

## **Appendix A**

### **DISCLOSURE AND BARRING SERVICE POLICY**

**(Revised June 2015)**

# Disclosure and Barring Services Policy

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**If you have any further questions about this Policy or for further information, including applications forms, please contact:**

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# **Disclosure and Barring Service Policy.**

## **Background.**

On 4<sup>th</sup> February 2003 the Licensing Committee approved a policy for the implementation of enhanced Criminal Record Bureau (CRB) Disclosure checks for all new and existing Hackney Carriage and Private Hire drivers and for the disclosure certificate to be applied for every three years. This requirement is pursuant to Section 51 (Hackney Carriage Drivers) and Section 59 (Private Hire Drivers) of the Local Government (Miscellaneous Provisions) Act 1976 (LGMP Act 1976).

A summary of the original changes through the introduction of the DBS are contained in **Annex A**.

## **Purpose.**

The Council, as the Licensing Authority (the 'District Council') under the 1976 Act is responsible for licensing all Hackney Carriage and Private Hire Drivers pursuant to the above legislation operating within its area. In doing so the Council has a legal duty to ensure that all licensed drivers are 'Fit and Proper Persons' to apply for and continue to hold such a licence. This includes the power to refuse to grant a licence, suspend or revoke a licence where a driver is not deemed or no longer deemed to be 'Fit and Proper' where they have been convicted or cautioned for criminal and road traffic offences, and where 'other information' has been disclosed by the Police.

The purpose of this policy is to set out the new formal procedures for the Licensing Authority to operate a revised Disclosure and Barring Service processes in relation to:

- a) Application procedures for new applicants for Hackney Carriage and Private Hire Driver licenses.
- b) Application procedures for current Hackney Carriage and Private Hire Driver license.
- c) Disclosure and Barring Update Service
- d) DBS Certificates and Disputes

## **1. Guidance**

### **a) New Applicants**

The following procedure will apply to all new applicants for a Hackney Carriage or Private Hire Driver licence.

1. A DBS application form must be completed in full and signed by applicant.
2. At the time of the production of the DBS application form to the Licensing Office the applicant must produce relevant approved forms of identification as detailed in the **'GOV.UK' Disclosure and Barring Service (DBS) revised Identification checking guidelines v1.2 July 2014. See Annex B.**
3. If the applicants' identity cannot be verified through possession and or production of the relevant forms of identity documents required the application will not be accepted.
4. If the application form and documents are in order, then the Licensing Officer will check the DBS application form and the produced relevant forms of identification fully. If everything is in order the application form will then be checked by a 'Countersignatory' who will then sign the application form and send it to the Disclosure and Barring Service in Liverpool.
5. The Licensing Office will carry out a weekly check through the 'DBS On-Line Tracking Service' to establish if the DBS certificate has been issued to the applicant.
6. Once the issue of the DBS Certificate to the applicant has been confirmed, the Licensing Office will contact the applicant formally in writing that the original DBS Certificate must be produced in person to the Licensing Office within the DBS recommended 28 days of the date of issue. **(Copies of any form of the Certificate will not be accepted)**
7. Production of the DBS certificate must be by the applicant only UNLESS prior written, signed and dated authorisation is given by the applicant to the Licensing Office nominating another person to produce the DBS certificate on their behalf. The nominated person must bring photographic I.D. and the Licensing Team will hold the DBS certificate in their safe at the council offices until such time as the applicant attends to collect the certificate.
8. Failure by the applicant to produce the original certificate within the recommended 28 day period will result in the applicant having to make a new DBS application. The applicant **must register** their DBS certificate with the Update Service and maintain the registration for as long as they are licensed by Slough Borough Council.
9. *If all other requirements of the full driver application procedure have not been completed within (4) 6 months of the date of issue of the DBS Certificate, then a new DBS application will have to be submitted.*

#### **b) Current Licence Holders**

1. All current holders of Hackney Carriage and Private Hire Drivers Licenses must complete the DBS application form and procedure when next due i.e. at the approved 3 year period requirement.
2. When the renewal letter is sent out to the licence holder advising that a DBS check is also required, the licence holder will be provided with details of the voluntary DBS Update Service. A copy of the DBS Update Service - Introduction. **See C) below.**

