# BOOK OF LIFE

## DBS AND CRIMINAL RECORD SCREENING POLICY

**Document:** DBS and Criminal Record Screening Policy

**Responsible body:** Book of Life Membership and Registration Authority (MRA)

**Applies to:** Applicants, members, volunteers, officers, assessors and individuals undertaking relevant positions of responsibility

**Proposed effective date:** To be confirmed

**Review frequency:** At least annually, and whenever relevant legislation or DBS guidance changes

## 1. Purpose of This Policy

The Book of Life seeks to establish a community founded on compassion, integrity, mutual respect and responsible conduct.

We recognise that people who participate in community activities should be able to do so in an environment where safeguarding concerns are taken seriously.

This policy establishes the principles and procedures governing criminal record screening and the handling of Disclosure and Barring Service (DBS) information.

Its objectives are to:

1. Support responsible safeguarding.
2. Protect members, volunteers and people who may participate in Book of Life activities.
3. Ensure that any criminal record screening is legally authorised.
4. Prevent unfair or discriminatory treatment.
5. Protect the confidentiality of criminal record information.
6. Ensure that decisions are proportionate, consistent and evidence-based.

The Book of Life does not regard a DBS certificate as a guarantee of personal character, trustworthiness or future conduct.

## 2. Scope

This policy applies to:

- Individuals applying for Book of Life membership.
- Existing members.
- Members undertaking designated positions of responsibility.
- Volunteers participating in relevant activities.
- Officers and personnel of the Membership and Registration Authority.
- Individuals involved in membership screening, assessment or safeguarding decisions.

The policy distinguishes between ordinary community membership and positions involving specific duties that may legally qualify for DBS screening.

## 3. Important Legal Principle: DBS Checks Must Be Lawful

The Book of Life will not automatically require every applicant or member to obtain a DBS check.

The appropriate level of check depends on the actual duties and activities of the position concerned.

The following distinctions apply.

### 3.1 Basic DBS Check

A Basic DBS check is available to individuals without the role-specific eligibility requirements that apply to Standard and Enhanced checks.

It provides information about unspent convictions and conditional cautions.

Where the Book of Life proposes to ask an individual to obtain a Basic DBS check, it must first establish that the request and its intended use are lawful, necessary and proportionate.

### 3.2 Standard DBS Check

A Standard DBS check may only be requested for a position that falls within the relevant statutory eligibility provisions.

It may disclose spent and unspent convictions and cautions that are not protected under the applicable filtering rules.

The Book of Life will not request a Standard check for a position that does not meet the statutory eligibility requirements.

### 3.3 Enhanced DBS Check

An Enhanced DBS check is available only for positions that satisfy the relevant statutory eligibility requirements.

Depending on the position and applicable rules, it may include relevant information held by local police forces.

### 3.4 Enhanced DBS Check with Barred List Information

An Enhanced check including Children's and/or Adults' Barred List information may only be requested where the position and activities legally qualify.

The Book of Life will never request barred-list information merely because it considers additional screening desirable.

A person must not undertake regulated activity where they are legally barred from doing so.

## 4. Ordinary Membership Does Not Automatically Require a DBS Check

Membership of the Book of Life, by itself, does not establish eligibility for a Standard or Enhanced DBS check.

The organisation will distinguish between:

- Ordinary membership.
- Voluntary participation in general community activities.
- Positions involving specific responsibilities.
- Positions involving legally defined regulated activity.

A member who participates in ordinary community activities will not automatically be subjected to a higher-level DBS check.

Where a specific activity creates a genuine safeguarding requirement, the organisation will assess the actual duties before deciding whether screening is legally available and appropriate.

The Book of Life will not invent job titles or responsibilities simply to obtain access to a higher level of criminal record information.

## 5. Role-Based Eligibility Assessment

Before requesting a Standard or Enhanced DBS check, the Membership and Registration Authority must document an eligibility assessment.

The assessment must identify:

1. The exact position or activity.
2. The duties performed.
3. The people with whom the individual will interact.
4. The nature and frequency of the activity.
5. Whether the position satisfies the relevant statutory criteria.
6. Whether the proposed DBS level is legally permitted.
7. Why screening is necessary and proportionate.

Where eligibility is uncertain, the organisation must obtain appropriate guidance before submitting an application.

The fact that an individual is a volunteer does not automatically make a position ineligible or eligible. The actual activity and applicable statutory rules determine eligibility.

## 6. Criminal Record Screening and Data Protection

Criminal record information is specially protected under Article 10 of the UK GDPR and the Data Protection Act 2018.

The Book of Life will not assume that obtaining an applicant's consent automatically makes the collection or use of criminal record information lawful.

Before processing such information, the organisation must establish:

- An appropriate Article 6 lawful basis.

- An applicable legal authorisation or Schedule 1 condition under the Data Protection Act 2018.
- Any additional requirements associated with that condition.
- Whether an Appropriate Policy Document is required.
- Whether a Data Protection Impact Assessment is necessary.

