
DISCLOSURE AND BARRING SERVICE POLICY

A DBS check is needed for working in a Home Care/Residential Care setting:

The Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA) have merged into the Disclosure and Barring Service (DBS) - CRB checks are now called DBS checks.

Normally, employers aren't allowed to ask job applicants about spent convictions, but for jobs that need a DBS check this rule does not apply.

We comply fully with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. We also comply fully with our obligations under the Data Protection Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information.

MOONSTONE CARE UK Ltd. as the employer will give candidates/applicants a form to fill in and return to us along with documents proving the person's identity. The documents acceptable are detailed in Appendix 1 of this Policy.

There are 3 types of check and MOONSTONE CARE UK Ltd. will determine which type of check is relevant (normally an 'enhanced with list check') which includes a check against the DBS barred lists.

Checks for eligible volunteers are free of charge. This includes anyone who spends time helping people and:

- isn't being paid (apart from travel and other approved out of pocket expenses)
- isn't just looking after a close relative

General Principles

- MOONSTONE CARE UK Ltd. must not apply for a check unless the job or role is eligible for one. We must tell the applicant why they're being checked, and where they can get independent advice.
- A DBS check has no official expiry date. Any information included will be accurate at the time the check was carried out. However, as a general rule, if the certificate is older than 6 months it is wise to ask them to apply for a new one (unless they are signed up to the DBS update service- see page 3).
- Care Workers must not be employed unless they have been confirmed as not listed on the DBS 'barred lists'.
- Care Workers must not have their employment confirmed until a satisfactory DBS Disclosure is received.
- Care Workers must not be employed who are Registered Nurses, unless a check of the Nursing and Midwifery Council Register proves positive.
- While employees' DBS checks are in progress, the following safeguards will be put in place
- An appropriately qualified and experienced member of staff is appointed to supervise them and wherever it is possible, this supervisor is on duty at the same time as the new

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worker, or is available to be consulted; and New workers do not escort people away from the premises unless accompanied by a staff member for whom a full and satisfactory DBS check has been received.

- The only disclosure information kept by MOONSTONE CARE UK Ltd. on an applicant's personnel file is the unique DBS reference number (certificate number) as this reference number allows CQC inspectors to make any necessary checks.
- In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.
- The Health and Social Care Act 2008 (Regulated Activities) Regulations 2014 requires providers to maintain appropriate records in relation to persons employed. In relation to DBS checks, MOONSTONE CARE UK Ltd. will copy the DBS certificate to demonstrate compliance with the legal requirements and this copy will be retained for six months or immediately following the next CQC inspection whichever is the sooner.
- Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure.
- Disclosure information may not be passed on to a third party, for instance as part of a reference to a subsequent employer.
- All potential employees must not be offered a post until a satisfactory DBS check has been received, either together with the Disclosure or the 'Adults First' procedure;

Arranging checks:

The DBS update service

For a small annual subscription of just £13 (free for volunteers), applicants can have their DBS certificate kept up-to-date and take it with them from role to role, within the Company, where the same type and level of check is required.

All applicants will be asked if they are a member of the update service. If they are, with their permission, MOONSTONE CARE UK Ltd. can use their current DBS certificate and carry out a free, instant online check to see if any new information has come to light since its issue.

MOONSTONE CARE UK Ltd. will only arrange a DBS check on a successful job applicant and we can withdraw a job offer if the results show anything that would make the applicant unsuitable.

These are the basic steps for a DBS check:

- 1) Use a DBS application form
- 2) Ask the candidate to fill in the application form.
- 3) Send the application form to our umbrella body or DBS. If MOONSTONE CARE UK Ltd. is registered with DBS the countersignatory (people within MOONSTONE CARE UK Ltd. who

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are allowed to handle DBS applications), has to sign the form.

- 4) DBS will send the candidate a certificate which we must see before offering work.
- 5) Give the candidate their application form reference number so they can subscribe to the update service when they apply for their DBS check.

