



DBS Policy Recruitment

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Purpose

- 1.1 This document outlines the Royal Borough of Windsor and Maidenhead's approach to DBS checks within recruitment. It explains the levels of disclosure, when they are required, and the council's responsibilities as a Registered and Umbrella Body. The policy ensures safe, lawful recruitment practices, supports safeguarding, and provides guidance on portability, renewal, and associated costs.

Scope

- 2.1 This guidance pertains to the DBS process within RBWM and Schools.

Introduction

- 3.1 The Disclosure and Barring Service (DBS) draws on information from the Police National Computer (PNC), relevant local police records, and the DBS-maintained children's and adults' barred lists. This enables organisations to make safer and more informed recruitment decisions by providing a structured disclosure service that highlights information relevant to safeguarding.
- 3.2 The Royal Borough of Windsor and Maidenhead is a Registered Body of the DBS. It is also an Umbrella Body that can 'countersign' Disclosure applications on behalf of others and therefore is bound by their code of practice. [DBS code of practice - GOV.UK \(www.gov.uk\)](https://www.gov.uk/government/publications/db-code-of-practice)
- 3.3 All recruiting managers must ensure compliance with this policy. Any failure to comply will be considered a breach of conduct and subject to potential disciplinary action.

Levels of Disclosure

- 4.1 There are four levels of Disclosure that are provided by the DBS, either Basic, Standard, Enhanced or Enhanced with Barring.
- 4.2 The level of Disclosure required will depend on the type of work involved. The HR system holds the level of required check against the position details. HR also holds a list of DBS counter signatories.
- 4.3 Enhanced disclosures will be required for posts within regulated settings or where there is regulated activity with children or vulnerable adults. This includes but is not limited to for example Social Workers, Teachers etc.
- 4.4 All School positions are designated at an Enhanced with barred list check.
- 4.5 Advice can be sought from HR regarding the types and levels of posts for which a Disclosure is required. Detail on the different types of DBS check can be accessed via <http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/about-us1/>

Recruitment

- 5.1 The council is committed to employing from a wide-ranging labour pool. It will make every effort to prevent unfair discrimination against ex-offenders who work for the council or who may be job applicants or volunteers.
- 5.2 The council is committed to the principles of the Rehabilitation of Offenders Act 1974; whereby certain convictions are considered 'spent' after a stipulated period of time. To this end, candidates for some jobs do not have to disclose convictions once they are spent. When a person applies for a job with the borough, the borough in most cases will not take into account previous time-expired convictions as laid down in the Rehabilitation of Offenders Act 1974 (ROA 1974) unless the job requires that all convictions be disclosed, as set out below.
- 5.3 Some positions are exempt from the provisions of the Rehabilitation of Offenders Act 197, as set out in the Exceptions to the order, further information the on Rehabilitation of Offenders Act 1974, can be accessed by visiting the DBS website at <http://www.homeoffice.gov.uk/agencies-public-bodies/dbs/about-us1/>.
- 5.4 Applicants for exempt posts are required to disclose their convictions even if they would otherwise be considered 'spent' and a DBS check is required. Such jobs include those where the potential employees will have access to vulnerable members of the community such as the young, elderly and those with disabilities. This applies both to paid work and voluntary work.
- 5.5 The definition of a Volunteer as set out in the Police Act 1997 (Criminal Records) Regulations 2002 is:
Any person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something which aims to benefit some third party other than or in addition to a close relative.'
- 5.6 The council will undertake its own DBS check where an applicant is successful in applying for an 'excepted' job or profession using the Update Service when appropriate.
- 5.7 In the event that a disclosure reveals any cautions or convictions, or where an unsatisfactory check is returned an assessment will be made as to the candidate's suitability for employment. The process to be followed is outlined in the Recruitment and Selection Code of Practice.
- 5.8 The council's Policy and Procedure for the Employment of Ex-Offenders is available on the intranet the Schools Leadership web page and the Jobs and Careers section (Working for Us/Additional Human Resources Information) of the RBWM web site.
- 5.9 For DBS designated posts, employment will be offered subject to the receipt of a satisfactory disclosure from the DBS. Start dates will not be confirmed until satisfactory clearance of our own DBS check.
- 5.10 Separate arrangements exist for the 'Self Employed' and 'Agency' staff. Confirmation of DBS is required, if applicable to the post.

Portability

- 6.1 Where a role within a Care Quality Commission (CQC) regulated service is eligible for a DBS check, the employer must ensure that an appropriate DBS check is obtained in accordance with legal requirements.
- 6.2 The DBS Update Service was introduced for DBS certificates issued after 17 June 2013 enabling the council to undertake an online check of their DBS status if the applicant is signed up to the service. If an applicant has not signed up to the Update Service the individual will need to complete a new check.
- 6.3 Where the Update Service is used the applicant must present their original DBS certificate so that the level of disclosure and workforce can be verified. If the certificate does not match the level of disclosure required for the role, a new DBS application will be necessary. The Update Service cannot be used to obtain a higher level of check or change the workforce; it only confirms the ongoing validity of the certificate originally issued.

Renewal

- 7.1 The council's position is that DBS checks for relevant posts will be renewed every 3 years. This provision does not extend to schools; however governing bodies may choose to adopt this.

External Guidance

- 8.1 Department for Education (DfE) guidance states that staff who have been continuously employed since before DBS checks were introduced do not require retrospective checks unless their role changes, concerns arise, or they begin carrying out regulated activity. Keeping Children Safe in Education (KCSIE) states that a break in service of 12 weeks may trigger the need for a new barred list check.
- 8.3 By law, all newly appointed school staff must undergo an Enhanced DBS check with Barred List where the role involves regulated activity.

Costs

- 9.1 Fees for the Disclosure service are set by the Disclosure service. RBWM, as a registered body processing DBS checks, applies an administration fee per check (including for volunteers).

Document History

Version	Date	Contributor	Approver
V3.6.1	30/03/2026	Lead HR Business Partner/ HR Recruitment and Resourcing Specialist	Lead HR Business Partner