

CRB/DBS Frequently Asked Questions

For England and Wales only

1. What is the CRB/DBS and what does it do?

The Criminal Records Bureau (CRB) merged with the Independent Safeguarding Authority in December 2012, to become the Disclosure and Barring Service (DBS). The DBS provides access to criminal and Police Records for employers so that they may informed decisions about the suitability of individual members of staff and volunteers to work with children and vulnerable adults in specific roles.

The DBS also makes decisions regarding whether a person should be barred from working with children. In the case of some criminal convictions, that will lead to the guilty person being automatically barred from working with children, in other cases the DBS has to make a risk assessment decision. They also make decisions where there has been no criminal conviction, but there is sufficient information and grounds to warrant their decision.

The DBS produces "disclosures" for applicants working in "regulated activities" (see Q2 below), which contain information about criminal convictions, cautions and in some cases, Police intelligence information which should enable informed decisions about an individual's risk to children to be made. It also states whether the individual has been barred from working with children.

2. What is "regulated activity"?

Regulated activity includes teaching, training, instructing, caring for or supervising children or driving a vehicle only for children where that activity is done unsupervised and on a regular basis.

"Regular" means once a week or more, or on 4 or more days in a 30 day period or overnight.

A person is deemed to be acting under supervision if that supervision is done by a person who is acting in a regulated activity themselves, and to the extent that the supervision is reasonable in all the circumstances to ensure the protection of children. It must therefore be regular and day to day and should not be remote.

3. Who should obtain DBS disclosures?

People working in regulated activity, whether for payment or as a volunteer. In golf, this may include:

- Coaches
- Junior Organisers
- Volunteers transporting children to matches
- Families offering hospitality to players
- Volunteers supervising children on the course on a regular basis

There are strict rules about access to disclosures so it is important that clubs/counties consider carefully who they must check – it is not a case of checking everyone, or "if in doubt, check".

If the activity the person is undertaking falls within the definition of "regulated activity" but they are acting under supervision, then you may still request a limited version of the DBS check. It will not contain information about whether they are barred from working with children but will provide information about any convictions, cautions and Police intelligence.

4. Who is unlikely to need a DBS disclosure?

- Adults simply playing golf with children
- Volunteers involved with children for a "one off" event
- Welfare Officers
- Club Secretaries
- Catering staff
- Greenkeepers
- Someone whose regulated activity is carried out in the course of family or personal relationships

5. We are a club/county that employs staff and engages volunteers. What do we need to do?

You should make sure that those working with children are suitable to do so. DBS disclosures are part of this, but they should form only part of a good vetting process. Other measures are recommended, such as:

- Verifying the person's identity
- Checking the person's qualifications
- Taking up references
- Obtaining a self-declaration of criminal record

If you have concerns about the conduct of an individual working with children, however small, you should refer the matter to your governing body. They will guide you through the process of dealing with the concern and will help determine whether a referral should be made to the statutory authorities. It is important that you involve your governing body so that it can respond as a sport to risks presented to children and in a consistent and appropriate way. (See www.childreningolf.org for the correct reporting procedures and advice about concerns)

If you have withdrawn permission for someone to work in a regulated activity related to safeguarding concerns, you have a legal duty to refer the matter to the DBS. (England Golf Compliance Department will help you with this) See Q8 below.

To obtain a DBS check:

- Consider the staff and volunteers you have and whether their roles fall within the definition of "regulated activity", and whether this is done under supervision or unsupervised.
- Obtain DBS disclosure application forms for all staff and volunteers who meet the requirements of "regulated activity" by contacting:

England Golf

Email: m.reed@englandgolf.org

Phone: 01526 351824 Margaret Reed or Andy Wright

Golf Union of Wales

Email: sian.simmons@golfunionwales.org

Phone: 01633 436040 Sian Simmons

Contact G UW to find out about the process of obtaining a DBS check or becoming a Verifier. Please see www.golfdevelopmentwales.org

PGA Members

Phone: 01675 470333

Disclosures are free for volunteers, but there is a £44 charge for paid staff and the PGA also charge an administration fee.

