

## **DBS Frequently Asked Questions**

### **1. What is the DBS and what does it do?**

The Criminal Records Bureau (CRB) merged with the Independent Safeguarding Authority in December 2012, to become the Disclosure and Barring Service (DBS). The DBS provides access to criminal and Police Records for employers so that they may make informed decisions about the suitability of individual members of staff and volunteers to work with children and vulnerable adults in specific roles.

The DBS also makes decisions regarding whether a person should be barred from working with children. In the case of some criminal convictions, that will lead to the guilty person being automatically barred from working with children, in other cases the DBS has to make a risk assessment decision. They also make decisions where that has been no criminal conviction, but there is sufficient information and grounds to warrant their decision.

### **2. Who should obtain DBS disclosures?**

There are strict rules about access to disclosures so it is important that clubs/counties consider carefully who they must check – it is not a case of checking everyone, or “if in doubt, check”.

People working in “Regulated Activity”, whether for payment or as a volunteer should obtain an Enhanced DBS Disclosure with a Barred List check. In golf, this may include:

- Coaches
- Junior Organisers / Team managers
- Volunteers transporting children to matches
- Families offering hospitality to players
- Volunteers frequently supervising children on the course

It’s important for employers of staff or volunteers to determine which roles are considered to be “Regulated Activity”. It’s an offence for a barred person to seek to work in regulated activity, and for an employer knowingly to employ a barred person in regulated activity.

“Regulated Activity” includes teaching, training, instruction, caring for or supervising children or driving a vehicle only for children where that activity is done unsupervised and frequently.

“Frequent” is defined as once a week, 4 or more days in a 30 day period or any overnight between 2am and 6am.

If the activity the person is undertaking falls within the definition of "Regulated Activity" but they are acting under supervision, then you may still request an Enhanced DBS disclosure (without a Barred List check.) It will not contain information about whether they are barred from working with children but will provide information about any convictions, cautions and Police intelligence.

A person is deemed to be acting under supervision if that supervision is done by a person who is acting in a "Regulated Activity" themselves and to the extent that the supervision is reasonable in all the circumstances to ensure the protection of children. It must therefore be regular and day to day and should not be remote.

### **3. Who is unlikely to need a DBS disclosure?**

- Adults simply playing golf with children
- Volunteers involved with children for a "one off" event
- Club Secretaries/Managers
- Board/Committee members
- Catering staff
- Greenkeepers
- Someone whose regulated activity is carried out in the course of family or personal relationships

A person under the age of 16yrs cannot have a DBS check carried out.

If you have a genuine reason to request a criminal records check, but it is not related to the supervision of children, any individual can apply for a basic check at:

<https://www.gov.uk/request-copy-criminal-record>

This check will only show convictions that are not "spent" and would not be suitable for individuals in roles that involve a greater degree of contact with and responsibility for vulnerable groups, including children.

### **4. Can we DBS check someone if they are not deemed to be in Regulated Activity?**

Yes, there are provisions for an employer to opt to require an Enhanced DBS disclosure (without the Barred List check) for someone not in "Regulated Activity."

This includes any position which otherwise involved regularly caring for, training, supervising or being solely in charge of children.

The word regularly in this context is not defined or linked to the definition in "Regulated Activity."

It is suggested that an annual activity would not be sufficient, however an argument could be made for eligibility if an individual does an activity, for example, once a month or on a number of occasions over a summer period.

### **5. I am a Welfare Officer. Do I need a DBS check?**

England Golf require all nominated welfare officers to apply for an Enhanced DBS check through England Golf.

E Mail; [compliance@englandgolf.org](mailto:compliance@englandgolf.org)

## **6. What are the requirements under GolfMark?**

To complete GolfMark it is mandatory for Clubs to ensure that appropriate procedures for recruitment and deployment of staff and volunteers working with juniors are in place.

Clubs must ensure that Enhanced DBS checks with the Barred List check are obtained for those staff and volunteers working in "Regulated Activity."

These DBS checks must be obtained through England Golf and should be renewed every three years.

