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Safeguarding and criminal record checks

Safeguarding children and adults

Safeguarding means protecting people's health, wellbeing and human rights, and enabling them to live free from harm, abuse and neglect.

Safeguarding children and promoting their welfare includes:

- Protecting them from maltreatment or things that are bad for their health or development
- Making sure they grow up in circumstances that allow safe and effective care
- Enabling them to have optimum life chances and enter adulthood successfully

Safeguarding adults includes:

- Protecting their rights to live in safety, free from abuse and neglect.
- Stopping abuse or neglect wherever possible, addressing the causes and reducing the risk
- Making sure people's wellbeing is promoted, taking their views, wishes, feelings and beliefs into account.
- Supporting them in making choices and having control about how they want to live

Important elements of safeguarding include having clear expectations and guidance on appropriate behaviour, boundaries, supervision and ways of working, plus workable procedures for anyone involved with the organisation to be able to raise concerns and be listened to.

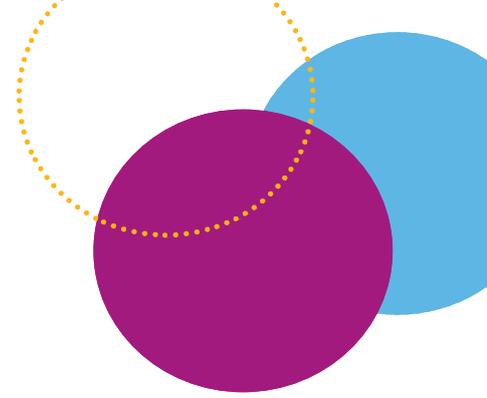
It also means having careful recruitment processes in place for roles that involve direct work with children, young people, and adults who have care and support needs. References, interviewing and attitude/aptitude checking are important elements of that process. Some volunteer roles may be classed as 'regulated activity' in which case you must undertake a Disclosure and Barring Service (DBS) check at the appropriate level.

For more information on safer recruitment and management for voluntary and community organisations working with children, young people or adults see the links in the 'Safeguarding' section on **Sheet 20 'How to find out more'** or contact your local Volunteer Centre for guidance.

Criminal records

There are over 11 million people in the UK with a criminal record, so it is important not to discriminate by rejecting people from volunteering just because they have a record. Your recruitment shouldn't exclude applications from volunteers who may have committed minor or irrelevant offences, or whose offences were many years ago.

Volunteering can also be important in helping people with convictions overcome past difficulties and move forward in a positive way.



Disclosure and Barring (DBS) checks

Convictions which are considered 'spent' do not normally need to be disclosed by an applicant, but for some types of work, particularly that which involves working with children or vulnerable adults, there is legislation that allows organisations to ask about an employee or volunteer's full criminal record history including spent convictions.

The Disclosure and Barring Service (DBS) offers different levels of check for these roles depending on the nature of the work:

- Standard
- Enhanced
- Enhanced with a barred list check

There is also a Basic check which only shows unspent conviction information. Roles that are 'regulated activity', are eligible for the highest level of check, which includes a check against the lists of people barred from working with children/vulnerable adults.

Before you consider asking a person to apply for a Standard or Enhanced DBS check, you are responsible for ensuring that you are entitled to ask that person to reveal their conviction history, and for assessing which level of check the role is eligible for. See the online eligibility checker at:

<https://www.gov.uk/find-out-dbs-check>

It is good practice to make it clear that a criminal record is not necessarily a barrier to becoming a volunteer, and to provide a confidential route for potential volunteers to tell you about their convictions before having to complete a DBS form.

If convictions are revealed, doing a risk assessment will help you decide an appropriate course of action, taking into account factors such as the nature of the offence, how long ago it was, the applicant's behaviour and experience, the nature of the role etc. Ultimately, the decision of whether or not to welcome a volunteer with a criminal record is at your discretion.

DBS checks alone do not ensure the safety of your customers/clients – they are designed to discourage or identify people who pose a known risk. They need to be seen as part of an overall approach to safeguarding and managing risk.

DBS Update service

People applying for a DBS check can now subscribe to the DBS Update service which reduces the need for repeated checks by future employers/volunteer-involving organisations. Volunteers can subscribe for free but they must do so within a month and will need either their application reference number or DBS certificate number: <https://www.gov.uk/dbs-update-service>