



A. Marfo
request-653722-e34c776f@whatdotheyknow.com

FOI 1956

31/03/2020

Dear Sir

Thank you for your Freedom of Information request received on 9th March 2020. Your request has been handled under the Freedom of Information Act 2000.

FOI reference 1956

Your request for information was as follows:

1. What is the total number of DBS applications made in England in 2019?

(ii) Also list by region;

North East, North West, East Midlands, West Midlands, Yorkshire & Humber, South West, South East, London, East of England. (Apply list of regions to Q2 and Q3)

2. How many DBS Barred List Referrals were received by DBS in 2019?

(ii) Breakdown requests for referrals which were investigated individual was found guilty which resulted the individual on the Barred List ?

(iii) How many requests for referrals were investigated and the result inconclusive?

(iii) How many requests for referrals were investigated the individual was innocent but still applied to Barred list?

(iii) How many request for referrals were investigated and the individual was innocent as was not applied to DBS?

3. How many complaints did DBS receive in 2019 (England only)?

4. How can members of the public submit an electronic SAR request to DBS?

Response

For information, the Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions each year by processing and issuing DBS checks for England, Wales, the Channel Islands and the Isle of Man. DBS also maintains the adults' and children's Barred Lists and makes considered safeguarding decisions as to whether an individual should be included on one or both of these lists and barred from engaging in regulated activity.

Your questions and the corresponding answers are provided below.

1. Please see the attached excel spread sheet data set for this information.

(ii) Please also see the excel data set.

2. The number of all Barring cases received during the 2019 calendar year (which includes all three workstreams – Referral, Disclosure Information and Autobar cases) was 47,857.

(ii) The following table includes a break-down of all Barring cases received (as noted above) by the specified regions (North East, North West, East Midlands, West Midlands, Yorkshire & Humber, South West, South East, London, East of England.)

The data on Region has been collated against the address of the Referred Individual and NOT the Referring party / referral route.

Region	Volume of Cases Received in 2019
North East	2,001
North West	5,714
East Midland	2,252
West Midlands	5,300
Yorkshire & Humber	3,914
South West	3,585
South East	4,438
London	6,592
East of England	3,876

In relation to 'Region' we have supplied details of the postal districts, see Appendix A accompanying this response.

DBS does not recognise the terms 'innocent' or 'guilty' when making its decision, its decisions are based on whether DBS believe it to be 'appropriate' to include a person in a barred list, or not. For responding to questions (ii) and (iii) we have interpreted the following words to mean:

Investigation – a case we have progressed and found it necessary to make further enquires on in relation to alleged behaviour before reaching our decision

Innocent - we have considered the case and found it not appropriate to bar the individual.

Guilt - we have considered the cases and found it appropriate to include the individuals name in one or both barred lists.

(ii) Breakdown requests for referrals which were investigated, and the individual was found guilty which resulted in their name being included in the Barred List.

Of the All Barring Cases received in 2019 (as noted in Q2) there were 1,284 cases where DBS needed to seek additional information from an external body (investigated) before making a final decision, to include an individual in one or both Barred Lists (guilty).

(iii) How many requests for referrals were investigated and the result inconclusive?

Of the All Barring Cases received in 2019 (as noted in Q2) there were 2,724 cases where DBS needed to seek additional information from an external body (investigated) before making a final decision, **not** to include an individual in one or both Barred Lists (innocent).

Please note the following caveats when considering the responses to i and ii:
Intake and closure volumes do not correlate for each year. Some cases received in one financial year may not be closed until the following financial year.

In addition, there are several cases which are 'Sifted Off'. These cases are not counted within i and ii. Several cases added to the system will subsequently be removed as part of the 'Sifted Off' process. This is where the cases which do not meet our legislative criteria, are removed from the system.

A case can be re-opened at any point, if an additional referral is received and the DBS agree to look at the case again if representations are submitted after the prescribed period.

The total number of people included in a barred list in 2019 was higher than 1,284, as many people were included because they had committed a prescribed offence and the facts were not disputed.

Similarly, many cases required no further information to be gathered and a decision could be made based on what had been initially referred to DBS.

Please note, Region has only been considered in relation to Q2. If we were to apply this to points i & ii and ensure data accuracy, we estimate that the cost of complying with this request would exceed the appropriate limit of £450.

The appropriate limit has been specified in regulations and for Non-Departmental Public Bodies it is set at £450. This represents the estimated cost of one person spending 18 working hours in determining whether DBS holds the information, and locating, retrieving and extracting the information.

(iii) How many requests for referrals were investigated and the individual was innocent but still applied to Barred List?

DBS do not include individuals' names in the barred lists if we cannot substantiate the allegations made against them.

Please note earlier explanations regarding **Investigation** and **Innocent**. After making its enquiries the DBS will only include individuals in the barred list(s) if it believes that it is appropriate to do so.

(iv) How many requests for referrals were investigated and the individual was innocent as was not applied to DBS?

There are a range of reasons why an individual may not be included in a Barred List. To establish and extract the level of detail you have requested would require the manual interrogation of each individual case record and a barring status check. This would be extremely labour intensive and could not be undertaken without incurring disproportionate cost. Section 12(1) of the Freedom of Information Act 2000 has therefore been applied to this information.

3. In 2019 the DBS handled 2,658 complaints. As our service provision accounts for England and Wales, we do not categorise our record complaints by origin or by region.

4. The DBS offers individuals the opportunity to request information that we may hold about them. The following web link provides extensive information about the Subject Access Request (SAR) process.

<https://www.gov.uk/government/publications/dbs-subject-access-request/customer-subject-access-request-guidance>

I hope the information provided is of assistance.

Your right to request an internal review under the Freedom of Information Act

If you are dissatisfied our handling of your Freedom of Information request you may request an internal review by e-mailing dbsfoi@dbs.gsi.gov.uk or by writing to Freedom of Information Manager, Disclosure and Barring Service, PO Box 165, L69 3JD. You should submit any request for review within two months of the date of this letter.

The Disclosure and Barring Service will aim to respond to your request for a review within 20 working days and in any case no longer than 40 working days.

If you are not content with the outcome of the internal review you have a right of appeal to the Information Commissioner's Office. Generally the Information Commissioner cannot make a decision unless you have exhausted our own internal complaints procedure. The Information Commissioner can be contacted at: The Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow Cheshire SK9 5AF www.ico.org.uk.

Yours sincerely

DBS FOI Team
dbsfoi@dbs.gsi.gov.uk