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.

### Diagrams to establish eligibility for a DBS Disclosure

#### Diagram A
For applicants who are teaching or caring for children

#### Diagram B
For applicants who are driving children, working in non-teaching roles in school or managing applicants who are in regulated activity with children

#### Diagram C
For applicants working with elderly, ill or disabled adults or managing applicants who are in regulated activity with adults
Will the applicant be caring for or working with children or working in a school?
Activities include: teaching, training, instructing, supervising or caring for children, providing advice/guidance on well-being or driving a vehicle only for children.

Yes

Will the applicant be teaching or caring for children?

Yes

(A) Will the applicant be working for a limited range of establishments (specified place) with an opportunity for contact with children? *
Includes schools/academies, pupil referral units, nursery schools, institutions for the detention of children, children’s centres, children’s homes and childcare premises.

Yes

Will the applicant be working frequently, intensively or overnight in the same ‘specified place’?*
Frequently – once a week or more
Intensively – 4 or more occasions in a 30 day period
Overnight – between 2am and 6am

No

Will the applicant be paid for the role?

Yes

Will the applicant be supervised?* See blue box on Diagram B for definition.

Yes

Enhanced DBS Disclosure (without barred list)

No

Will the applicant be supervised?* See blue box on Diagram B for definition.

No

Yes

(C) Will the applicant be helping ill or disabled children with eating or drinking, or helping ill, disabled or young children with washing, dressing or going to the toilet?

Yes

Will the applicant be working more than 3 times a month with children or ever working overnight (between 2am and 6am) where there may be face to face contact with children?

Yes

*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. the same school.

No

Enhanced DBS Disclosure with barred list (Children)
Diagram B

Will the applicant be caring for children or working in a school?
Activities include: teaching, training, instructing, supervising or caring for children, providing advice/guidance on well-being or driving a vehicle only for children.

Yes → (D) Driving children

Yes → (E) Working in a school but not in a teaching role, e.g. cleaner?
Wales

Yes → Enhanced DBS Disclosure with barred list (Children)

No → England

Yes → Enhanced DBS Disclosure (without barred list)

Please note – you cannot request a check for a manager of someone doing this role.

Yes

No → Enhanced DBS Disclosure with barred list (Children)

Will the applicant be involved in the day-to-day management or supervision on a regular basis of a person providing activities under (A), (B), (C), (D) or (E) where the applicant is eligible for an enhanced disclosure with a barred list check?

Yes

Supervision
The precise nature and level of supervision will vary from case 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’.
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 criteria (A-E) set out below will also require an DBS check at the same level as the applicant.

**Diagram C**

Will the applicant be working with elderly, ill or disabled adults?

(A) Providing personal care – Anyone who;
- Provides physical assistance with eating or drinking, going to the toilet, washing or bathing, oral care or care of the skin, hair or nails because of an adult's age, illness or disability.
- Prompts and then supervises an adult who, because of their age, illness or disability, cannot make the decision to eat or drink, go to the toilet, wash or bath, get dressed or care for their mouth, skin, hair or nails without prompting or supervision.
- Trains, instructs or offers advice or guidance which relates to eating or drinking, going to the toilet, washing or bathing, dressing, oral care or care of the skin, hair or nails to adults who need it because of their age, illness or disability.

(B) Assistance with cash, bills and/or shopping because the individual is ill, disabled or elderly – The provision of assistance to an adult because of their age, illness or disability, if that includes managing the person’s cash, paying their bills or shopping on their behalf.

(C) Conveying adults because of their age, illness or disability either to or from their place of residence and a place where they received, or will be receiving, health care, personal care or social care; or between places where they received or will be receiving health care, personal care or social care. This does not include conveyance by family and friends or to social/support groups.

(D) Being appointed to represent an adult or conduct their affairs on their behalf – For example, lasting or enduring powers of attorney, or deputies appointed under the Mental Health Act.

(E) Working in a care home but not in a caring role, where there is an opportunity for contact with elderly, ill or disabled adults e.g. cleaner

Or

(F) Teaching, advising or guiding adults who are elderly, ill or disabled (incl mental health)

Enhanced DBS Disclosure with barred list (Adults)

Will the work be done frequently?
- Yes: Enhanced check (without barred list)
- No: Not eligible for a DBS check

Will the work be done frequently? 4 times a month or more or overnight (between 2am and 6am with adults receiving care)

Enhanced check (without barred list)