Checks on care workers

As MOONSTONE CARE UK Ltd. provide care services for adults we can use a service called DBS 'Adults First' which will confirm, usually within 2 days, if the applicant:

- can start work, as long as they are supervised
- should wait for the results of an enhanced check

If an Adults First check has been received and is satisfactory, the employee may be offered the post subject to confirmation which is subject to receipt of a satisfactory Disclosure Police Check. The check will be at Enhanced level for those employees having direct access to Service Users.

Staff working with adults can start work before a DBS check is received provided they have been subject to an DBS Adult First check (which confirms that they are not barred) and subject to the following safeguards:

- An appropriately qualified and experienced member of staff is appointed to supervise them.

Wherever it is possible, this supervisor is on duty at the same time as the new worker, or is available to be consulted; and

- New workers do not escort people away from the premises unless accompanied by a staff member for whom a full and satisfactory DBS check has been received.
- On seeing the Disclosure, the Registered Manager, in consultation with the Registered Provider if necessary, must assess the information and make a decision as to whether or not to confirm the employment.
- New entrants to the workforce in services regulated by CQC such as MOONSTONE CARE UK Ltd. should obtain a new DBS check.
- People taking up a new position within MOONSTONE CARE UK Ltd. who are currently working in other services regulated by CQC, can satisfy the requirement for a DBS check if they can provide evidence of an enhanced DBS check, including the appropriate checks against the adults and/or children's barred lists, that is less than three months old at the point of application.
- An ISA check will be made on every employed care worker, whether or not they have a current check in place with another employer.

Overseas applicants and UK applicants who lived abroad

If the applicant is from overseas, MOONSTONE CARE UK Ltd. can ask them to get a criminal records check, or "Certificate of Good Character", from their country of origin. In some cases it may also be possible for us to get such a check through the relevant embassy in the UK but the applicant must give their permission.

We need to check with the relevant embassy in each case as processes for getting these checks and certificates vary between countries.

Employing ex-offenders

As we carry out criminal records checks, we have to have a Policy on employing ex-offenders which we can show to any applicant who asks for it.

Tracking the application and getting a certificate

The person being given a DBS check - 'the applicant' - can check on the progress of their application using the DBS tracking service.

The applicant, MOONSTONE CARE UK Ltd. and the organisation that applied for the search if different will see the results of the check.

Security features

Certificates have security features to prove they're genuine:

- a 'crown seal' watermark repeated down the right hand side, visible both on the surface and when holding it up to the light
- a background design featuring the word 'Disclosure', which appears in a wave-like pattern across both sides of the certificate; the pattern's colour alternates between blue and green on the reverse of the certificate ink and paper that change colour when wet

Reusing a DBS check

A DBS certificate only contains information from a DBS check on a certain date and for a particular purpose. It can be accepted at a later date, but MOONSTONE CARE UK Ltd. will have to decide if it is recent enough or suitable for the current purpose. We also have to check that the applicant's identity matches the details on the certificate (see Appendix 1 for details on how to do this).

Lost certificates

The DBS cannot provide replacements for lost or destroyed certificates.

DBS barred lists

Jobs that involve caring for, supervising or being in sole charge of children or adults require an 'enhanced with list' check (previously called an enhanced CRB check).

This includes checking whether someone is included in the two DBS 'barred lists' (previously called ISA barred lists) of individuals who are unsuitable for working with children and/or adults.

It's against the law for MOONSTONE CARE UK Ltd. to employ someone or allow them to volunteer for this kind of work if they know they are on one of the barred lists.

Referring someone to the DBS

We must refer someone to the DBS if we:

- sacked them because they harmed a child or adult
- sacked them because they might have harmed a child or adult otherwise
- were planning to sack them for either of these reasons, but the person resigned first

This will be done by filling in the DBS referral form. The DBS referrals helpline can be contacted for advice on this process.

