

Healthwatch Hertfordshire Disclosure & Barring Service (DBS) Policy

This document should be read in conjunction with the relevant documentation and guidance as listed below:

- [DBS Code of Practice](#)
- [DBS Eligibility Tool](#)
- [Hertfordshire County Council \(HCC\) Contract Information](#)
- [Recruitment of Ex-Offenders](#)
- [Secure Handling and Safekeeping of Disclosure Information](#)

Introduction

Healthwatch Hertfordshire (HwH) uses the Disclosure and Barring Service (DBS) to obtain information to assess the suitability of staff or trustees in positions of trust. HwH may request a check through the Disclosure and Barring Service (DBS) as part of its recruitment or due diligence processes. For certain roles, the check may also include an Enhanced DBS check, or request for information held on the DBS children and adults' barred lists, together with any information held by police, that is reasonably considered to be relevant to the role (voluntary or employed).

The Charity Commission suggests it is good practice to complete the highest level of check a role is eligible for. As a minimum, it encourages you to conduct basic checks for anyone who works with children or adults at risk. Whether the role is for a staff member or trustee is not relevant when deciding which check to complete. The decision is based on the results of a risk assessment and the role's eligibility for the various levels of check.

HwH adopts a risk-based approach to DBS checks. All staff and trustees will normally be asked to obtain a Basic DBS check as a matter of good due diligence. Where a role involves regulated activity with children or adults, an Enhanced DBS check will be required.

This policy outlines the approach HwH will take to request DBS checks. The least intrusive check will always be used. A confidential conversation will be made available before a check is requested.

Fair and proportionate use of DBS information

HwH is committed to fair, transparent and proportionate recruitment and volunteering practices. Having information disclosed on a DBS certificate does not automatically prevent someone from working or volunteering with us.

We recognise that people may have matters in their past which are no longer relevant, occurred a long time ago, or bear no relation to the role being applied for. DBS information is considered only in relation to the nature of the role and the specific responsibilities involved.

Where information disclosed on a DBS certificate is not relevant to the role, it will not disadvantage the individual. No applicant, staff member or volunteer will be treated unfairly or excluded solely because of a past conviction or caution, except where required by law or where the information presents a clear risk relevant to the role they deliver.

Before a DBS Check

All individuals will be contacted before a DBS check is undertaken. Applicants may request a confidential discussion before a DBS check is submitted if they have concerns about what may be disclosed. This conversation can take place without prejudice and does not form part of the selection decision. Please contact the Deputy CEO for this conversation.

Individuals required to undertake a DBS check must disclose any unfiltered convictions or cautions relevant to the level of check being undertaken. Applicants are not required to disclose protected (filtered) cautions or convictions, in line with DBS legislation. Where a conviction has been disclosed in an application, a confidential discussion will take place regarding the offence and its relevance to the work that individual is doing at HwH.

If a DBS certificate reveals information, HwH will ensure that the applicant is given the opportunity to discuss this in a confidential and supportive manner.

A private discussion will normally take place between the applicant and the Chief Executive. This discussion will focus on:

- the relevance of the information to the role
- the circumstances and context of the matter
- how long ago it occurred
- any evidence of change, learning, or positive conduct since

Who is required to have a DBS Check?

Staff DBS Checks

HwH will always request the minimum level of DBS check legally permitted for a role. The decision regarding the appropriate level of DBS check will be made by the line manager in consultation with the CEO and documented accordingly.

The type of work the individual is doing, or will be doing, will determine the level of check that is needed. Managers should refer to the DBS Eligibility tool¹ to support their decisions.

A staff member carrying out such activities as those listed below, will be required to have an Enhanced DBS check with barred list checks where applicable:

- Activities that bring an individual into contact with vulnerable adults² and/or children (under the age of 18).
- Enter and View activities, which are concerned with the provision of health and social care services, and which is of such a kind as to enable access to people in receipt of such services in the course of carrying out these activities.

Healthwatch Hertfordshire encourages individuals undertaking ongoing regulated activity to subscribe to the DBS Update Service. Where this is used, periodic status checks will be undertaken in place of requesting a new DBS certificate.

Trustee DBS Checks

There is no legal requirement that says all trustees must have a certain level of DBS check. Instead, the Charity Commission³ recommends criminal record checks to be conducted if the position is eligible for them. The level of check is dependent on both the charity's activities and the trustee's role.

