

DBS adult barred list check

The [DBS adult barred list check](#) is exclusive to the care sector. It is a supplementary check which costs £6 in addition to the full cost of the Enhanced DBS certificate. It allows someone to be checked against the DBS adults barred list, but only in exceptional circumstances and where a person will engage in regulated activity.

The DBS adult barred list check can be obtained before the DBS certificate has been returned but can only be used if it is necessary to start a new employee where there is a real danger to safe staffing levels or the running of the service. It is not a substitute for a DBS certificate and providers must take care when making recruitment decisions before receiving a full DBS certificate.

The strict criteria for carrying out an adult barred list check are:

- the position must require a criminal record check by law;
- the position must be eligible for access to the DBS adults' barred list;
- the provider must have requested a check of the DBS adults' barred list on the DBS application form.

The DBS adult barred list check can't be used for roles where the person works with children, or both children and adults. For example, if Daniel was a social worker working in regulated activity with children and adults, Daniel's role would not be suitable for an adult barred list check.

However, if Daniel was a care worker in a care home, the role involved regulated activity with adults and was eligible for an enhanced DBS check with adults barred list check, Daniel's role may be suitable for an adult barred list check, if the strict criteria for carrying out the check has been met.

What happens if there is a match on the DBS adult barred list check?

The DBS will reply to the employer via email, usually within two days, with two possible responses.

1. Please wait for the DBS certificate before making a recruitment decision regarding this applicant.
2. No match exists for this person on the current DBS adults' barred list.

The employer may choose to commence the individual's employment before receipt of the enhanced DBS certificate, but only if:

- there is no match on the adults' barred list check; and
- the employer makes it clear to the individual that any appointment remains conditional until the full enhanced DBS certificate has been received as it may contain additional information which may need to be considered before any unconditional offer can be made.

All costs quoted correct as of January 2024



W a s t e C a e Q u e s t i o n (CQC) a n s w e r

The CQC recognises the DBS adult first check can be an important option for providers that need to fast-track applications due to challenging circumstances such as staffing shortages or other urgent needs.

Safer recruitment remains important to the CQC, and providers should be involved in appointing a new employee before a DBS certificate is received.

The CQC will expect additional safeguards to be in place to manage individuals. Depending on the type of service or setting and the role the employee will have, this might include:

- closer supervision
- on-shift access to a senior member of staff
- not escorting people away from the setting unaccompanied, and
- paying particular attention to feedback from people drawing on care and support.

Providers should also inform people drawing on care and support, or their representative, about outstanding information, and tell them when it is received.

Carrying out an adult first check should not result in any notification being sent to the CQC, but if this issue is raised with providers, for example through monitoring or inspection activities, the CQC may ask to explore any pressures and challenges that led to using the service.

Providers should not be penalised for carrying out adult first checks that meet the criteria if the provider can demonstrate any potential risks have been mitigated and managed effectively.

Read the full CQC guidelines about using Adult First and risk mitigation on the [CQC website](#).

Information

Many people who may pose a risk of harm to adults at risk are not included on the adults' barred list. Only approx. 0.02% enhanced with barred list(s) DBS certificates issued each year state the person is on a barred list.

The Adult First check cannot generally access barring information or criminal records held overseas.

It can take a long time for DBS to make a Barring decision and unless/until a person is barred, they may still apply for roles engaging in regulated activity.

It is a criminal offence to knowingly employ a person who is barred by the DBS from working with adults in a role which involves regulated activity with adults.

W a s t e C a e Q u e s t i o n

Take reasonable steps to gather all the required information to determine suitability of the individual and their fitness to do the role per [Regulation 19 Fit and proper persons employed](#) requirements (i.e. proof of identity, criminal record checks, detailed effective references, full employment history, reasons for leaving previous employment, satisfactory explanation of any gaps in employment history, evidence of relevant qualifications and satisfactory information about any physical health or mental conditions);

Ask shortlisted candidates to complete a criminal record self-declaration; see [Appendix 4: Criminal record self-declaration form for jobs exempt from the ROA](#) and [Appendix 5: Criminal record self-declaration form for jobs covered by the ROA](#).

Complete a pre-employment risk assessment (if necessary) using all the information gathered in the recruitment exercise;

Consider implementing a system to ensure easy identification of staff records for those recruited using the DBS adult first check. For example, adding a code such as **DBS ADULT FIRST** to the record. This may help for future safeguarding audits and any follow up procedures that might be required (e.g., review of the pre-employment risk assessment).

Further safe and fair recruitment information and templates can be found in our [Safe and fair recruitment guide](#)

Find out more about the Disclosure and Barring Service (DBS) here: [_____](#)