinician subject to BrisDoc's three-year DBS renewal requirement

Where an individual subscribes to the DBS Update Service, BrisDoc may, with the individual's consent, carry out an online status check where the existing certificate is for the same workforce and same level of check required for the role.

If the Update Service indicates that new information is available, a new DBS application will be required.

## **Internal moves and role changes**

A new DBS check is not usually required where an existing member of colleagues moves internally, and the new role requires the same level and type of check as their previous role.

A new check will be required where:

- the new role requires a higher level of check
- the new role requires a different barred list check
- the individual moves into regulated activity
- the new role involves patient contact or a clinical setting where the previous role did not
- the previous check is not appropriate for the new role

Where the new role is not eligible for Standard or Enhanced DBS, BrisDoc will not automatically require a Basic DBS unless a role-specific risk assessment justifies it.

## **TUPE and inherited colleagues**

Where colleagues transfer to BrisDoc under TUPE or similar arrangements, BrisDoc will seek assurance that appropriate pre-employment checks were completed by the previous employer.

Where a transferring member of colleagues has not had a DBS check or has had a check at a level that is not appropriate for their BrisDoc role, BrisDoc will assess whether a new check is required. Any check must be relevant to the role and legally eligible.

BrisDoc will discuss requirements with affected colleagues as part of the consultation and onboarding process.

## Costs

Where BrisDoc requires a DBS check for employment or engagement purposes, BrisDoc will normally pay the cost of the check.

DBS fees are set nationally and may change. This policy will not list fixed costs, to avoid becoming out of date. Current fees should be checked through DBS or BrisDoc's DBS provider at the time of application.

Where an individual chooses to subscribe to the DBS Update Service, payment arrangements will be confirmed separately.

## Storage, confidentiality and handling of DBS information

DBS information is confidential and will only be accessed by those who need it for a recruitment, employment, safeguarding or governance decision.

BrisDoc will comply with the DBS Code of Practice, UK General Data Protection Regulation and the Data Protection Act 2018 when handling DBS information.

DBS certificates and disclosure information will not be retained for longer than necessary. Where it is necessary to retain a certificate or copy information for decision-making purposes, retention will normally be limited to a maximum of six months unless there is an exceptional and justified reason to retain it for longer.

BrisDoc may retain limited information for audit and assurance purposes, including:

- name
- date of birth
- role
- level of check requested
- workforce checked, where applicable
- barred list checked, where applicable
- certificate number
- date of issue
- date the certificate was seen
- outcome/status, for example satisfactory or risk assessment completed
- employment decision taken
- date any certificate copy was destroyed

Detailed criminal record information will not be stored on general HR files or systems unless there is a justified and proportionate reason connected to a recruitment decision, employment decision, safeguarding concern or ongoing risk management.

## Referrals to DBS

BrisDoc has a legal duty to refer a person to DBS where the referral criteria are met.

A referral may be required where BrisDoc has dismissed, removed or would have removed a person from regulated activity because they have harmed, or may have harmed, a child or adult, or where there is a relevant safeguarding risk and the person resigns, retires, is redeployed or otherwise leaves before action is completed.

Managers must seek advice from the People Service and safeguarding leads immediately where DBS referral may be required.

## Fit and Proper Person checks for directors

Directors and Non-Executive Directors who fall within CQC Fit and Proper Person requirements will be subject to the appropriate Fit and Proper Person checks.

These may include:

- identity checks
- employment history and references
- qualifications and experience checks where relevant
- professional registration checks where relevant
- declaration of interests
- insolvency, bankruptcy and director disqualification checks
- annual self-declaration
- criminal record declaration and/or Basic DBS where BrisDoc determines this is proportionate

Standard or Enhanced DBS checks will only be requested for directors or Non-Executive Directors where the duties of the role meet the relevant DBS eligibility criteria.

## Responsibilities

### People Service

The People Service is responsible for:

- ensuring that DBS checks are requested only where eligible and proportionate
- determining and recording the correct level of check for each role
- advising managers on DBS eligibility and risk assessment
- ensuring adverts, job descriptions and offer letters accurately reflect DBS requirements
- issuing DBS application instructions to candidates
- verifying or overseeing identity checks in line with DBS requirements
- liaising with BrisDoc's DBS provider
- recording limited DBS information for audit and assurance purposes

- ensuring DBS information is handled confidentially
- supporting managers to assess disclosed criminal record information
- maintaining this policy and associated guidance
- ensuring appropriate information is available to candidates about the recruitment of people with criminal records

## **Recruiting managers and line managers**

Recruiting managers and line managers are responsible for:

- working with the People Service to confirm whether a role requires a DBS check
- ensuring role descriptions accurately describe duties relevant to DBS eligibility
- ensuring colleagues do not commence duties requiring a DBS check until the appropriate clearance or approved risk assessment is in place
- informing the People Service if a role changes in a way that may affect DBS eligibility
- informing the People Service if they become aware of information that may affect a colleagues member's suitability
- supporting risk assessments where criminal record information is disclosed
- ensuring any agreed safeguards are implemented and monitored

## **Candidates and colleagues**

Candidates and colleagues are responsible for:

- providing accurate information during recruitment and employment
- providing identity documents promptly where a DBS check is required
- completing DBS applications promptly and honestly
- providing their original DBS certificate where required
- notifying BrisDoc of relevant changes that may affect their suitability for their role
- complying with confidentiality, safeguarding, information governance and professional requirements
- complying with any role-specific DBS renewal requirement, including the three-year renewal requirement for clinicians and self-employed clinicians.

