

**Positive disclosures**

## 8.1 Responding to a positive disclosure

8.1.1 Positive disclosures are when a DBS check comes back containing criminal record information. Having a criminal record does not automatically mean an individual cannot be considered for a role in the NHS.

8.1.2 The decision to recruit an individual whose criminal record check reveals a conviction, caution or other relevant information always rests with the employing organisation. This information should be carefully considered on a case-by-case basis and assessed against what other information the individual has presented during the application, interview, and employment check process. Taking this approach is important to ensure you do not unfairly rule out individuals who are the best candidate for the role, meet all other necessary check criteria, and no risks have been identified against the duties they would be required to perform.

8.1.3 If the DBS disclosure certificate simply reaffirms what the applicant has already self-disclosed to you and you have already considered this information, then you may issue an unconditional offer of employment.

8.1.2 If the recruitment decision rests with HR or another senior member of staff, then you should ensure the decision maker has access to any information that is relevant to the role being appointed to, so that they can make a fair and balanced decision. This may include the individual's self-disclosure and any supplementary information they may have provided to support their application.

8.1.3 If the DBS check reveals information that you weren't expecting or is conflicting with what the individual has disclosed, then further consideration may be necessary to ascertain as to why. See further [guidance](#) about considering a discrepancy in information provided through self-disclosure.