DBS referrals helpline

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MOONSTONE CARE UK Ltd. would be breaking the law if we don't refer someone to the DBS for any of the above reasons.

There are appeals processes within the DBS system where staff or applicants feel that mistakes have been made. The DBS website contains detailed information on the different types of appeals and who to contact. There is also information on how to appeal new barring decisions

General enquiries

Enquiries can be made by email, telephone or minicom.

General DBS enquiries customerservices@dbs.gsi.gov.uk

Telephone: 0300 0200 190

Minicom: 0300 0200 192

Appendix 1

Documents the applicant must provide

The person going through a DBS check - 'the applicant' - must give MOONSTONE CARE UK Ltd. as their employer, original documents proving their identity. The documents needed will depend on the route the application takes. The applicant must try to provide documents from route 1 first.

Route 1

The applicant must be able to show:

- 1 document from Table 1, below
- 2 other documents from either Table 1 or Table 2a or 2b, below

One of the documents must show the applicant's current address.

Route 2

If the applicant doesn't have any of the documents in Table 1, then they must be able to show:

- 1 document from Table 2a
- 2 other documents from either Table 2a or 2b

One of the documents must show the applicant's current address. MOONSTONE CARE UK Ltd. as the organisation conducting their ID check must then also use an appropriate external ID validation service to check the application.

Route 3

Route 3 can only be used if it hasn't been possible to process the application through Routes 1 or 2.

For Route 3, the applicant must be able to show:

- a birth certificate issued after the time of birth (UK and Channel Islands)
- 1 document from Table 2a
- 3 further documents from Table 2a or 2b

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One of the documents must show the applicant's current address. If the applicant cannot provide these documents they may need to be fingerprinted.

Table 1: Primary identity documents

Document	Notes
Passport	Any current and valid passport
Biometric residence permits	UK
Current driving licence – photo card with counterpart	UK/Isle of Man/Channel Islands (full or provisional)
Birth certificate - issued at time of birth	UK and Channel Islands – including those issued by UK authorities overseas, eg Embassies, High Commissions and HM Forces

Adoption certificate UK and Channel Islands

Table 2a: Trusted government documents

Document	Notes
Current driving licence – old-style paper version if issued before 1998	UK, Isle of Man, Channel Islands, EU
Current photo card driving licence, full or provisional	all countries outside the EU except Isle of Man and Channel islands
Birth certificate – issued after time of birth	UK and Channel Islands
Marriage/civil partnership certificate	UK and Channel Islands

HM Forces ID card UK

Firearms licence UK and Channel Islands

Table 2b: Financial and social history documents

Document	Notes	Issue date and validity
Mortgage statement	UK or EEA	Issued in last 12 months
Bank or building society statement	UK and Channel Islands or EEA	Issued in last 3 months
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK or EEA	Issued in last 3 months
Financial statement, eg pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Work permit or visa	UK	Valid up to expiry date
Letter of sponsorship from future employment provider	Non-UK or non-EEA only - valid only for applicants residing outside of the UK at time of application	Must still be valid

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Utility bill UK – not mobile telephone bill Issued in last 3 months

Benefit statement, eg Child Benefit, Pension UK Issued in last 3 months

Central or local government, government agency, or local council document giving entitlement, eg from the Department for Work and Pensions, the Employment Service, HMRCUK and Channel Islands Issued in last 3 months

EU National ID card -Must still be valid

Cards carrying the PASS accreditation logo UK and Channel Islands Must still be valid

Letter from Head Teacher or College Principal UK - for 16 to 19 year olds in full time education - only used in exceptional circumstances if other documents cannot be provide Must still be valid

General enquiries

You can contact DBS for any general enquiries by email, telephone or minicom.

General DBS enquiries customerservices@dbs.gsi.gov.uk

Telephone: 0300 0200 190

Minicom: 0300 0200 192