## Appendix 1: DBS eligibility decision guide

The following guide should be used when assessing DBS requirements for a role.

Question	If yes	If no
Does the role involve regulated activity with adults or children?	Enhanced DBS with relevant barred list check is likely required.	Move to next question.
Does the role provide healthcare under the direction or supervision of a regulated healthcare professional?	Enhanced DBS may be required; barred list depends on regulated activity.	Move to next question.
Is the role involved in providing health or care services and does it include direct patient contact?	Standard DBS may be appropriate; consider whether Enhanced eligibility applies.	Move to next question.
Does the role routinely work in a healthcare setting where patients are present?	Consider Standard DBS depending on duties, setting and contact.	Move to next question.
Does the role only have access to patient information, with no patient contact?	Standard/Enhanced DBS is not normally available. Consider IG controls and whether Basic is justified by risk assessment.	Move to next question.
Is Standard or Enhanced DBS unavailable but there is a specific organisational risk?	Consider Basic DBS by exception and record rationale.	No DBS required.

## Appendix 2: Risk assessment for disclosed criminal record information

This form should be used where criminal record information is self-disclosed or appears on a DBS certificate and a decision is needed about recruitment, continued employment or role restrictions.

### Person and role details

Field	Detail
Name	
Role applied for/current role	
Service/team	
Recruiting manager/line manager	
People Service representative	
Date of DBS certificate/self-disclosure	
Level of DBS check	
Date of assessment	

### Information disclosed

Question	Response
What information has been disclosed?	
Was the information disclosed by the individual, the DBS certificate, or another route?	
Was the information disclosed at the appropriate stage?	
Is the individual disputing the accuracy of the information?	
Is the matter spent, unspent, filtered or otherwise protected?	

### Relevance and risk assessment

Assessment factor	Notes
Nature and seriousness of the offence/information	
Age of the individual at the time	
Time elapsed since the matter occurred	
Relevance to the role	
Pattern of behaviour or isolated incident	
Explanation and context provided by the individual	
Evidence of rehabilitation or changed circumstances	
Potential risk to patients, colleagues, public, systems, finances, medicines or reputation	
How the information relates directly to the duties, responsibilities and risks of the role	
Safeguards or adjustments that could reduce risk	
Advice sought, including safeguarding, HR, professional or legal advice	

### Decision

Decision option	Tick/notes
Proceed with appointment/continue employment with no further action	
Proceed with safeguards or restrictions	
Seek further information before decision	
Withdraw conditional offer	
Commence internal employment process	
Consider DBS referral or safeguarding referral	

**Sign-off**

<b>Name/role</b>	<b>Signature/date</b>
Recruiting manager/line manager	
People Service representative	
Director approval, if required	
Individual confirmation that discussion has taken place	

## **Appendix 3: Recruitment of people with criminal records statement**

BrisDoc is a Ban the Box employer and is committed to the fair treatment of candidates and colleagues who have a criminal record.

Having a criminal record will not automatically prevent someone from working for BrisDoc. We will consider the nature of the role, the relevance of the information disclosed, the circumstances of the offence or matter, the time elapsed, any pattern of behaviour, and any evidence of rehabilitation or changed circumstances.

Where a role requires a DBS check, this will be made clear in recruitment information. We will only ask for a DBS check where it is legally eligible and proportionate to the role.

Criminal record information will not normally be requested at application stage. Where it is legally necessary to request criminal record information earlier because the role is exempt from the Rehabilitation of Offenders Act 1974, this will be made clear to candidates.

Where disclosure information is received, we will discuss it with the individual before making a final recruitment or employment decision. Information will be handled confidentially and only shared with those who need it to make or support a decision.

BrisDoc will not discriminate unfairly against any applicant or member of colleagues because of a conviction, caution or other criminal record information.

## **Appendix 4: DBS information handling statement**

BrisDoc will handle DBS certificate information in line with the DBS Code of Practice, UK General Data Protection Regulation and the Data Protection Act 2018.

DBS information will be:

- used only for the purpose for which it was requested
- shared only with those who need to know as part of a recruitment, employment, safeguarding or governance decision
- stored securely
- retained only for as long as necessary
- destroyed securely when no longer required

BrisDoc will normally retain only limited audit information, such as the level of check, certificate number, date of issue, outcome and decision taken.