3. At the time of the production of the DBS application form to the Licensing Office, the licence holder must produce relevant approved forms of identification as detailed in the **'GOV.UK' Disclosure and Barring Service (DBS) revised Identification checking guidelines v1.2 July 2014. See Annex B.**
4. If the application form and documents are in order, then the Licensing Officer will check the DBS application form and the produced relevant forms of identification fully. If everything is in order the application form will be then checked by a 'Countersignatory' who will then sign the application form and send it to the Disclosure and Barring Service in Liverpool.
5. The Licensing Office will carry out a weekly check through the 'DBS On-Line Tracking Service' to establish if the DBS certificate has been issued to the applicant.
6. Once the issue of the DBS Certificate to the Licence holder has been confirmed, the Licensing Office will contact the licence holder formally in writing that the original DBS Certificate must be produced in person to the Licensing Office within the DBS recommended 28 days of the date of issue. **(Copies of any form of the Certificate will not be accepted)**
7. Production of the DBS certificate must be by the applicant only UNLESS prior written, signed and dated authorisation is given by the applicant to the Licensing Office nominating another person to produce the DBS certificate on their behalf. The nominated person must bring photographic I.D. and the Licensing Team will hold the DBS certificate in their safe at the council offices until such time as the applicant attends to collect the certificate.
8. The applicant **must register** their DBS certificate with the Update Service and maintain the registration for as long as they are licensed by Slough Borough Council. Failure to do so will result in the licence being suspended.
9. If the original DBS Certificate is not produced as required in person within 28 days the licence holder will be **advised** formally in writing, that the Certificate **MUST** be produced within a further 28 days and that if the Certificate is still not produced within that period the Hackney Carriage or Private Hire Driver Licence will be suspended with immediate effect and until such time as the Certificate is produced.
10. The driver licence (Badge) must be returned to the Licensing Office within 7 days of the written notification.
11. Should the original DBS Certificate be produced within two months of the suspension starting the drivers licence will be immediately re-instated and the licence holder notified in writing that this is the case, and the licence (Badge) will be returned.
12. Failure to produce the DBS Certificate within two months of the suspension starting will result in the applicant submitting, and paying for, a new DBS application form and identification documents to the Licensing Office.
13. On receipt of the newest DBS Certificate within the prescribed timescales detailed in 6 and 7 above, subject to a satisfactory result,

- and on confirmation that the applicant has registered with the DBS Update Service the suspension will be lifted as detailed in 10 above.
14. Failure to maintain registration with the DBS Update Service will result in refusal to renew the licence (Badge) and the applicant submitting, and paying for, a new DBS application form and identification documents to the Licensing Office.
  15. On receipt of the newest DBS Certificate within the prescribed timescales detailed in 6 and 7 above, subject to a satisfactory result, and on confirmation that the applicant has registered with the DBS Update Service the licence renewal application process will recommence.
  16. DBS Update Service to be checked at the anniversary of the previous status check or at any time during the life of the licence on receipt of intelligence or complaints of a serious nature.
  17. Loss of original DBS certificate. Should a licensee fail to produce the original DBS certificate due to loss or misplacement, a new application must be made as detailed in b (above)

Note: The Council has resolved - That due to the need for urgent action to be taken as required, a delegation to the Council's Head of Consumer Protection and Business Compliance is conferred with the right to suspend a driver's licence on the basis of a failure to comply with the requirements of the DBS Policy, requiring the production of the original DBS Certificate.

#### **c) Disclosure and Barring Update Service**

1. All new applicants for and current licence holders of Hackney Carriage and Private Hire Driver licenses must subscribe to the voluntary DBS Update Service at a cost to the DBS of £13.00. **See the DBS Update Service - Introduction at Annex C.**
2. If the above subscription remains up to date, the licence holder will not be required to complete another DBS application form unless there are changes to the licensee's status.
3. If the applicant has subscribed with the 'Update Service', their subscription is up to date and written authorisation to do so has been given, the Licensing Authority can access the On-line Update Service to carry out a 'Status Check'. This can be done at any time.
4. If the subscription lapses, the next time a DBS check is required, i.e. the anniversary of the previous status check, a new DBS application must be completed and the full procedure followed as detailed in (b) above.
5. No fees are payable to Slough Borough Council once registered with the DBS Update Service unless notified of a status change as detailed in 2 and 4 above.

#### **d) DBS Certificate and Disputes**

This Registered Body / Licensing Team will work in accordance with the

Guidance issued by the DBS regarding entitlement for a copy of the DBS Certificate and any subsequent disputes as detailed below.

