



Bournemouth Council for Voluntary Service

Supporting voluntary and community action in Bournemouth

Resources : Information : Advice : Volunteering

Representation : Training & Events

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DBS Checks or
Keeping
Everyone Safe



What will I cover?

- Safeguarding, what is it
- How do you safeguard
- The law about DBS checks
- Types of checks
- What is an appropriate level of check
- Supervised staff/volunteers and checks
- How checks are now done
- How do you respond to convictions/cautions/etc.



Safeguarding

Not just 'abuse' but also unintended harm such as accidents and injuries.



Assess the risk

- The age and ability to reason of your users
- The ability of your users to be able to make a decision and act on it
- The frequency of contact with users (i.e. one off, irregular, regular)
- The degree of contact with users (will it be cursory or involve close, physical contact)
- The role and services your staff/volunteers will be providing
- If there will be unsupervised 1-2-1 contact with users
- How much 'supervision' your staff/volunteers will receive
- Any legal or regulatory requirements (e.g. Ofsted and CQC).



Safeguarding Policy

- A public declaration
- Ensure there is a culture that deliberate harm is unacceptable within the organisation (this will help deter perpetrators and encourage 'whistle blowing')
- Appoint a senior person in the organisation to oversee your procedures
- Having clear and robust recruitment processes (termed 'safer recruitment')
- Provide your staff/volunteers with training and supervision to avoid and identify instances of harm
- Ensure any activities reduce the chance of harm (e.g. reduce lone working)
- Have clear procedures in place to deal with instances and accusations of harm and what action you will take to report such instances.
- Link to Health and Safety Policy



Why?

- Protect clients
- Protect staff/volunteers
- Protect the organisation's reputation
- Same rule for everyone



What it is not

- One off police checks
- Everyone is a pervert
- Everyone is a saint
- Cotton balling clients
- Stranger danger
- Abuse happens only at home



What it is

- Organisation commitment
- On going process
- Putting the individual child/adult first



Safer recruitment

- Clear statement and policies.
- Look at past work history.
- Getting references.
- Checking criminal record when able to.



Criminal records check

- Spent and unspent
- Can only ask about spent if a listed exemption
- New filtering rules
- New recommended question
'Do you have any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013) by SI 2013 1198.'



Types of check

- Basic
- Standard
- Enhanced
- Enhanced with barred list
- Adult First



Enhanced checks

Frequent (once a week or more, except in health or personal care services where frequent means once a month or more), or intensive (means on four days or more in a single month) or overnight basis (covering the period 2am-6am). It can include, but is not limited to, any of the following:

- teaching, training or instruction, care or supervision of children
- teaching, training or instruction for vulnerable adults
- providing advice or guidance wholly or mainly for children, which relates to their physical, emotional or educational wellbeing
- providing advice, guidance or assistance wholly or mainly for vulnerable adults
- any form of treatment or therapy provided to children or vulnerable adults
- driving a vehicle that is being used only for the purpose of conveying children or vulnerable adults and their carers

A defining feature is that the activity is particularly and/or exclusively organised for those under 18s and/or for vulnerable adults. Also the day to day management or supervision of a person carrying out the activities above is also included.



Barred lists

- Individuals that are unsuitable to work with under 18's or vulnerable adults
- Illegal to offer work (paid or unpaid) that would be a regulated activity to someone on the barred lists
- Illegal for someone on the barred lists to seek work (paid or unpaid) that would be a regulated activity.
- You **must** inform DBS if you dismiss someone, or stop them undertaking a regulated activity (or would have done if they had not already left) because they harm, or posed a risk of harm, to someone
- The only way to find out if they are on the barred lists is to do an enhanced DBS with barred list check



Regulated activity (U18s)

- (i) unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/ guidance on well-being, or drive a vehicle only for children;
- (ii) work for a limited range of establishments ('specified places'), with opportunity for contact: e.g. schools, children's homes, children's centres, childcare premises. This includes **all** employees but not supervised volunteers;

(Work under (i) or (ii) is regulated activity only if done regularly, i.e. at least once a week or 4 days in a 30 day period or in some cases overnight between 2am and 6am by the same person)
- (iii) relevant personal care, e.g. eating/drinking, toileting, washing or dressing; or health care by or supervised by a professional (NB even if **only** once);
- (iv) registered childminding; and foster-carers.
- (v) a person who manages or supervises day-to-day someone who undertakes a regulated activity



Regulated activity (Adults)

- Healthcare: if they are a regulated health care professional or are acting under the direction or supervision of one, for example doctors, nurses, healthcare assistants and physiotherapists.
- Personal care: physical assistance with washing and dressing, eating, drinking and toileting; or teaching someone to do one of those tasks; or prompting and then supervising them doing one of these tasks.
- Social work: provision by a social care worker of social work which is required in connection with any health services or social services.
- Assistance with a person's cash, bills or shopping because of their age, illness or disability.
- Assistance with the conduct of an adult's own affairs, for example, lasting or enduring powers of attorney, or deputies appointed under the Mental Health Act.
- Conveying: conveying adults for reasons of age, illness or disability to, from or between places where they receive healthcare, personal care or social work. This would not include friends or family or taxi drivers.
- Someone who provides day-to-day management or supervision of others engaged in regulated activity