Ask the staff and volunteers to complete the form, following the instructions carefully and providing the required forms of identity documentation.

The Applicant will then receive a disclosure from the DBS.

In England:

England Golf will then request that the applicant sends the original copy of the disclosure to them in order that England Golf may complete a risk assessment. If the original certificate is not received within 21 days, England Golf will write to the Club/County or Department advising them not to employ the applicant.

The only people that should see the DBS certificate are the applicant and the England Golf Compliance Department. Once the process is complete, the applicant and the club/county/department will receive a letter from England Golf advising whether there is any cause for concern. England Golf makes a risk assessment of the information on the disclosure and any information they have gathered through investigations against the role the person is undertaking and makes a recommendation regarding that person's suitability to work with children.

In Wales:

Only the applicant will receive a copy of the disclosure. The club MUST request sight of the disclosure from the individual concerned PRIOR to the individual being recruited. A copy MUST be sent to the Golf Union of Wales (even if clear) by the club within 2 weeks of receiving the application. If there is a positive disclosure the Golf Union of Wales Lead Child Protection Officer will risk assess the disclosure and inform the club and individual of the recommended recruitment decision. Alternatively the individual could send the disclosure directly to the Golf Union of Wales to be risk assessed and the recommendation regarding recruitment from the RISK ASSESSMENT will be sent to the individual and the club.

6. I am an employee/volunteer. What do I need to do?

You should consult with your employer and determine whether they require a DBS check from you, given the requirements of Q 2 and 3 above. Should you require a check, contact your governing body for an application form and complete it carefully, following the instruction carefully – it is not a straightforward form and the DBS has strict requirements.

In England:

Only the applicant will receive a copy of the disclosure certificate. England Golf do not normally contact the club or county you are working for without your prior knowledge, unless there are extreme circumstances. England Golf will discuss the disclosure and its contents with you first in all but a few exceptional circumstances.

England Golf will then send a recommendation to the club/county regarding your suitability. The PGA will send you a letter which you may take to your club to show them the PGA's recommendation.

In Wales:

Only the applicant will receive a copy of the disclosure. The individual MUST send a copy to the Golf Union of Wales (even if clear) within 2 weeks of receiving the application. If there is a positive disclosure the Golf Union of Wales Lead Child Protection Officer will risk assess the disclosure and inform the individual and club of the recommended recruitment decision.

PGA members:

Only the applicant will receive a copy of the disclosure. The PGA does not normally contact the club or county you are working for without your prior knowledge, unless there are extreme circumstances. The PGA will discuss the disclosure and its contents with you first in all but a few exceptional circumstances.

If your DBS disclosure does not give the PGA cause for concern, they will send you a letter which you may take to your club to show them the PGA's recommendation.

7. What if I have a criminal record?

This depends on the nature of the information on your record.

In England and Wales:

England Golf and Golf Union of Wales (or the PGA for PGA members) will make a risk assessment on your suitability to work in the role you have stated on your DBS application form, based on the nature of the offence(s), so that they can make a recommendation to your employer.

Having a criminal record does not necessarily mean that you can't work with children, or that the golf club/county will be made aware of the information. You should contact your governing body in confidence if you are at all concerned about this.

8. When and how do I report concerns to the DBS?

If you withdraw permission for someone to work in a regulated activity, you must provide information to the DBS if you also consider that:

- You think the person has committed an offence that would lead to them being barred from working with children by the DBS
- You think the person's conduct endangers, or could endanger a child, or involves sexually explicit material relating to children or violence
- You think the individual may harm a child, cause a child to be harmed or put a child at risk of harm

Referrals must be made following an objective and fair assessment of the situation and facts. This could be as a result of a disciplinary process; therefore it is important that clubs/counties have appropriate and robust disciplinary procedures.

It is important that you contact England Golf, Golf Union of Wales or the PGA if you consider that you may need to refer a matter to the DBS.