However, failing to make these background checks can put people's safety at risk. It can also put the reputation and/or assets of the charity at risk if a trustee turns out to be unsuitable for the role. The Charity Commission may consider this to be mismanagement or misconduct.

¹ See here: [Find out which DBS check is right for your employee - GOV.UK](#)

² NHS England has created a document which includes examples of vulnerable groups: <https://www.england.nhs.uk/long-read/safeguarding/#who-is-at-risk>.

³ See guidance summary here: <https://www.ncvo.org.uk/help-and-guidance/safeguarding/specific-aspects/getting-started-with-dbs-checks/checks-for-trustees/>

The Chair of HwH Board and the CEO are responsible for determining which Trustees can be opted out of a Basic DBS check⁴ and will document this decision formally.

Transgender DBS Applicants

If an applicant is transgender and does not want to reveal their previous identity, they can contact the DBS sensitive applications team:

- Email: sensitive@dbb.gov.uk
- Phone: 0300 131 2784

DBS Process

General Checks

HwH reserves the right to make use of any accredited DBS Check 'umbrella body' it has a GDPR-compliant contractual agreement with. When carrying out DBS checks for a purpose other than being an Enter & View Authorised Representative (e.g. due diligence check prior to starting work at the organisation), this will be managed by an external provider who can complete a digital ID check as an accredited digital identity verification provider registered with the DBS.

This process is then managed via an online portal where justification will be given to the 'umbrella body' for why HwH is seeking the level of check requested and where payment must be made to progress. If the check is successful, the results will be shared digitally with HwH, and the certificate sent directly to the individual.

Enter and View Checks

HwH also has a contract with Hertfordshire County Council, which has agreed to act as a DBS 'umbrella registered body' for the purpose of becoming an Enter & View Authorised Representative. This service is known as and operated by [the Safe Staffing Team](#).

HCC uses an online self-service system for DBS checks, which is called HertsGuard and allows the ID-checker and the applicant to complete a DBS form securely online from any internet point.

⁴ A trustee will not typically be required to have an Enhanced DBS check unless they are likely to participate in engagement activities with children or vulnerable adults.

Information on the HertsGuard process can be found in the Manager and ID Checker's Guide to HertsGuard.



Manager and ID
checker's guide Her

The applicant's information on HertsGuard is not sent to the DBS until payment has been received by HCC. Once processed, the DBS certificate is sent directly to the applicant. HwH is notified by email and can see the results of the check on HertsGuard. The ID-checker will need to see the original document but as per the [Secure Handling guidelines](#), HwH will not keep any photocopy or image of the Disclosure or any copy or representation of the contents of a Disclosure once a recruitment decision has been made (normally up to six months).

However, notwithstanding the above, HwH may keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure was requested, the unique reference of the Disclosure and the details of the recruitment decision taken. This process will be followed for applications not using the HertsGuard system e.g. when using the DBS update service.

Timing of DBS checks

There is no official expiry date for a criminal record check issued by DBS. Any information revealed on a DBS certificate will be accurate at the time the certificate was issued. HwH will take note of the issue date on the certificate will review whether a new check might be required at its next policy review, every two years.

DBS Code of Practice

HwH complies fully with the [DBS Code of Practice](#) and does not discriminate unfairly against any subject of a DBS Disclosure on the basis of a conviction or other information revealed.



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Disclosure_and_Barrin

Storage, Handling and Disposal

DBS information is processed under the lawful bases of legal obligation and substantial public interest as defined within the UK GDPR and Data Protection Act 2018. HWH complies with the DBS code regarding the secure storage, handling, use, retention and disposal of DBS Disclosures and disclosure information. HWH has adopted the HCC policy based on model policies produced by the DBS.

See here for additional details on how data collected through this process is managed:

- [Handling of DBS certificate information - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/handling-of-dbs-certificate-information)
- [How we use your information | Hertfordshire County Council](#)

Suitability Policy

HWH has adopted the HCC policy on the recruitment of ex-offenders. If a disclosure certificate has revealed offences, a confidential interview with the DBS responsible manager and the HWH CEO is arranged with the applicant using the Disclosure Risk Assessment form and stored in line with agreed data protection policies:



External
Organisation Templ:

DBS check applicants will be given a copy of this policy and additional policies on request.

Reviewed and signed off on behalf of the Board on 3rd June 2026:

Signed by Ivana Chalmers, as Company Secretary

Responsible Officer
Ivana Chalmers