Supervision

- Undertaking a regulated activity with children, and meets the frequency test
- Supervised by someone who is undertaking a regulated activity (i.e. not on the Barred lists)
- The supervision is 'regular' and 'day to day'
- The supervision is 'reasonable' dependent on the following factors:
 - Ages and numbers of children
 - The presence of other workers
 - Nature of the work and level of contact with children
 - Vulnerability of the children
 - Ratio of workers to supervisors



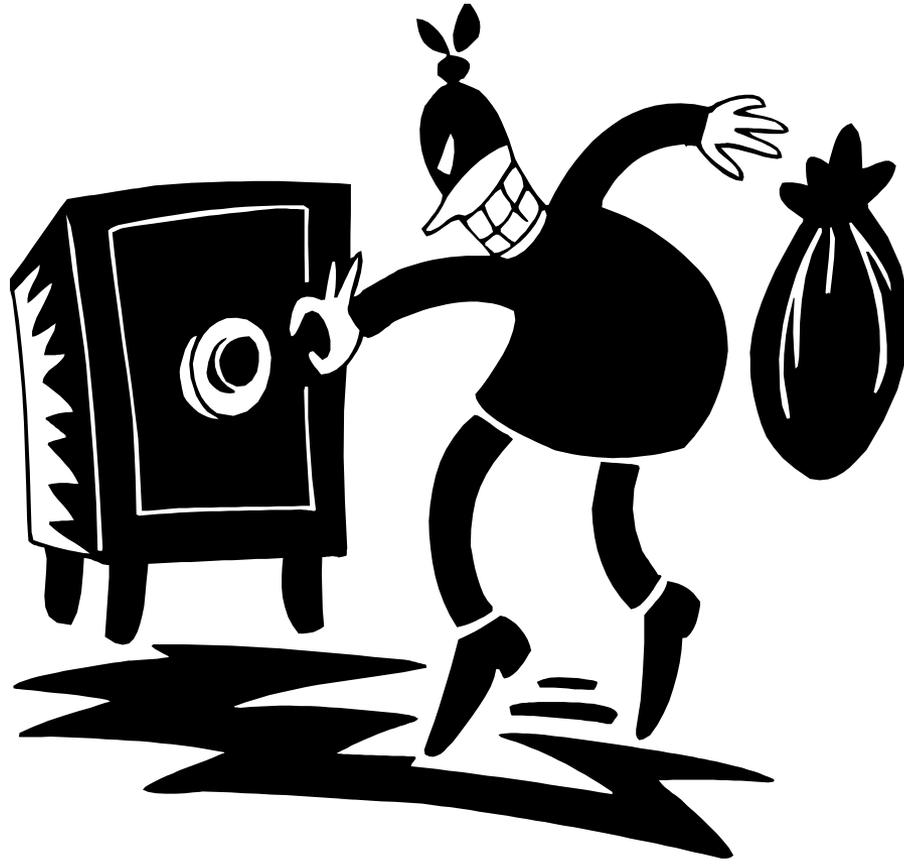
What do you think?



Getting a check

- Organisations can request a check (paper and on-line)
- Since 17 June 2013 only the individual will receive a copy of their certificate (you can track the progress of applications)
- Individuals can subscribe to the Update Service if their check was done since 17 June (do this as soon as their application is made or within 14 days of date of issue of their certificate)
- Free subscription for volunteers, paid staff £13/year
- If subscribed organisations can check (with the person's approval) on-line that the certificate held is up to date.
- If the web site says there has been a change then you might want to apply for a new check.
- Copies only taken with person's permission and stored only for as long as **necessary** and according to a policy.
- Potential staff/volunteers from overseas can be asked to obtain a criminal record check or "certificate of good conduct" from their county of origin.

What if they have a record?



Resources

- **BCVS/PCVS.** We can provide advice and support in developing policies and good practice. BCVS Factsheet www.bournemouthcvs.org.uk/documents/PCVA.pdf
- **Safe Network** (www.safenetwork.org.uk) has loads of resources about safeguarding of children for VCOs including toolkits, templates and webinars
- **DBS,** (www.gov.uk/db) has all the 'authoritative' information about disclosures. It also has a free e-newsletter for updates
- **Volunteering England,**
(www.volunteering.org.uk/component/gpb/protectionandsafeguarding)
- **Bournemouth and Poole Local Safeguarding Children's Board,**
(<http://bournemouth-poole-lscb.org.uk/home>) is the key statutory mechanism for agreeing and ensuring that local organisations within Bournemouth & Poole work together to safeguard and promote the welfare of children and young people effectively. Their website has useful information and links. VCOs have a representative on the Board.
- **Bournemouth & Poole Safeguarding Adults Board,**
(www.bournemouth.gov.uk/SocialCareHealth/AdultSocialCare/Adviceandinformation/AbouttheSafeguardingAdultsBoard.aspx) has been established to improve practice which protects and safeguards adults in vulnerable circumstances in Bournemouth & Poole. VCOs have a representative on the Board.

