



## Disclosure & Barring Service

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9 November 2016

Dear Mr Danby

### **FOI reference 1464**

Thank you for your reply received on 31 October 2016 made under the Freedom of Information Act 2000.

I note your request for information was as follows:

It has come to my attention for the interest of the public, people need to know that they are being treated fairly/equally, and as such require statistics for criminal records showing up on enhanced DBS/CRB disclosures.

1. How many men have had criminal records show up on an enhanced Disclosure and Barring Service (CRB) disclosure from 2013 to 2016?
2. How many women have criminal records show up on an enhanced DBS/CRB disclosure from 2013 to 2016?
3. How can UK police record that a minor/spent conviction is applicable for a job applied for regarding a enhanced DBS disclosure, what guidelines do you follow?

### Response

1. Please see below table providing the number of enhanced DBS checks for the male gender which revealed Police National Computer (PNC) information. This can include convictions, cautions, warnings and reprimands.

Financial Year	Gender	Total with PNC Info
2013/14	MALE	124,056
2014/15	MALE	121,671
2015/16	MALE	123,724
Total		<b>369,451</b>

2. Please see below table providing the number of enhanced DBS checks for the female gender which revealed Police National Computer (PNC) information. This can include convictions, cautions, warnings and reprimands.

Financial Year	Gender	Total with PNC Info
2013/14	FEMALE	85,932
2014/15	FEMALE	84,622
2015/16	FEMALE	83,984
Total		<b>254,538</b>

3. The Police Act 1997 sets out the statutory duties of DBS in relation to the provision of criminal record certificates. In particular, section 113B (1) relates to the provision of what is known as enhanced certificates states that DBS must issue a criminal record certificate to any individual who makes an application, is 16 years or over and pays in a prescribed manner any prescribed fee. Section 113B(3) states that a criminal record certificate is a certificate which gives the prescribed details of every relevant matter relating to the applicant which is recorded in central records, or states that there is no such matter.

The meaning of central records and relevant matter is also set out in Part V of The Police Act 1997, in section 113A which relates to the provision of what is known as standard certificates. Central records means such records of convictions or cautions held for the use of the police forces generally as may be prescribed. Relevant matter, in relation to England and Wales, is also prescribed in relation to the rules which are applied to an individual's convictions and cautions which subsequently determine if they are included on the certificate.

These are known as the filtering rules. Filtering, was introduced on 29 May 2013, is the term we use to describe the process which will identify and remove protected convictions and cautions so that they are no longer disclosed on a DBS check. These rules are applied according to a set of conditions including but not limited to, the age of the individual, the type and quantity of the convictions or cautions an individual has and is not related to the position or role for which the DBS application was submitted.

The DBS application form requires that section X line 61 is completed by a counter signatory. The wording in this line should reflect the reason for the application submission .i.e. the position being applied for. However this information has no bearing on the provision of minor/spent criminal record convictions or cautions on a DBS certificate. The rules as to when a conviction or caution will be filtered are set out in legislation.

For further information you may wish to view the filtering guide [here](#) .

Please note the following –

- The Disclosure and Barring Service (DBS) does not own the Police National Computer (PNC) record of convictions and cautions. The system held by DBS is known as a PNC Extract which is used for matching the applicant's details against a record. The extract contains basic identifying details such as name and date of birth of persons included on the PNC. The extract does not contain any conviction information. The police both own and maintain all information contained on the PNC.

- DBS is unable to confirm if any of the individuals were employed as a result of the information being included on a certificate as the DBS has no involvement in any recruitment decision made. The recruitment decision is made by the employer or other body.
- Not only is it an offence to knowingly employ a person barred by the DBS, it is also an offence for a barred person to work or even apply to work with the vulnerable group from which they have been barred.
- You may wish to view our [factsheet](#) on our referral and barring decision making process which is available to view on our website.

### **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.gov.uk](http://www.ico.gov.uk).

I hope this information is of assistance.

Yours sincerely

Ian Johnston  
**Director for Operations (Disclosure)**  
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