1. The DBS will no longer automatically issue a copy of the applicant's DBS Certificate to the Registered Body who countersigned the DBS application form. Employers will need to ask the applicant for sight of their original DBS Certificate.
  2. Registered Bodies will be entitled to ask the DBS for a copy of the applicant's DBS Certificate if all of the following conditions apply:
    - The individual is subscribed to the Update Service; and
    - The employer has carried out a Status Check which revealed a change to the DBS Certificate; and as a result
    - The individual has applied for a new DBS check as the result of a change to an existing DBS Certificate; and
    - The DBS issued the new DBS Certificate to the applicant more than 28 days ago; and
    - The applicant has not shown the employer their new DBS Certificate.
  3. If the individual has disputed the new DBS Certificate the DBS will not consider issuing a copy to the Registered Body until 28 days after the dispute is resolved.
  4. *(If the individual has disputed the new DBS Certificate the DBS will not consider issuing a copy to the Registered Body until 28 days after the dispute is resolved.)*
  5. If the individual has disputed the new DBS Certificate, and the dispute is 'not upheld', the Registered Body must wait until 28 days after the dispute resolution date before requesting a reprint. This is to give the applicant time to show the DBS Certificate to the Registered Body /employer.
  6. As the DBS will not inform the Registered Body of a dispute made by the applicant, it will be responsibility of the applicant / licence holder to notify the Licensing Team of any dispute within 28 days of the issue of the Certificate and to produce any supporting documentation from DBS confirming that a dispute has been lodged.
  7. It will also be the responsibility of the applicant / licence holder to inform the Licensing Team of the outcome of the dispute and also to produce any supporting documentation from the DBS that the dispute has been finalised.
  8. The applicant then has 28 days from the date of the dispute resolution to produce the original certificate to the Licensing Team, or 28 days from the issue of their new DBS certificate, dependant on the dispute outcome.
- 2. Disclosure and Barring Retention Policy - Handling of DBS Certificate Information**  
*(Secure storage, handling, use, retention and disposal of Disclosure and Barring Service (DBS) certificates and certificate information)*

It is a requirement of the Disclosure and Barring Service Code of Practice that all registered bodies must have a written policy on the correct handling and safekeeping of DBS certificate information. It also obliges Registered Bodies to ensure that a body or individual, on whose behalf they are countersigning applications, has a written policy. Therefore a new **Retention Policy** has been produced in accordance with the DBS Code of Practice, which is contained at **Annex D**.



## ANNEX A

- 1) A new DBS Update Service - Applicant Guide
- 2) A new DBS Update Service - Employer Guide
- 3) Changes to completion of the application form
- 4) The introduction of 'Applicant Only Certificates' and that the Licensing Authority will no longer be provided with a copy of the DBS Certificate
- 5) The Licensing Authority will now have to ask for sight of the 'original' certificate with 28 days of the date of issue (subject to exemption)
- 6) The **original certificate** must be seen and checked by the Licensing Authority for:
  - a) Confirmation of the applicants name and address to ensure that they are still current
  - b) The correct Certificate Number (for performing the on-line tracking service checks)
  - c) The 'Relevant Workforce'. For licensed drivers this is categorised as 'Other Workforce'
  - d) The 'Occupation'. For licensed drivers this will be 'Taxi Driver' for both Hackney Carriage and Private Hire drivers as defined as a Regulated Activity
  - e) The correct level of check which must be an 'Enhanced with Adult and Child Barred List Check' in accordance with the Police Act 1997 (Criminal Records) Regulations and as amended by The Protection of Freedoms Act 2012
  - f) The portability of the DBS Certificate. Portability only applies where the applicant has registered with the 'on-line service' and registration is still current
  - g) The introduction of the **mandatory registration** to the Update service' for the applicants at an annual cost of £13
  - h) If the applicant has registered with the 'Update Service', their subscription is up to date and written authorisation to do so has been given, the Licensing Authority can access the On-line Update Service to carry out a 'Status Check'. This can be done at any time. (See page 8 of 'The Employers Guide')
  - i) If the on-line registration lapses or is cancelled a new DBS application will have to be completed as detailed in **b)** above.
  - j) There is now a specific exemption under the amendments for 'Taxi Drivers' which legally entitles Licensing Authorities to know if the driver is listed on either the 'Child' or 'Adult' Barring Lists.

Note: In relation to (c) and (d) above these categories are both defined under the legislation as detailed in (e) above.

## **ANNEX B**

### **(New)**

#### **Identification checking guidelines**

##### **Changes to the list of documents the applicant must provide**

From the 1 July 2014 group 1 and 2a of the list of documents the applicant must provide is changing. Go to page 4 of this guide to see the new list of documents.

