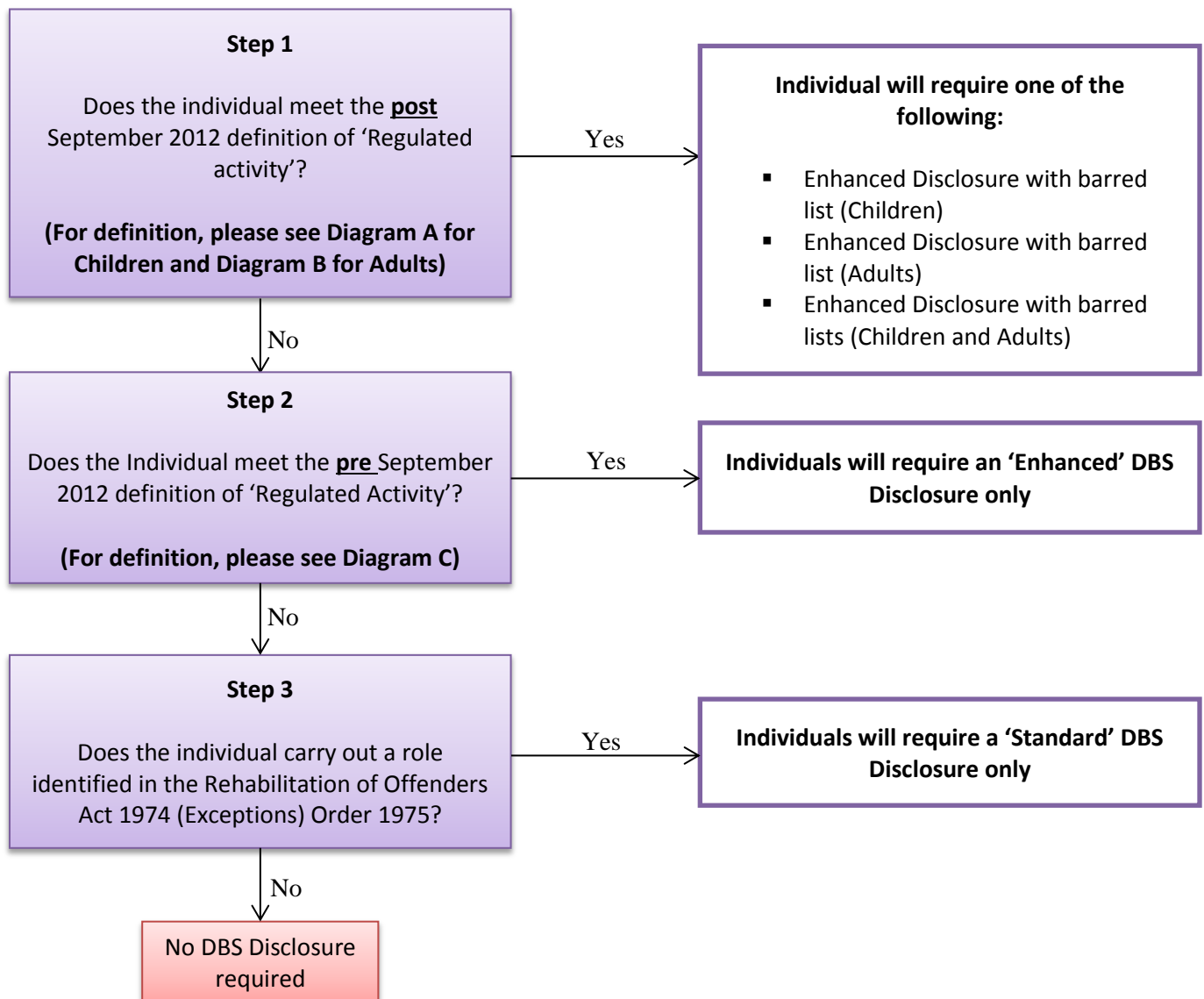


## Eligibility for DBS Disclosure

This document will assist you in determining eligibility for a DBS Disclosure. The definitions used have been developed by the Home Office in consultation with the Disclosure & Barring Service (DBS), Department of Health (DH) and Department for Education (DfE).

