

## **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 Staff DBS and Safeguarding team ([StaffDBS@imperial.ac.uk](mailto: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:

<b><u>Activities and roles requiring DBS checks</u></b>	
<b><u>Research Passport Algorithm</u></b> <u>(additional information for</u> <u>specific research activities</u> <u>requiring DBS checks)</u>	<b><u>Work not eligible for a DBS</u></b> <u>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 <b>Regulated Activity</b> requiring a Barred List check.</p> <ul style="list-style-type: none"> <li>• <b>Healthcare to children or adults</b>, either as a healthcare professional or under the direction or supervision of a health care professional</li> <li>• <b>Personal care to children or elderly, ill or disabled adults</b> (physical assistance, prompting and supervising or advice and guidance with eating, drinking, washing, going to the toilet, carrying out oral care, care of the skin, hair or nail, dressing)</li> <li>• <b>Social care worker</b> providing social work which is required in connection with any health care or social services to <b>children or elderly, ill or disabled adults</b> who are a client or potential client</li> <li>• <b>Conveying elderly, ill or disabled adults</b> to and from or between healthcare, personal care and/or social work services who cannot convey themselves</li> </ul> <p><b>Notes:</b>  <b>“Health care”</b> includes all forms of health care provided for individuals, i.e.: <ul style="list-style-type: none"> <li>• Physical care, mental health care and palliative care</li> <li>• Diagnostic tests and investigative procedures</li> <li>• Non-medical procedures such as taking blood (blood donations) and cosmetic surgery</li> <li>• Psychotherapy and counselling. This includes the provision of psychotherapy and counselling over the phone. Life coaching is excluded from regulated activity</li> <li>• Procedures that are similar to forms of medical or surgical care but are not provided in connection with a medical condition</li> </ul> </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"> <li>1. Clinician</li> <li>2. Phlebotomist</li> <li>3. Counsellor</li> <li>4. Psychologist</li> <li>5. Psychiatrist</li> <li>6. Psychotherapist</li> <li>7. Pharmacist</li> <li>8. Optometrist</li> <li>9. Radiographer</li> <li>10. Others providing healthcare (incl. supervised)</li> </ol> <p><b>The following roles may meet the criteria for this level of check but also see section 2:</b></p> <ol style="list-style-type: none"> <li>1. Clinical Research Fellow*</li> <li>2. Research Nurse*</li> </ol>
2	<p>Within an NHS setting, undertakes the following activities <b>unsupervised</b>, with likely direct bearing on the quality of care for <b>children</b>:</p> <ul style="list-style-type: none"> <li>• teaching or training</li> <li>• provide advice/guidance on well-being</li> <li>• care for or supervise children</li> <li>• drive a vehicle to transport children</li> </ul>	<p>If done regularly this is Regulated Activity = Enhanced DBS check with Children’s Barred List check</p>	<p><b>The following roles may meet the criteria for this level of check but also see section 1:</b></p> <ol style="list-style-type: none"> <li>1. Clinical Research Fellow</li> <li>2. Research Nurse</li> </ol>

	<p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>Also see section 7 below for detailed guidance, taken from the NHS Algorithm, on work activities and the relevant level of DBS check.</li> </ul>	<p>If not done regularly = Enhanced DBS check, no Barred List check  <i>‘Regularly’ = more than 3 days in any 30day period or ever overnight (between 2am and 6am) where there may be face to face contact with children</i>  <i>‘Not regularly’ = less than 3 days in any 30 day period</i></p> <p>Workforce type = Child Workforce</p>	
<b>3</b>	<p>Within an NHS setting, undertakes the following activities, with likely direct bearing on the quality of care for <b>elderly, ill or disabled adults</b> receiving care:</p> <ul style="list-style-type: none"> <li>teaching</li> <li>provide advice/guidance on well-being</li> </ul> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>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.</li> <li>Also see section 7 below for detailed guidance, taken from the NHS Algorithm, on work activities and the relevant level of DBS check.</li> </ul>	<p>If done regularly = Enhanced DBS check</p> <p><i>‘Regularly’ = Once a week or more, more than 3 days in any 30 day period or ever overnight (between 2am and 6am)</i></p> <p>Workforce type = Adult Workforce</p>	<p><b>The following roles may meet the criteria for this level of check but also see section 1:</b></p> <ol style="list-style-type: none"> <li>Clinical Research Fellow</li> <li>Research Nurse</li> <li>Research staff</li> </ol>
<b>4</b>	<p>Work with <b>children</b>, undertakes the following activities <b>supervised</b>:</p> <ul style="list-style-type: none"> <li>teaching or training</li> <li>supervising</li> </ul>	<p>If done regularly = Enhanced DBS check</p> <p><i>‘Regularly’ = more than 3 days in any 30 day period or ever overnight (between 2am and 6am) where there may be face to face contact with children</i></p> <p>Workforce type = Child Workforce</p>	<p><b>The following roles may meet the criteria for this level of check</b></p> <ol style="list-style-type: none"> <li>Research staff</li> </ol>
<b>5</b>	<p>Within an <b>NHS CHILDREN’S HOSPITAL</b> 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>If done regularly = Enhanced DBS check</p>	<p>Staff working within a Children’s Hospital:</p> <ol style="list-style-type: none"> <li>Cleaners</li> <li>Reception staff</li> </ol>

