

Introduction

Employing organisations have a responsibility to ensure that positions being appointed to in the NHS are eligible under the current legal provisions before requiring workers and volunteers to have a DBS check.

This document sets out a range of example based scenarios to help you make an informed decision about whether or not a role might be eligible for a check and if so, the level of check they would be required to have.

Please be aware that the responsibilities a staff member may have under each role may vary and as such employers need to consider eligibility on a case by case basis. The examples outlined in this document are intended as a guide only.

When applying for any level of DBS check, you will need to indicate which workforce individuals will be working with (i.e. adults, children, or adults and children) to ensure you only have access to information you are legally entitled to have and consider.

Information about a person's criminal history must be handled sensitively and considered without prejudice. DBS checks are only one means of assessing a person's suitability for a role and should be considered alongside the wider range of information gained as part of the recruitment process. All criminal history information must be obtained, recorded and stored as outlined under the Data Protection Act 2018 (as amended by the General Data Protection Regulation 2018).

The eligibility tool should be used in conjunction with the criminal record check standard which provides more detail about the legal requirements and criteria for a DBS check, as well as our DBS eligibility tool.