

DBS ELIGIBILITY CRITERIA GUIDANCE (working in healthcare or an NHS setting)

Please refer to this guidance to determine whether you can obtain a statutory DBS check on members of staff (including honorary research contracts, casual workers and volunteers) who work in a healthcare or NHS setting, and which level of DBS check and Workforce is appropriate.

Please note that this guidance has been created with Imperial College roles/jobs in mind, it is not a definitive list of all DBS eligibility criteria. If in doubt or for further assistance, please contact the Compliance and Safeguarding team (staffDBS@imperial.ac.uk).

For roles outside of healthcare or an NHS setting, please view our [DBS Eligibility Criteria guidance for Imperial College roles](#).

Please select from the headings below:

<u>Activities and roles requiring DBS checks</u>	
<u>Research Passport Algorithm</u> <u>(additional information for specific research activities requiring DBS checks)</u>	<u>Work not eligible for a DBS check</u>

	Activities requiring a statutory DBS check	Level of DBS check and Workforce	Examples of roles/areas where this level may be appropriate – please also refer to activity (List is not exhaustive)
1	<p>The following activities only have to be done once to be a Regulated Activity requiring a Barred List check.</p> <ul style="list-style-type: none"> • Healthcare to children or adults, either as a healthcare professional or under the direction or supervision of a health care professional • Personal care to children or adults (physical assistance or advice with eating, drinking, washing, going to the toilet, dressing) • Social care worker providing social work which is required in connection with any health care or social services to an adult who is a client or potential client. <p>Notes: “Health care” includes all forms of health care provided for individuals, i.e.: <ul style="list-style-type: none"> • Physical care, mental health care and palliative care • Diagnostic tests and investigative procedures • Non-medical procedures such as taking blood (blood donations) and cosmetic surgery • Psychotherapy and counselling. This includes the provision of psychotherapy and counselling over the phone. Life coaching is excluded from regulated activity • Procedures that are similar to forms of medical or surgical care but are not provided in connection with a medical condition. </p> <p>Also see section 7 below for detailed guidance, taken from the NHS Algorithm, on work activities and the relevant level of DBS check</p> <p>The same level of DBS check can be requested for the Day to Day Manager or Supervisor of somebody engaging in Regulated Activity.</p>	<p>Enhanced DBS check with relevant Adult and/or Children’s Barred List check</p> <p>Workforce type = Adult and/or Child Workforce</p>	<ol style="list-style-type: none"> 1. Clinician 2. Phlebotomist 3. Counsellor 4. Psychologist 5. Psychiatrist 6. Psychotherapist 7. Pharmacist 8. Optometrist 9. Radiographer 10. Others providing healthcare (incl. supervised) <p>The following roles may meet the criteria for this level of check but also see section 2:</p> <ol style="list-style-type: none"> 1. Clinical Research Fellow* 2. Research Nurse*
2	<p>Within an NHS setting, undertakes the following activities unsupervised, with likely direct bearing on the quality of care:</p> <ul style="list-style-type: none"> • teaching or training • instruction • provide advice/guidance on well-being • care for or supervise children • drive a vehicle only for children 	<p>If done regularly this is Regulated Activity = Enhanced DBS check with relevant Adult and/or Children’s Barred List check</p>	<p>The following roles may meet the criteria for this level of check but also see section 1:</p> <ol style="list-style-type: none"> 1. Clinical Research Fellow 2. Research Nurse

	<p>Notes:</p> <ul style="list-style-type: none"> • A “direct bearing on the quality of care” suggests that the actions of individuals could foreseeably directly affect the type, quality or extent of prevention, diagnosis or treatment of illness or foreseeably cause injury or loss to an individual to whom the organisation has a duty of care. • Also see section 7 below for detailed guidance, taken from the NHS Algorithm, on work activities and the relevant level of DBS check. 	<p>If not done regularly = Enhanced DBS check, no Barred List check</p> <p><i>‘Regularly’ = (once a week or four times in a 30 day period) or overnight (2am to 6am)</i> <i>‘Not regularly’ = less than once a week or four times in a 30 day period or overnight - 2am to 6am)</i> <i>‘Not regularly’ = less than once a week or four times in a 30 day period or overnight - 2am to 6am)</i></p> <p>Workforce type = Adult and/or Child Workforce</p>	
4	<p>Within an NHS setting has the opportunity for any form of contact with children in the same Children’s Hospital (formerly a specified place) but is not providing healthcare or other types of regulated activity and has no direct bearing on the quality of care.</p> <p>Notes:</p> <ul style="list-style-type: none"> • The requirement for a DBS check, and at the level stated, exists because the work is in a Children’s hospital. 	<p>If done regularly and unsupervised = Enhanced DBS check with Children’s Barred List check</p> <p>If done regularly and supervised or irregularly and unsupervised - Enhanced DBS check (no Barred List check)</p> <p><i>‘Regularly’ (once a week or four times in a 30 day period) or overnight (2am to 6am)</i> <i>‘Not regularly’ = less than once a week or four times in a 30 day period or overnight - 2am to 6am)</i></p>	Staff working within a Children’s Hospital