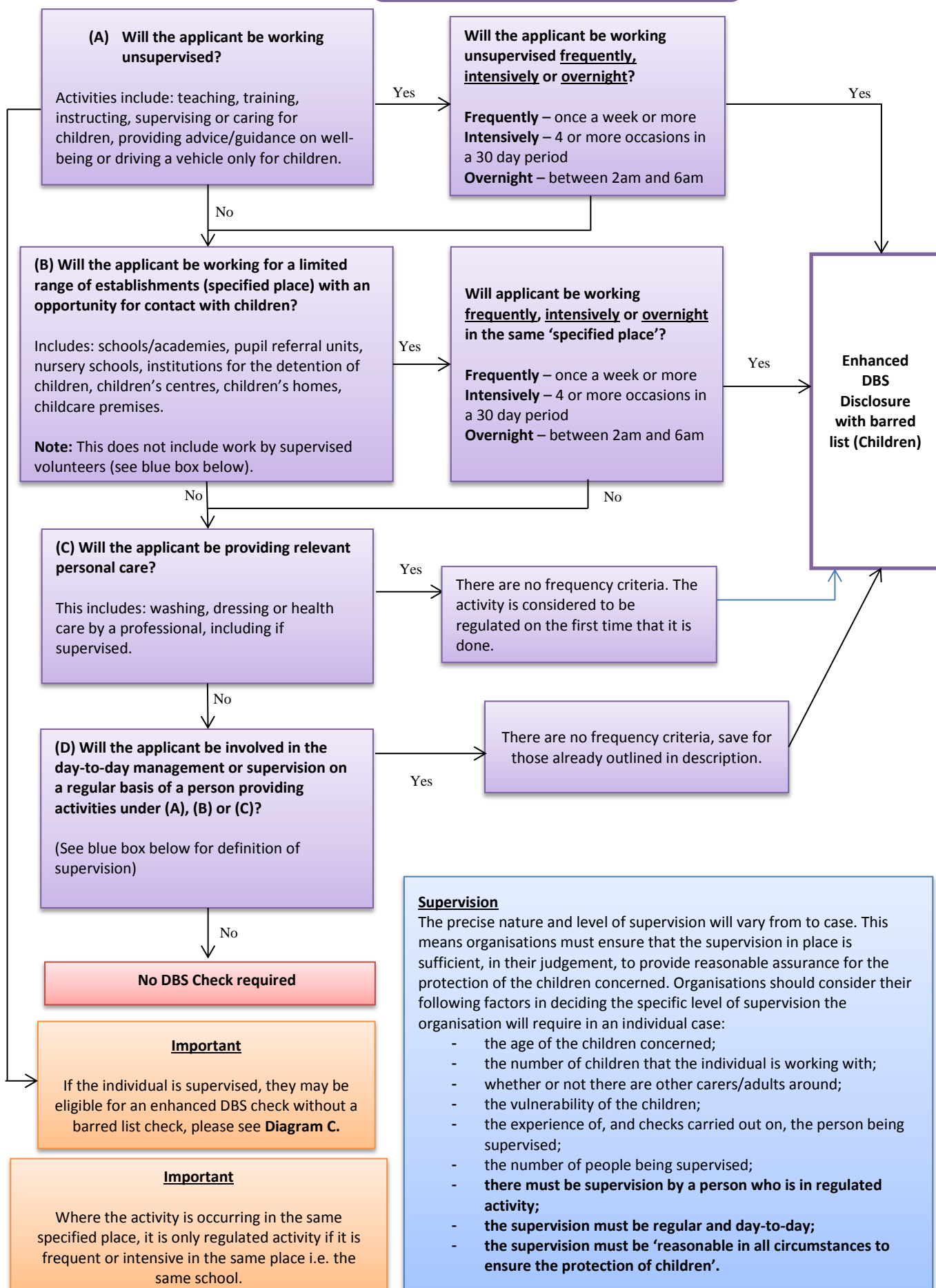
The legislation which underpins these definitions is the Safeguarding Vulnerable Groups Act 2006 (SVGA) as amended by the Protection of Freedoms Act 2012

