

DISCLOSURE & BARRING SERVICE POLICY STATEMENT

Chrysalis Arts Development Ltd (CAD) takes the safeguarding of our customers and partners as a central priority of the organisation. A DBS check is not a usual or general requirement for project managers, artists and anyone undertaking work for CAD but it would be a requirement for those who, for instance, undertake work or activities that involve unsupervised contact with vulnerable children and adults.

Unfortunately, the current DBS system is not well suited to arts organisations like CAD that work with freelance artists to deliver workshop sessions with different groups in different venues like schools, galleries, community centres, hospitals etc.

CAD does not have the capacity to undertake DBS checks and issue certificates within the company and therefore it is necessary for project managers, artists or anyone undertaking work where a DBS certificate is a requirement to ensure that activity is planned accordingly.

CAD will not undertake work that involves unsupervised contact with vulnerable children and adults unless it is in collaboration with a host organisation like for instance a school and the person undertaking the work already has a current DBS enhanced certificate that is agreed to be acceptable to the school or a DBS certificate of the correct type is obtained through the school or host organisation before the work activity is undertaken.

In all circumstances where people are undertaking work or activities for or on behalf of CAD they must ensure that any work that involves contact with vulnerable children and adults is supervised at all times by an attendant that does have a DBS certificate of the correct type.

There are different types of disclosure;

- **Basic** – this details all unspent convictions, cautions, reprimands and final warnings from the Police National Computer (PNC)
- **Standard** – this details all unspent convictions, cautions, reprimands and final warnings from the Police National Computer (PNC). The position must be included in the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975
- **Enhanced** – This check contain all the same information as a standard check and also includes non-conviction information held by local police where they consider it to be relevant to the post. The position must be included in both the ROA Exceptions Order and in the Police Act 1997 (Criminal Records) Regulations.
- **Enhanced check with children's and/or adults barred list check** – Individuals seeking work in a regulated activity must be checked against the children's and/or adults barred list. Only with an Enhanced check can a check be

made against a barred list. To be eligible to request a check of the children's and/or barred list, the position must be eligible for an enhanced check as above and be specifically listed as a regulated activity.

Regulated Activity

The full, legal definition of regulate activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular, by the Protection of Freedoms Act 2012). Please refer to this for more information if needed.

The definition of regulated activity relating to adults no longer labels adults as 'vulnerable'. Instead, the definition identifies the activity which, if any adult requires them, lead to that adult being considered vulnerable at the particular time. This means that the focus is on the activity required by the adult and not the setting in which the activity is received, not on the personal characteristics or circumstances of the adult receiving the activities.

There are six categories of adults who fall within the new definition of regulated activity;

- Providing health care
- Providing personal care
- Providing social work
- Assistance with cash, bills, shopping
- Assistance in the conduct of a person's affairs
- Conveying

Regulated activity for children include:

- 'Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children.'
- 'Work for a limited range of establishments ('specified places'), with opportunity for contact: for example, schools, children's homes, childcare premises. Not work by supervised volunteers.'

These two instances are only defined as 'regulated' if they are done regularly at one organisation, ie weekly or more.

Procedure

In all circumstances where project managers, artists or anyone planning the delivery of work for CAD must ensure that anyone undertaking work or activities for or on behalf of CAD that involves contact with vulnerable children or adults is delivered safely and legally.

Work or activity undertaken by project managers, artists or anyone planning or delivering work for CAD that requires DBS certification must ensure that it is only delivered in association with another host organisation like for instance a school and where the people undertaking the work activity will have the appropriate DBS certificate for the group or individuals that they will be in contact with, or where there is an attendant with the appropriate DBS certificate for the group or individuals to supervise at all times.

Where DBS certificates are necessary, they may be obtained through the host organisation but this will need to be in advance of the activity taking place.

A DBS certificate that is obtained through one host organisation may not be considered sufficient for another. There is no official end date to a certificate but common practice is to renew it every three years.

The a-n website has a useful guide to DBS checks which can be accessed by members

<https://www.a-n.co.uk/resource/guide-dbs-checks/>

The Disclosure and Barring Service is a public body sponsored by the Government, for more information please see their website

<https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Owner

Procedure lead

Formally endorsed by

Last review

Next review

CAD Board

Rick Faulkner

CAD Board

Feb 2023

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