## **7. We are a club/county that employs staff and engages volunteers. What do we need to do?**

You should make sure that those working with children are suitable to do so. DBS disclosures are part of this, but they should form only part of a good vetting process. Other measures are recommended, such as:

- Verifying the person's identity
- Checking the person's qualifications
- Taking up references
- Obtaining a self-declaration of criminal record

### **To obtain a DBS check:**

- Consider the staff and volunteers you have and whether they are working with children and young people.
- Do their roles fall within the definition of "Regulated Activity" and is this supervised/unsupervised?
- For all staff and volunteers who meet the requirements of "Regulated Activity" you must contact England Golf Governance Department to arrange online registration. These individuals must have an Enhanced DBS check with the Barred List. Please email [compliance@englandgolf.org](mailto:compliance@englandgolf.org) with the following:

Name of applicant

Email address of applicant

Job role and brief description of activity undertaken

Frequency with which activity is undertaken

Name of club/county

Name and email address of a nominated person at the club/county who will act as document verifier.

Disclosures are free for volunteers, but there is a £9.60 charge for the online administration fee. Disclosures for paid employees are £44, plus the £9.60 administration fee.

- The applicant is sent an online link via email. The applicant completes the online process and then submits the online form to the verifier. The applicant then presents their identification documents to the verifier and the process is then completed. The form will not be processed until payment is made.
- The only people that should see the DBS certificate are the applicant and the England Golf Governance Department. Once the process is complete, the applicant and the club/county will receive a letter from England Golf advising whether there is any cause for concern.
- For all staff and volunteers who are working with children and young people but fall outside the definition of "Regulated Activity" contact the England Golf Governance Department on 01526 351851 to discuss their eligibility for an Enhanced Check (without the Barred List check).

**8. I am an employee/volunteer. What do I need to do?**

You should consult with your employer/club and determine whether they require a DBS check from you.

Should you require a check, contact England Golf Governance Department on 01526 351851.

(The PGA is responsible for all checks involving club professionals)

**9. Can I complete the form online?**

England Golf only uses the online service, paper forms are no longer accepted.

**10. I have a DBS certificate from another organisation, is that acceptable?**

No. England Golf will only accept DBS certificates issued by ourselves or The PGA for club professionals. This is a reciprocal agreement.

**11. I work for various organisations and I have registered for the online status check service. Can I just give you my DBS disclosure and my Online Status Check Service number?**

At this time England Golf does not recognise this service and therefore will not accept existing disclosures accompanied with the OSCS number. We are monitoring the situation and may review our decision in the future.

**12. What if I have a criminal record?**

This depends on the nature of the information on your record. England Golf will make a risk assessment on your suitability to work in the role you have stated on your DBS application, based on the nature of the offence(s), so that they can make a recommendation to your employer.

Having a criminal record does not necessarily mean that you can't work with children, or that the golf club/county will be made aware of the information. You should contact England Golf Governance Department on 01526 351851, or the PGA, in confidence if you are at all concerned about this.

**13. I have a minor conviction from a long time ago, I don't want my golf club to know about it.**

The England Golf Governance Department completes the suitability assessment, and only advises them that the disclosure contains any information if we consider the risk to children is enhanced by this. It is unlikely that we would inform your club under these circumstances. We would not normally show your certificate to the golf club and if we did, we would seek your permission.

**14. When and how do I report concerns to the DBS?**

If you withdraw permission for someone to work in a "Regulated Activity", you must provide information to the DBS if you also consider that:

- a. You think the person has committed an offence that would lead to them being barred from working with children by the DBS
- b. You think the person's conduct endangers, or could endanger a child, or involves sexually explicit material relating to children or violence
- c. You think the individual may harm a child, cause a child to be harmed or put a child at risk of harm

Referrals must be made following an objective and fair assessment of the situation and facts. This could be as a result of a disciplinary process; therefore it is important that clubs/counties have appropriate and robust disciplinary procedures.

If you have concerns about the conduct of an individual working with children, however small, you should refer the matter to the England Golf Governance Department (01526 351851). They will guide you through the process of dealing with the concern and will help determine whether a referral should be made to the statutory authorities. It is important that you involve England Golf so that we can respond as a sport to risks presented to children and in a consistent and appropriate way.

It is important that you contact England Golf or the PGA if you consider that you may need to refer a matter to the DBS.