



P DISCLOSURE AND BARRING SERVICE (DBS)

INTRODUCTION

O This policy sets out the Service's approach to the vetting of all staff via the Disclosure and Barring Service (DBS). It relates to checks carried out both at the recruitment stage and during the individual's employment.

L The safe and fair recruitment of employees is the first step in the safeguarding process. DBS Checks are undertaken in order to:

- provide protection for children and vulnerable adults from individuals who might wish to harm them; and
- minimise the risk of employing an individual who is considered unsuitable to work in certain occupations and positions of trust.

I
C The Service is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their individual skills, abilities, experience, knowledge and, if appropriate, qualifications and training; the organisation will therefore consider ex-offenders for employment according to their particular merits.

Y Rehabilitation of Offenders

A criminal conviction becomes 'spent' after a defined 'rehabilitation' period, depending upon the sentence. Different rehabilitation periods apply in England and Wales from those in Northern Ireland and in Scotland, where they are referred to as 'disclosure periods'. Once a conviction is spent, the individual must be treated for all purposes as if their conviction had never occurred, unless the position is an excluded one.

North Wales Fire and Rescue Service - Excluded Positions

A number of jobs and professions are excluded or exempt from the rehabilitation provisions, which means that the fact that an individual's conviction is spent does not entitle them to decline to disclose it to a prospective employer. If a position is exempt, the employer may lawfully reject the individual for employment on the grounds of a conviction, whether it be spent or unspent.

THE DISCLOSURE AND BARRING SERVICE

DBS is the executive agency of the Home Office of the United Kingdom government that carries out criminal record checks. It is responsible for providing information to help professional bodies and employers to ensure safer and better-informed recruitment decisions; it also safeguards ongoing employment by checking police records and, if appropriate, barred list information. These checks allow Fire and Rescue Services to understand and mitigate risk, so as to protect both their employees and the public, and in order to support high standards of integrity.

Legislation prohibits individuals on a barred list from undertaking certain kinds of paid or voluntary work with children or vulnerable adults which are described as 'regulated activities'; these are elaborated in the [DBS Guidance Leaflets - click here](#). A person who is barred from working with children or vulnerable adults will be breaking the law if they seek to or engage in work or volunteer with such groups of people. The DBS maintains a list of individuals who are barred from working with children or vulnerable adults so as to enable employers to check the suitability of their personnel and volunteers. Any organisation that recruits for roles involving regulated activities has a legal responsibility to exclude from its employment anyone who is barred from working in these roles; these organisations also have a duty to inform the DBS if an employee or volunteer is believed to have caused harm to vulnerable groups, including children.

Each type of DBS check results in the production of a DBS certificate, and the information shown on a certificate varies according to the type of check for which the application was made.

The DBS checks conducted with regard to Fire and Rescue Service employees are available in three forms:

- **Standard Check:** these certificates are available for specific roles as outlined in legislation. They show unspent and spent convictions as defined under the Rehabilitation of Offenders Act (ROA) 1974, along with any cautions, reprimands and warnings held on the Police National Computer, subject to filtering rules. On 6 July 2023, the United Kingdom Government amended the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 ('Exceptions Order') to include Fire and Rescue Service employees; this means that legislation allows FRSs to ask job applicants and existing staff about their spent and unspent criminal record. It also permits them to carry out a minimum level of Standard DBS checks;
- **Enhanced Check:** these are available for roles engaged in regulated activity within the meaning of the Safeguarding Vulnerable Groups Act 2006. They contain the same information as the Standard Check, with the addition of relevant local police force information that goes beyond convictions;
- **Enhanced Check with Barred Lists:** this is the highest level of check and is used for anyone participating in work with children and / or vulnerable adults in a regulated activity and certain other positions involving a high degree of trust, as specified by the Police Act 1997. This level provides the same information as the Enhanced Check, but with an additional review of children's and / or adults' barred lists.

Regardless of the level of check being carried out, no applicant will be allowed to start work in their new role until satisfactory results from the check(s) have been received and confirmation provided in the form of a certificate or confirmation email as appropriate.

A list is available to show [DBS Eligibility by Role – click here](#), based on information provided by the National Fire Chiefs' Council's National Operational Guidance.

RELEVANT LEGISLATION

'Data Protection Act 2018' (DPA 2018) (HM Government, May 2018);
'Police Act 1997' (HM Government, March 1997);
'Rehabilitation of Offenders Act 1974' (HM Government, July 1974);
'Rehabilitation of Offenders Act 1974 (Exceptions)' (HM Government, June 2023);
'Safeguarding Vulnerable Groups Act 2006' (HM Government, November 2006);
'UK General Data Protection Regulation' (EU) 2016/679 (UK GDPR) (HM Government, May 2018) (the retained EU law version of the General Data Protection Regulation ((EU) 2016/679), as it forms part of the law of England and Wales, Scotland, and Northern Ireland by virtue of section 3 of the European Union (Withdrawal) Act 2018).

This document forms part of a suite of information covering this subject area; hyperlinks to all the documents are available by clicking back to the home page.

Should any omissions or errors come to light with regard to the content of this suite of documents, readers are invited to contact policy.development@northwalesfire.gov.wales with their feedback.

It is recommended that this document be reviewed on a triennial basis; however, it might require earlier revision in the light of any regulatory change which comes into effect in the interim.			
Owner (Department)	Human Resources	Version	1.0
Last reviewed by (postholder)	Head of Human Resources	Date last reviewed	-
Approved by Committee	Safeguarding	Date approved by Committee	16 th April 2025
Unions consulted	FBU, FOA, Unison, Unite	Date sent to unions for consultation	30 th May 2025
Date approved by SLT	20 th August 2025	Recommended review date	20 th August 2025