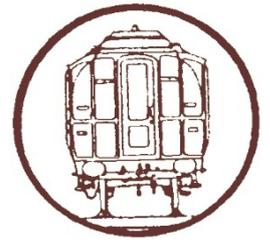


# WEST SOMERSET STEAM RAILWAY TRUST LIMITED



## Guidance of the Disclosure and Barring Service (DBS) Regulations

### INTRODUCTION

The Disclosure and Barring Service (DBS) cannot provide direct guidance as to how many of the WSSRT volunteers should, if eligible be in receipt of a DBS check, this has to be decided by the WSSRT. Before the WSSRT considers asking a person to apply for a criminal record check through DBS, the Trust is legally responsible for ensuring that the volunteer is entitled to apply for the job role. Just coming into contact with a vulnerable group does not mean eligibility exists.

This policy must be read in conjunction with section 7.2, DBS Checks, the WSR Safeguarding Policy. The Safeguarding policy is available on HOPS, the WSR Safety Management System. If you are unsure, please consult your Supervisor or Head of Department.

### DBS Eligibility; the role must be:

- Covered by the Rehabilitation of Offenders Act (ROA) 1974 (Exceptions) Order 1975. If it is included, this means the role is eligible for a Standard DBS check.
- Prescribed in the Police Act 1997 (Criminal Records) Regulations 2002, as amended. If it is, the role will be eligible for an Enhanced DBS check.
- Prescribed in the Police Act 1997 (Criminal Records) (Amendment No.2) Regulations 2012. If it is, the role will be eligible for an Enhanced DBS check with the appropriate Barred List check(s).

Please consult <https://www.gov.uk/government/collections/dbs-eligibility-guidance#dbs-workforce-guides> to find out more about the application process on the Disclosure and Barring Service website.

### EVERY DAY AND GENERAL MUSEUM VISITS

Children or vulnerable persons who attend the museum, remain the responsibility of their parent or guardian, for the duration of their visit. Therefore, due to the circumstances, any contact museum staff have with the children or vulnerable person, can be classed as incidental. There is no legal requirement in these circumstances to apply for a Standard or Enhanced DBS check.

### School Visits

As a general rule WSSRT staff volunteering in the museums do not have to have DBS clearance, although the Learning Team and those staff that come into continuous contact with school parties as part of their duties should have a DBS clearance. School parties remain the responsibility of the

school staff, but schools may consider it important to know that WSSRT personnel with whom they will interact are safe and appropriate adults for that role.

Note: All WSSRT staff volunteering in the museums, and those that come into direct contact with school parties as part of their duties, should have up to date safeguarding training.

## **ELIGIBILITY**

There is no eligibility requirement for a Basic DBS check. However if the Trust is considering asking a person to apply for a Standard or Enhanced DBS check, the Trust is legally responsible for making sure the job role is eligible. This should be done before countersigning each DBS application form.

The fees payable to the DBS are £26.00 for a Standard check and £44.00 for an Enhanced check; if eligible, they are issued free of charge for volunteers. Individuals must meet the legal definition of a volunteer. Please see [www.gov.uk/dbs](http://www.gov.uk/dbs) for more information.

If there is no eligibility for a check at the Standard or Enhanced level individuals can apply for a Basic DBS check, see [www.gov.uk/dbs](http://www.gov.uk/dbs). A Basic DBS check will only show any unspent convictions. DBS Basic Disclosure checks are available for roles based in England or Wales. The cost of a Basic check is £25 and are not issued free of charge for volunteers. You can find further guidance here; <https://www.gov.uk/government/publications/basic-checks>

If you remain unsure from the above that eligibility for a standard or enhanced level DBS check exists, it would be advisable to seek independent legal guidance.

Geoff Evens  
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