



DBS and Safer Recruitment Policy

Lawful, fair and proportionate criminal-record checking as one part of safer recruitment and workforce assurance.

LILYANNE'S WELLBEING POLICY

LAWFUL ELIGIBILITY • FAIR ASSESSMENT • SECURE HANDLING • SAFER PRACTICE

Live policy

Effective September 2026 • Review by September 2027

Document control

Document owner	Board of Trustees / Recruitment Lead
Applies to	Trustees, employees, volunteers, students, contractors and applicants where relevant
Status	Live
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Effective date	September 2026
Next review	September 2027, or sooner if required

This is a live LilyAnne's Wellbeing policy. It applies from September 2026 and should be read alongside the related policies and procedures identified in this document.

Purpose

This policy explains when and how LilyAnne's uses DBS checks. A DBS certificate is one part of safer recruitment and does not replace identity, references, interview, role clarity, supervision, training and ongoing safeguarding oversight.

Role-based eligibility

The role is assessed against current legal eligibility before any check is requested. LilyAnne's requests only the lawful level of check and barred-list information for which the specific activities are eligible.

- Basic checks may be requested where appropriate and lawful.
- Standard or enhanced checks require eligibility under current legislation.
- A barred-list check is requested only where the role is legally eligible.
- Job titles alone do not establish eligibility; duties and circumstances must be assessed.

Recruitment process

Advertisements and applicant information explain the check where required. Conditional offers identify outstanding checks. Identity is verified through the approved route. No person begins regulated activity before necessary safeguards are in place unless a lawful, documented and authorised risk-managed arrangement applies.

Fair use of information

A criminal record does not automatically prevent appointment. Relevant information is assessed individually by trained decision-makers.

- Nature, seriousness and relevance of the information.
- Time elapsed, pattern and circumstances.
- Age at the time and evidence of change.
- Role, access, supervision and opportunity for harm.
- The applicant's explanation and any reliable supporting information.
- Duty to protect service users and fairness to the applicant.

Positive disclosures and risk assessment

At least two authorised people should review material information where practicable. The applicant is given a fair opportunity to discuss it. The decision and proportionate rationale are recorded without unnecessary detail.

Certificate handling and retention

Certificate information is restricted to authorised people, used only for the purpose obtained and stored securely. Certificates or copies are not normally retained for longer than six months after the decision unless a lawful exceptional reason is documented. A limited recruitment record may retain the date, certificate number, level and decision.

Update Service and repeat checks

There is no universal DBS expiry date. Any Update Service status check requires the person's consent and an eligible role at the same level and workforce. The timing of repeat assurance is risk-based, commissioner-led or legally required, and must not be described as a fixed statutory three-year rule.

Ongoing duty and changes

Workers must disclose information where their contract, role or professional duty lawfully requires it. Managers consider changes fairly and confidentially, using safeguarding, disciplinary and risk procedures rather than assuming guilt.

DBS referrals

LilyAnne's will make a referral to DBS where the statutory conditions are met, including relevant conduct, harm-test or relevant-offence circumstances connected with removal from regulated activity or where the person would have been removed had they not left. Legal or specialist advice is obtained where necessary.

Data protection, complaints and review

Applicants receive privacy information and may challenge identity, accuracy, eligibility or decision-making through the appropriate route. DBS information is not shared beyond those entitled to receive it. Compliance is reviewed at least annually.

References

- DBS Code of Practice - gov.uk/government/publications/dbs-code-of-practice
- DBS checks guidance for employers - gov.uk/guidance/dbs-check-requests-guidance-for-employers

- Rehabilitation of Offenders Act 1974 and Exceptions Order.
- Protection of Freedoms Act 2012.
- Data Protection Act 2018 and UK GDPR.