If no valid legal basis and condition can be established, the organisation will not process the criminal record information.

The organisation will not create or maintain a general database of members' criminal convictions.

## 7. Applicant Notification and Fair Treatment

Before any screening takes place, the applicant will be informed:

- Why screening is being considered.
- Which type of check is proposed.
- Whether the position is legally eligible.
- What information may be disclosed.
- How the information will be used.
- Who may access it.
- How long relevant information will be retained.
- What privacy rights apply.

Where consent is legally required, it must be obtained freely and for a clearly defined purpose.

Applicants will be given an opportunity to ask questions and raise concerns about the proposed check.

No applicant will be pressured into agreeing to an unlawful or unnecessary level of screening.

## 8. Fair Assessment of Criminal Record Information

A criminal record will not automatically disqualify someone from Book of Life membership or a position within the organisation.

Where criminal record information may lawfully be considered, the organisation will conduct an individual assessment.

Relevant considerations may include:

1. The nature of the offence.
2. The seriousness of the offence.
3. The circumstances in which it occurred.
4. The age of the individual at the time.
5. The time elapsed since the offence.
6. Whether there is evidence of rehabilitation.
7. Whether there has been subsequent relevant conduct.
8. The relevance of the information to the duties of the position.
9. Any identifiable safeguarding risks.
10. Whether reasonable safeguards or restrictions could manage the risk.

The assessment must be connected to a genuine and relevant safeguarding concern.

The organisation will not make assumptions about a person's character solely because they have a criminal record.

## 9. Protected and Filtered Convictions and Cautions

The Book of Life will comply with applicable legislation governing the filtering and protection of criminal record information.

Where convictions or cautions are protected under the applicable filtering rules, they must not be requested or considered where the law prohibits their disclosure or use.

Applicants will not be asked to disclose information that they are legally entitled to withhold.

The organisation will ensure that application forms and screening questions are appropriately worded and do not encourage unlawful disclosure.

## 10. Individual Assessment Rather Than Automatic Exclusion

The following principles will apply:

- A criminal record does not automatically mean an individual presents a safeguarding risk.
- An allegation is not proof of wrongdoing.
- An arrest does not establish guilt.
- A conviction must be considered in its proper context.
- Rehabilitation and evidence of changed behaviour must be considered.
- The relevance of information to a specific position must be assessed.

Where information raises a genuine concern, the individual should normally be given an opportunity to provide relevant context before a final decision is made, unless a lawful safeguarding or other exceptional reason justifies a different procedure.

The organisation will record the reasoning behind its decision without retaining unnecessary details of the underlying criminal record.

## 11. Membership Assessment Committee

Where criminal record information is lawfully available and relevant to a membership or role decision, the Membership Assessment Committee may consider the outcome.

Access will be limited to those members of the Committee who genuinely need the information.

The Safeguarding Officer will provide an assessment of relevant safeguarding considerations without unnecessarily circulating sensitive details.

The Committee must:

- Consider the available evidence.
- Apply the published assessment criteria.
- Avoid assumptions and prejudice.
- Declare conflicts of interest.
- Record its reasoning.
- Provide a fair decision.

- Respect the applicant's privacy.

No individual officer will have unrestricted unilateral authority to reject, suspend or remove someone solely because criminal record information exists.

## 12. Possible Outcomes

Following a lawful screening and assessment process, possible outcomes may include:

**A. No Relevant Concern Identified**
The applicant or member may proceed, subject to all other membership requirements.

**B. Further Information Required**
The decision may be postponed while relevant clarification is obtained.

**C. Additional Safeguards Required**
Where proportionate and lawful, the organisation may consider supervision, restrictions on particular activities, changes to responsibilities or other appropriate safeguards.

**D. Position Not Suitable**
Where a specific position presents an unmanaged and relevant safeguarding risk, the individual may be refused that position. This does not automatically mean the individual must be refused ordinary membership.

**E. Membership Refusal or Disciplinary Action**
Where there is a sufficiently serious and properly established concern relevant to the organisation's membership rules, a membership decision may be considered under the Membership Charter. Any decision must be proportionate, properly reasoned and subject to the applicable appeals procedure.

## 13. Handling DBS Certificates and Certificate Information

The Book of Life will handle DBS certificate information in accordance with applicable DBS requirements and its data-protection obligations.

The following safeguards will apply:

### 13.1 Confidentiality

DBS information must only be accessed by authorised personnel who require it for their duties.

### 13.2 Secure Storage

Any certificate information that must temporarily be retained will be held securely, with access restricted. Electronic records must be protected by appropriate access controls and security measures. Paper records must be stored in secure, locked facilities.

### 13.3 Limited Use

DBS information will only be used for the specific purpose for which it was lawfully requested. It will not be used for unrelated membership activities or circulated informally among members.

