



Disclosure & Barring Service

Eligibility for standard and enhanced DBS certificates

Jurisdiction: England & Wales

Background

Access to the information revealed on a standard or enhanced DBS certificate is restricted to very specific circumstances and this access is controlled by legislation. DBS does not own or have any influence over this legislation.

Legislation **does not** contain a list of job titles that are “allowed” to be DBS checked, there’s no such thing as a list of eligible jobs.

DBS issues three levels of criminal record certificate. These are:

- basic certificate – any individual can apply or be asked to apply by an employer
- standard certificate
- enhanced certificates – both with and without DBS barred list checks

Legislation – the gateway to criminal record checks

The Rehabilitation of Offenders Act (ROA) 1974 protects ex-offenders from having to reveal their criminal record information once a specific length of time has passed. This time period is called a rehabilitation period and is specific to each offence committed. Once this time period has elapsed the offence is considered to be “spent” and under the ROA no longer has to be declared.

The ROA 1974 (Exceptions) Order 1975 was brought in after it was recognised that in certain circumstances it was appropriate and necessary for organisations to have access to an individual’s complete criminal record history, including offences considered to be “spent”.

Legislation allows **someone employed** to assess an individual’s suitability, using spent conviction information, to ask them to apply for a DBS certificate. Legislation only allows this if the individual will be carrying out work or applying for a licence that makes them eligible.

Standard DBS certificates

A standard DBS certificate is available for specific professions, positions, activities and licences included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975. These are included in the **Guide to eligibility for DBS checks** published on our website.

A standard DBS certificate will contain, subject to filtering, details of spent and unspent convictions, cautions, reprimands and warnings held on the Police National Computer (PNC).

Enhanced DBS certificates

An enhanced DBS certificate is available for the professions, positions, activities and licences specified in the ROA Exceptions Order 1975 where the position or duty is also “prescribed” in the Police Act 1997 or Police Act 1997 (Criminal Records) regulations. These are included in the **Guide to eligibility for DBS checks** and in the **DBS workforce guides** published on our website.

An enhanced DBS certificate will contain the same PNC information as released on a standard DBS certificate, with the addition of:

- non-conviction information supplied by police forces where, based on the workforce(s) stated on the application, they reasonably believe it to be relevant and ought to be included
- DBS children’s and/or adults’ barred list information, when appropriately requested

The police make their relevancy decision differently for enhanced DBS applications in the other workforce. In these circumstances, the decision is made based the Position Applied For on the application and not on the workforce.

It’s important that the application form contains the correct workforce as this has a direct impact on decisions made by the police about the relevance of non-conviction information. For more information see the **workforce guides** published on our website.

DBS children’s and adults’ barred list checks

Checks against the children’s and adults’ barred lists should **only** be requested if the DBS applicant is working in one of the positions, activities and licences specifically listed in the Police Act 1997 (Criminal Records) regulations as able to access suitability information. Access to these checks is very tightly controlled by legislation and so this information should not be requested if the law doesn’t allow it. The **workforce guides** published on our website provide this information.

This guidance is correct at the time of printing. If you require further information, please contact DBS Customer Services or seek legal advice.