



24 October 2017

Peter Danby

Email to: [request-427357-39f07ac9@whatdotheyknow.com](mailto:request-427357-39f07ac9@whatdotheyknow.com)

Dear Mr Danby

**FOI reference 1616**

Thank you for your request, received on 26 September 2017 made under the Freedom of Information Act 2000.

I note your request for information was as follows:

1. As your staff do not have follow up checks by Home Office to Baseline Personnel Security Standard, this is a conflict of interests..... Men/women who have DBS checks do not get this entitlement of in-house checks, why the discrepancy?
2. Who is the responsible man/woman who considers employing men/women with criminal records for employment with the Disclosure and Barring Service (CRB)?
3. As DBS does not have Public Liability Insurance, how are staff expected to make a claim if they have an accident?
4. Do you have indemnity insurance and contact details of the indemnity company please?
5. Why do you not publicly disclose you lawful address to contact DBS, rather than a PO BOX Number?
6. So as staff are base line checked, not enhanced checked, how can men/women have reassurance that you are not employing paedophiles like Graeme Smith in the near future?

Response

1. There is neither discrepancy nor conflict of interest; the background checking arrangements are simply different. In our previous response, we explained that DBS staff are not eligible for enhanced DBS certificates. Individuals who are eligible for enhanced DBS certificates obtain them as part of pre-employment checks that are made in line with their employers' own arrangements. It is for those

employers and other decision makers to determine at what point further checks may be necessary.

2. As we explained in our previous reply, members of staff are expected to inform line managers of any convictions or cautions. It is then for the manager to take appropriate action in accordance with established misconduct procedures.
3. DBS is committed to maintaining a healthy and safe working environment for staff, visitors and others working on our premises. DBS manages occupational health and safety to the same high standards it applies to its main business activities. The objective being the prevention of risks to the health, safety and wellbeing of anyone engaged in or affected by our work activities. To provide a safe working environment the DBS relies on many people working together towards this goal.

The DBS recognises that proper management of health and safety risks is central to the success of the business. We have aligned our health, safety and welfare policies with other HR management policies to promote commitment, involvement, and the general wellbeing of employees. The DBS is committed to sensible risk management of Health and Safety issues.

Any member of staff suffering or witnessing an accident or near miss at work must notify their line manager, or the manager for the area, as soon as possible. The accident must also be recorded in the accident book. Certain accidents must be reported without delay to the Health and Safety Executive (HSE). DBS will address any accidents at work in line with legal requirements.

However we do have a Framework Document which deals with issues of Insurance. Sections 4.5 and 4.6 respectively deal with Commercial Insurance and Employers' Liability Insurance:

*The DBS has confirmed (a) that there are no exceptional circumstances that would require it to take out employers' liability insurance; and (b) that the DBS does not have a high risk of an employers' liability claim. In these circumstances, the DBS is exempt from employers' liability insurance. In line with Treasury 17 guidance, an exemption certificate is attached at Annex B. The scope of the DBS' exemption is confined to the risks with which the Employers' Liability (Compulsory Insurance) Act 1969 is concerned, and may not be extended to other risks.*

4. DBS is not required to hold Indemnity Insurance and the information is therefore not held.
5. We provide the address that is on the [DBS.gov.uk website](https://www.dbs.gov.uk) in order that applicants can send their application forms and other material associated with our disclosure and barring functions directly to the place where they are processed.
6. As explained earlier, DBS staff are not eligible for enhanced DBS certificates. However, Baseline Standard checks involve checks against police records so any details of criminal offences may be disclosed as part of the vetting process.

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

If you are dissatisfied with our response or our handling of your FOI request, you may request an internal review by e-mailing [dbsfoi@dbs.gsi.gov.uk](mailto: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.

In all possible circumstances, the Disclosure and Barring Service will aim to respond to your request for 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 may apply directly to the Information Commissioner's Office for a decision. Generally the Commissioner cannot make a decision unless you have exhausted our own 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](http://www.ico.org.uk).

I hope this information is of assistance.

Yours sincerely

Jackie Kelly  
**Chief People Officer**

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