### Steps to establish if a DBS Disclosure is required as defined in the diagrams attached.



## Diagram A

### Regulated activity relating to Children (Post September 2012 Definitions)



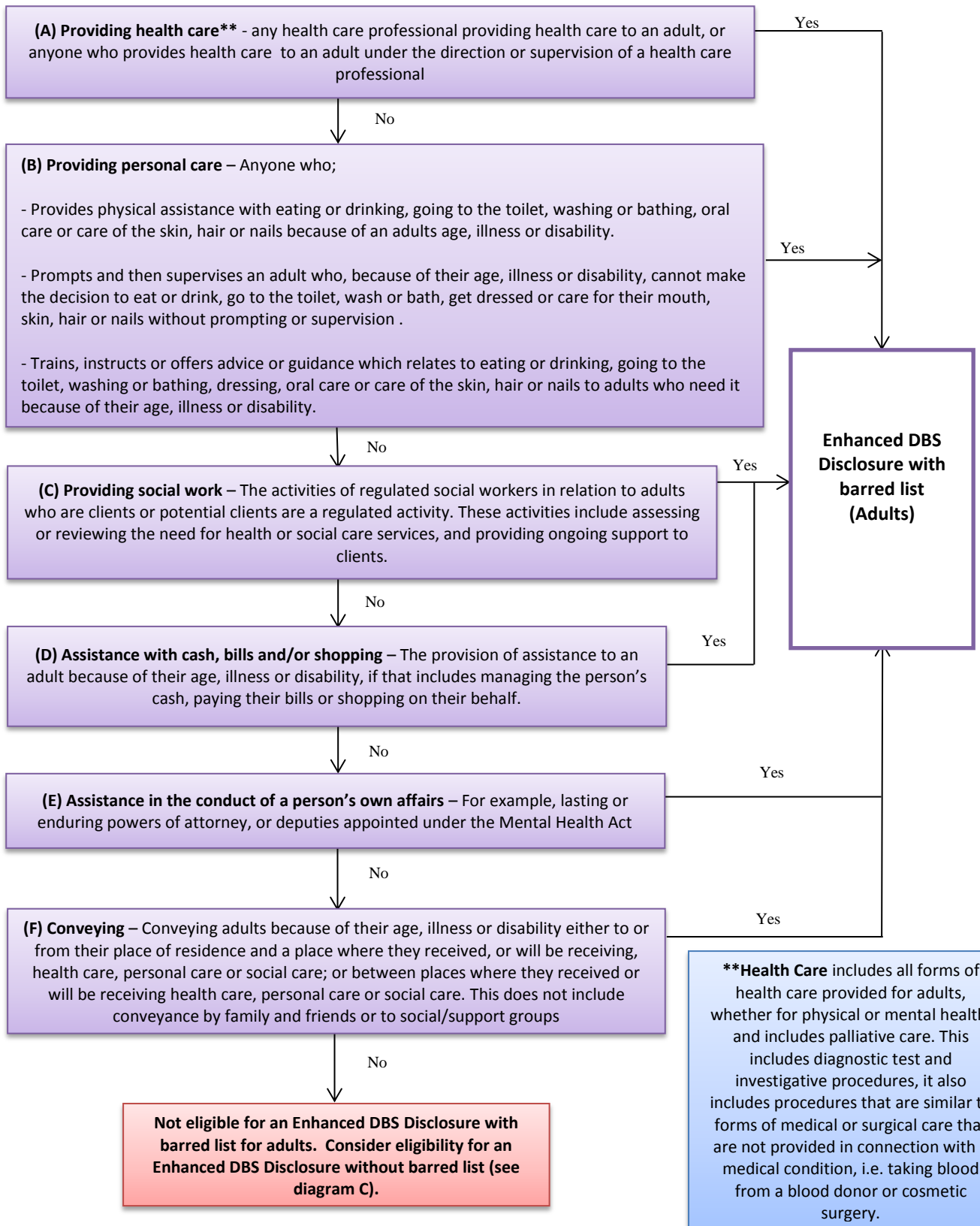
**Diagram B**

**Regulated activity relating to Adults (Post September 2012 definition)**

The focus is on the activities required by the adult and not on the setting in which the activity is received, nor on the personal characteristics or circumstances of the adult receiving the activities.

There is also no longer a requirement for a person to do the activities a certain number of times before they are engaging in Regulated Activity'