### 13.4 Disclosure

DBS certificate information will not be disclosed to unauthorised individuals. The organisation will maintain appropriate records of authorised access and disclosure.

### 13.5 Retention and Destruction

DBS certificate information will not be retained for longer than necessary. As a general policy, the organisation intends to destroy certificate information within six months of the relevant decision, unless a specific lawful reason justifies a different period.

The organisation will not routinely retain photocopies, photographs or digital images of DBS certificates. It may retain a limited administrative record of:

- The individual's name.
- The date of issue.
- The type of check.
- The position for which the check was requested.
- The certificate reference number, where appropriate.
- The date of the decision.
- The outcome of the assessment.

Such records must themselves have a lawful basis, be securely stored and be retained only as long as necessary.

## 14. Confidentiality and the Membership Register

The Book of Life maintains a confidential membership Register. Detailed criminal record information will not be included in the ordinary membership Register.

The Register may record that a required screening process was completed, where this is lawful and necessary, but it will not contain unnecessary details of convictions, cautions or DBS disclosures.

The organisation will not publish or circulate criminal record information as a means of warning other organisations or creating a general criminal record database.

## 15. Existing Members and Repeat Screening

The Book of Life will not automatically require all existing members to undergo repeated DBS checks.

Where an individual undertakes a new role or activity, the organisation will assess whether the duties create a lawful screening requirement.

Any repeat check must be justified by the nature of the position, the applicable legal rules and a proportionate safeguarding assessment.

The organisation will not assume that an old DBS certificate provides a permanent guarantee of suitability.

Members will be informed of any lawful and relevant safeguarding reporting obligations associated with their particular roles.

## 16. Allegations and Safeguarding Concerns

A safeguarding concern involving a member or volunteer will be assessed on its facts and seriousness. Where appropriate, the organisation may:

- Make further enquiries.
- Seek professional safeguarding advice.
- Refer a concern to the appropriate statutory authority.
- Temporarily restrict participation in a particular activity.
- Consider precautionary suspension under the Membership Charter.

A precautionary suspension is not a finding of guilt. The organisation will distinguish between allegations, evidence, established findings and criminal convictions.

Where there is an immediate risk of harm, the organisation will prioritise the safety of those affected and contact the appropriate emergency or safeguarding authority where necessary.

The Book of Life does not have police powers and will not conduct criminal investigations.

## 17. Applicant and Member Rights

Applicants and members have the right to:

- Be informed about the screening process.
- Have their information handled confidentially.
- Challenge inaccurate personal information.
- Provide relevant context where criminal record information is lawfully considered.
- Receive a fair and reasoned decision.
- Appeal relevant membership decisions.
- Raise a complaint about the handling of their personal information.
- Withdraw an application or resign from membership, subject to any lawful record-retention requirements.

## 18. Appeals

A person affected by a decision involving criminal record screening may appeal under the Book of Life Membership Charter.

Appeals will be considered by an independent Appeals Panel whose members were not responsible for the original decision.

The Panel may:

- Uphold the original decision.
- Overturn the decision.
- Refer the matter back for reconsideration.
- Require further assessment.
- Identify procedural unfairness.
- Recommend improvements to the screening process.

An appeal will not override statutory DBS eligibility requirements or authorise unlawful processing of information.

## 19. Responsibilities of the Membership and Registration Authority

The MRA is responsible for implementing this policy. Its responsibilities include:

- Establishing the legal eligibility of proposed checks.
- Maintaining role descriptions and screening assessments.
- Ensuring authorised access to sensitive information.
- Maintaining appropriate records.
- Providing relevant training.
- Reviewing screening decisions.
- Monitoring compliance with data-protection requirements.
- Ensuring that applicants are treated fairly.
- Reviewing this policy when legislation or guidance changes.

The Director of Membership and Registration will oversee implementation, but cannot waive statutory requirements.

## 20. Training and Confidentiality Obligations

Personnel involved in screening or safeguarding decisions must receive appropriate training. They must understand DBS eligibility requirements, confidentiality, data protection, fair assessment, and the importance of rehabilitation.

All personnel with access to criminal record information must be subject to appropriate confidentiality obligations.

## 21. Policy Review

This policy will be reviewed at least annually and whenever significant changes occur in DBS legislation, data-protection, or safeguarding requirements.

Any proposed amendment must be approved through the organisation's established governance arrangements.

## 22. Important Statement

The Book of Life believes that trust is built through consistent conduct, accountability, transparency and mutual respect.

Criminal record screening may contribute to safeguarding where it is legally available and appropriate, but it is only one part of a wider safeguarding framework.

A DBS certificate cannot guarantee that someone is safe, honest or trustworthy. Equally, the existence of a criminal record does not automatically mean that someone is unsuitable to participate in the community.

Our objective is to protect people while treating every individual fairly, lawfully and with dignity.

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**Book of Life — Compassion. Kindness. Integrity. Stewardship. Community.**