5	<p>People working in an NHS/Occupational Health setting <u>who have contact with patients</u> (not a healthcare role), e.g:</p> <p>a) Maintenance workers, engineers, trades persons, catering staff, drivers, porters, cleaners, admin</p> <p>b) Staff/<u>volunteers</u> working in an NHS setting who do not provide healthcare but who have contact with patients and access to personal sensitive medical records about them</p> <p>c) staff in GP/OH or dental surgeries who do not provide healthcare e.g: medical receptionist, medical secretary</p> <p>d) Any Non-Healthcare role that relates to providing health services where that work means there is also contact with the patients.</p> <p>e) COVID-19 Testers - Removing saliva or mucus from the mouth or nose of an individual or taking blood by finger-prick, where that is being done for the purpose of testing the presence of coronavirus in that individual ** According to The Safeguarding Vulnerable Groups Act 2006 (Regulated Activities) (Coronavirus) Order 2020 eligibility applies from 17th April 2020 to 17th October 2021. Note: If blood is taken by needle (Phlebotomy), this is "Regulated Activity" and requires an Enhanced DBS including Barred List.</p> <p>Notes:</p> <ul style="list-style-type: none"> • Also see section 7 below for detailed guidance, taken from the NHS Algorithm, on work activities and the relevant level of DBS check. • See complete list of when Standard DBS checks are eligible 	<p>Standard DBS check</p> <p>Workforce type = Child and Adult Workforce</p> <p>Unless based in a Children's Hospital (when no 4 above will apply)</p>	<p>1. Covid-19 Testers (applies from 17/4/2020 to 17/10/2021)</p> <p>For roles below, also see section 7 for when a DBS check is not required</p> <p>1. Research Assistants</p> <p>2. Research Associates</p> <p>3. Technicians/Lab staff</p> <p>4. Some Occupational Health roles</p> <p>NB: roles must have contact with patients to be eligible for a DBS check</p>
---	---	---	--

6	<p>Activities requiring DBS checks – taken from:</p> <p>‘The Research Passport: Algorithm of Research Activity and Pre-Engagement Checks Research in the NHS: HR Good Practice Resource Pack’</p>	
	<p>Activity</p> <p>Researcher is a health care professional⁴ providing health care⁵ to an adult and/or child</p> <p>Researcher provides health care to an adult and/or child under the direction or supervision of a health care professional</p>	<p>Criminal record check necessary?</p> <p>Yes, if done once this is Regulated Activity (new definition). Requires enhanced CRB + appropriate barred list check</p> <p>Yes, if done once this is Regulated Activity (new definition). Requires enhanced CRB + appropriate barred list check</p>

<p>Researcher provides personal care to an adult or child Or Researcher is a social care worker providing social work which is required in connection with any health care or social services to an adults who is a client or potential client</p>	<p>Yes, if done once this is Regulated Activity (new definition). Requires enhanced CRB + appropriate barred list check</p>
<p>Researcher undertakes the following activities unsupervised: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children; with likely direct bearing on the quality of care⁶.</p>	<p>Yes, if done regularly this is Regulated Activity. Requires enhanced CRB + barred list check</p>
<p>Researcher has opportunity for any form of contact with children in the same Children’s Hospital (formerly a specified place) but is not providing healthcare or other types of regulated activity and has no direct bearing on the quality of care.</p>	<p>Yes, if done regularly enhanced CRB (pre-Sept 2012 definition). No barred list check.</p>
<p>Researcher has access to persons in receipt of healthcare services in the course of their normal duties but is not providing health care or other types of regulated activity and has no direct bearing on the quality of care (‘Access’ relates to where individuals will have physical, direct contact with patients e.g. observation, qualitative interviews, focus groups).</p>	<p>Yes, standard</p>
<p>Algorithm notes</p> <p>³ Please refer to DBS eligibility guidance - GOV.UK (www.gov.uk) for guidance on specific activities which are eligible for CRB checks</p> <p>⁴ “health care professional” means a person who is a member of a profession regulated by a body mentioned in section 25(3) of the National Health Service Reform and Health Care Professions Act 2002</p> <p>⁵ “Health care” includes all forms of health care provided for individuals, whether relating to physical or mental health and also includes palliative care and procedures that are similar to forms of medical or surgical care but are not provided in connection with a medical condition.</p> <p>⁶ A “direct bearing on the quality of care” suggests that the actions of researchers could foreseeably directly affect the type, quality or extent of prevention, diagnosis or treatment of illness or foreseeably cause injury or loss to an individual to whom the organisation has a duty of care.</p>	

<p>Work that is not normally eligible for a statutory DBS check – taken from: ‘The Research Passport: Algorithm of Research Activity and Pre-Engagement Checks Research in the NHS: HR Good Practice Resource Pack’</p>	
<p>7</p>	<p>a. indirect contact with patients or service users but is not providing healthcare or other types of regulated activity and has no direct bearing on the quality of care (e.g some types of telephone interview).</p> <p>b. requires access to identifiable patient data derived from health records, tissues or organs with a likely direct bearing on the quality of care</p> <p>c. requires access to identifiable patient data derived from health records, tissues or organs with no direct bearing on the quality of care</p> <p>d. requires access to anonymised patient data derived from health records, tissues or organs only (including by research staff analysing data)</p>

- e. working on NHS premises (e.g. laboratory) only (no access to identifiable data)
- f. Researcher requires direct contact with staff only but no access to patients (e.g. staff interviews)
- g. requires access to **identifiable** staff data only
- h. requires access to **anonymised** staff data only