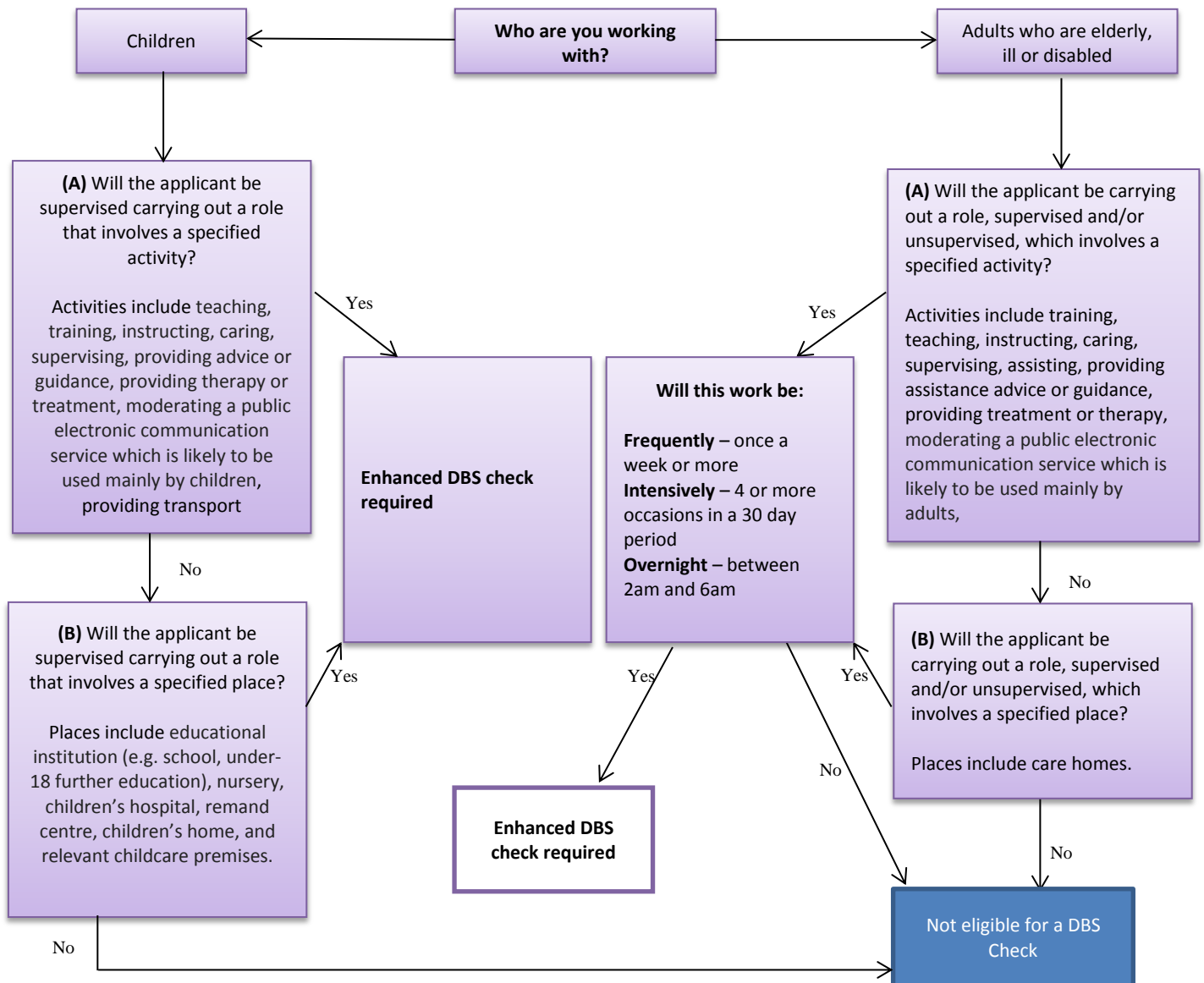
**Any person providing day-to-day management or supervision of a person meeting any of the six criteria set out below will also require an enhanced DBS Check with an Adults Barred List Check**



**Diagram C**

DBS Disclosure without a barred list check (Pre September 2012 Definitions)

An Enhanced DBS Disclosure without a barred list check will also be required if the role is recognised under the Police Act 1997 (Criminal Records) Regulations 2002



**Important**

Where the activity is occurring in the same specified place, it is only regulated activity if it is frequent or intensive in the same place i.e. same school

**Supervision**

The precise nature and level of supervision will vary from to case. This means organisations must ensure that the supervision in place is sufficient, in their judgement, to provide reasonable assurance for the protection of the children concerned. Organisations should consider their following factors in deciding the specific level of supervision the organisation will require in an individual case:

- the age of the children concerned;
- the number of children that the individual is working with;
- whether or not there are other carers/adults around;
- the vulnerability of the children;
- the experience of, and checks carried out on, the person being supervised;
- the number of people being supervised;
- **there must be supervision by a person who is in regulated activity;**
- **the supervision must be regular and day-to-day;**
- **the supervision must be 'reasonable in all circumstances to ensure the protection of children'.**