## Appendix 5: Equality Impact Assessment

This Equality Impact Assessment (EQIA) ensures that BrisDoc’s DBS Policy & Procedure upholds our duties under the Equality Act 2010, supports fair and inclusive recruitment and employment practice, and proactively considers how applicants and colleagues with different protected characteristics may be impacted by criminal record checking requirements.

The assessment recognises that DBS checks and criminal record disclosure can create barriers to employment if they are applied inconsistently, requested unnecessarily, or considered without proper context. This EQIA therefore focuses on proportionality, role-based assessment, Ban the Box principles, confidentiality, risk assessment, and fair consideration of disclosed information. It also reflects on intersectionality, recognising that overlapping characteristics may compound disadvantage.

Protected Characteristic	Potential Impact Identified?	Actions Taken / Considerations
<b>Age</b>	Yes – potential variation in criminal record history, experience of recruitment processes or confidence in disclosure discussions	The policy applies DBS requirements according to role duties and legal eligibility, not age or assumptions about risk. Criminal record information is considered through a documented risk assessment that includes time elapsed, age at the time of the matter, relevance to the role, and evidence of rehabilitation.
<b>Disability</b>	Yes – potential barriers in completing DBS processes or attending disclosure discussions	The policy allows for fair, confidential and proportionate handling of disclosure information. Reasonable adjustments should be made where needed, including support with the application process, accessible communication formats, adjusted meeting arrangements, and additional time where appropriate.
<b>Sex / Gender</b>	Potential indirect impact	The policy applies consistently to all applicants and colleagues. Risk assessments focus on the role, duties and relevance of disclosed information rather than assumptions linked to sex, gender, working pattern or caring responsibilities.
<b>Gender Reassignment</b>	Potential sensitivity	DBS and disclosure discussions will be handled confidentially and respectfully.

		Identity documentation and any related queries must be managed sensitively, with information shared only where necessary for the DBS process or employment decision.
<b>Pregnancy and Maternity</b>	Low direct impact, but potential risk of unfair treatment if timing or absence affects recruitment or renewal processes	DBS requirements are role-based and should not disadvantage applicants or colleagues because of pregnancy, maternity leave or related absence. Where timing issues arise, managers should seek People Service advice and apply the process proportionately.
<b>Race / Ethnicity</b>	Yes – potential for disproportionate impact or bias in interpreting criminal record information	The policy supports Ban the Box principles, role-specific checks, and documented risk assessment. Decisions must be evidence-based, proportionate and defensible. Managers should avoid assumptions linked to ethnicity, nationality, immigration history, overseas residence or cultural background.
<b>Religion or Belief</b>	Low potential impact	The policy allows flexibility where possible around meeting dates, communication and documentation requirements. Disclosure discussions should be handled respectfully and without assumptions linked to religion or belief.
<b>Sexual Orientation</b>	No specific differential impact identified	The policy applies equally to all applicants and colleagues. DBS information and disclosure discussions are handled confidentially and without prejudice.
<b>Marriage and Civil Partnership</b>	No differential impact identified	The policy does not differentiate based on marital or civil partnership status.

**Intersectionality**

BrisDoc recognises that applicants and colleagues may experience overlapping barriers due to intersecting protected characteristics, for example a disabled applicant from a minority ethnic background, a trans applicant navigating identity documentation, or an applicant with limited confidence in formal recruitment processes.

The DBS Policy & Procedure is designed to be role-specific, proportionate and person-centred, ensuring that:

- DBS checks are only requested where legally eligible and proportionate
- Basic DBS checks are not used routinely where Standard or Enhanced DBS is unavailable
- Ban the Box principles are applied to avoid unnecessary early disclosure
- disclosed criminal record information is considered through a fair and documented risk assessment
- reasonable adjustments and support are considered where needed
- confidentiality is maintained throughout

Equality considerations will be reviewed as part of scheduled policy reviews and updates. Any concerns or patterns identified through recruitment outcomes, DBS risk assessments, appeals, complaints or feedback will be reviewed by the People Service to inform improvements to practice.

Candidates and colleagues are encouraged to raise concerns with the recruiting manager, line manager or confidentially with the People Service.

## Appendix 6: Change register

Date	Version	Author	Change details
Nov 2011	V1.0	Ewa Jany	Original policy
Apr 2014	V2.0	Ewa Jany	Policy update
Nov 2016	V3.0	Keystone HR Consultancy Ltd	Policy update including DBS provider process and role list
Jan 2020	V4.0	Sarah Aubertin	Policy update
Feb 2024	V4.1	Mike Duncan	Policy owner changed
May 2026	V4.2	Mike Duncan	Updated to clarify DBS eligibility, Basic DBS by exception, Ban the Box commitment, role-based decision-making, risk assessment recording and DBS information handling.