	<b>Notes:</b> <ul style="list-style-type: none"> <li>The requirement for a DBS check, and at the level stated, exists because the work is in a Children's hospital.</li> </ul>	If not done regularly = Standard DBS check  <i>'Regularly' = more than 3 days in any 30 day period</i> <i>'Not regularly' = less than 3 days in any 30 day period</i>  Workforce type = Child Workforce	3. Caterers 4. Volunteers
6	People working in an <b>NHS/Occupational Health setting who have contact with patients (not a healthcare role), e.g.</b> <ol style="list-style-type: none"> <li>Maintenance workers, engineers, trades persons, catering staff, drivers, porters, cleaners, admin</li> <li>Staff/volunteers working in an <b>NHS setting</b> who do not provide healthcare but who have contact with patients and access to personal sensitive medical records about them</li> <li>staff in GP/OH or dental surgeries who do not provide healthcare e.g: medical receptionist, medical secretary</li> <li>Any Non-Healthcare role that relates to providing health services where that work means there is also contact with the patients.</li> </ol> <b>Notes:</b> <ul style="list-style-type: none"> <li>Also see section 7 below for detailed guidance, taken from the NHS Algorithm, on work activities and the relevant level of DBS check.</li> <li>See complete list of when <b>Standard DBS checks</b> are eligible</li> </ul>	Standard DBS check  Workforce type = Child and/or Adult Workforce  Unless based in a Children's Hospital (when no 5 above will apply)	<b>For roles below, also see section 7 for when a DBS check is not required</b> <ol style="list-style-type: none"> <li>Research staff</li> <li>Technicians/Lab staff</li> <li>Some Occupational Health roles</li> </ol> <p><b>NB: roles must have direct contact with patients in an NHS setting to be eligible for a DBS check</b></p>

<b>Activities requiring DBS checks – taken from:</b> <u><b>'The Research Passport: Algorithm of Research Activity and Pre-Engagement Checks Research in the NHS: HR Good Practice Resource Pack'</b></u>		
7	Activity	Criminal record check necessary?
	Researcher is a health care professional <sup>4</sup> providing health care <sup>5</sup> to an adult and/or child	Yes, if done once this is Regulated Activity (new definition). Requires enhanced CRB + appropriate barred list check
	Researcher provides health care to an adult and/or child under the direction or supervision of a health care professional	Yes, if done once this is Regulated Activity (new definition). Requires enhanced CRB + appropriate barred list check
	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	Yes, if done once this is Regulated Activity (new definition). Requires enhanced CRB + appropriate barred list check

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 care <sup>6</sup> .	Yes, if done regularly this is Regulated Activity. Requires enhanced CRB + barred list check
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.	Yes, if done regularly enhanced CRB (pre-Sept 2012 definition). No barred list check.
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).	Yes, standard
<p><b>Algorithm notes</b></p> <p><sup>3</sup> Please refer to <a href="https://www.gov.uk/guidance/db-eligibility-guidance">DBS eligibility guidance - GOV.UK (www.gov.uk)</a> for guidance on specific activities which are eligible for CRB checks</p> <p><sup>4</sup> "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><sup>5</sup> "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><sup>6</sup> 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><b>Work that is not normally eligible for a statutory DBS check – taken from:</b></p> <p><b>'The Research Passport: Algorithm of Research Activity and Pre-Engagement Checks Research in the NHS: HR Good Practice Resource Pack'</b></p>	
8	<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 <b>identifiable</b> 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 <b>identifiable</b> patient data derived from health records, tissues or organs with no direct bearing on the quality of care</p> <p>d. requires access to <b>anonymised</b> patient data derived from health records, tissues or organs only (including by research staff analysing data)</p> <p>e. working on NHS premises (e.g. laboratory) only (no access to identifiable data)</p> <p>f. Researcher requires direct contact with staff only but no access to patients (e.g. staff interviews)</p> <p>g. Researcher requires direct contact with consenting adults but no access to patients</p> <p>h. requires access to <b>identifiable</b> staff data only</p> <p>i. requires access to <b>anonymised</b> staff data only</p> <p>j. Administrators etc. who do not work specifically with children/under 18s or elderly, ill or disabled adults in receipt of healthcare, but their team do, e.g. Disability Advisory Service, Student Support, Student Services</p>