##### **Identification checking process**

The applicant must provide a range of ID documents as part of the DBS application process. Registered Bodies must:

- ☐ follow the three route ID checking process as outlined in the guidance using the list of groups 1, 2a and 2b documents.
- ☐ check and validate the information provided by the applicant on the application form/

continuation sheet.

- ☐ establish the true identity of the applicant through the examination of a range of documents as set out in this guidance.
- ☐ ensure that the applicant provides details of all names by which they have been known.
- ☐ ensure that the applicant provides details of all addresses where they have lived in the last five years.
- ☐ ensure that the application form is fully completed and the information it contains is accurate.

If there are any discrepancies in the information provided by the applicant and/or the identity documents supplied, and fraud is not suspected, please seek clarification from the applicant. Failure to do this may compromise the integrity of the DBS service and introduce risk into your recruitment or licensing arrangements.

Registered Bodies must not attempt to amend the application form without the applicant's knowledge and agreement, as it will invalidate the declaration by the applicant and may breach data protection legislation.

##### **Please note that:**

- ☐ you must only accept valid, current and original documentation.
- ☐ you must not accept photocopies.
- ☐ you must not accept documentation printed from the internet e.g. internet bank statements.

- Identity information for the applicant's name, date of birth and address recorded in section A and section B on the DBS application form must be validated.
  - you should in the first instance, seek documents with photographic identity (e.g. passport, new style driving licence, etc.) and for this to be compared against the applicant's likeness.
  - all documents must be in the applicant's current name as recorded in section A (see below for guidance on recent changes of name).
  - one document must confirm the applicant's date of birth as recorded in section A.
  - you must ensure that the applicant declares all previous change of name, and provides documentary proof to support the change of name. **If the applicant is unable to provide proof to support the change of name, you should hold a probing discussion with the applicant about the reasons why before considering to validate their identity.**
  - you must see at least one document to confirm the applicant's current address as recorded in Section B, in accordance with the guidance.
- 
- you must provide a full and continuous address history covering the last five years. Where possible you should seek documentation to confirm this address history.
  - you should cross-match the applicant's address history with any other information you have been provided with as part of the recruitment, such as their Curriculum Vitae (CV). This can highlight if an address has not been given e.g. if the applicant's CV shows that they have worked in Liverpool in the last five years, but the application form only shows London addresses, you may wish to question the applicant further about this.
  - a document from each of the groups should be included only once in the document count e.g. do not accept two bank statements as two of the required documents, if they are from the same bank.
  - you should not accept the foreign equivalent of an identity document if that document is listed as '(UK)' on the list of valid identity documents.

**When applying for Lead or Countersignatory status, at least one document must show the applicant's signature.**

### **What process should I follow to check an applicant's ID?**

You should follow the three routes as outlined below.

#### **Route One**

**All** applicants must initially be considered for route one.

Can the applicant produce a group 1 document? If yes, then the applicant must produce 3 documents:

- o 1 document from group 1 (**refer to list of valid identity documents**); and

o 2 further documents from group 1, 2a or 2b; one of which must verify their current address.

**If the applicant has satisfied this route, then the document check is complete. If the applicant cannot produce a group 1 document then go to route two.**

**NOTE – EEA Nationals (Non-UK):**

Where an EEA National has been resident in the UK for five years or less, the Registered Body should validate identity via route one through the checking of a current Passport or current UK Driving Licence (photo card only) plus 2 further documents.

In the absence of a group 1 document the Registered Body must satisfy themselves of a valid reason for using route two.

**NOTE - Non-EEA Nationals:**

All Non-EEA Nationals should be validated via **route one only**.

**Route Two**

The applicant must produce:

- o 3 documents from group 2 consisting of;
- ~ 1 document from group 2a; **and**

- ~ 2 further documents from group 2a or 2b; one of which must verify their current address.

**and**

o The organisation conducting the ID check will then need to ensure an appropriate external ID validation service is used to check the applicant against their records to establish the applicant's name and living history footprint.

**Please note: Full details of the external ID validation check are on pages 5, 6 and 7 of this guidance.**

If you have tried to use route two, but have been unable to validate the applicant's identity successfully, you may consider proceeding to route three.

**Please be advised that** route three should only be used in circumstances once you have fully explored with the applicant why their identity has not been successfully validated via routes one or two. To do this, you should hold a probing discussion with the applicant about the likely reasons why their identity has not been validated **before** considering using route three. You should keep a record of this discussion for internal purposes as it is the

Registered Body's responsibility to establish the true identity of the applicant through the examination of a range of documents as set out in this guidance.

Should you still be unable to validate the applicant's identity using routes one, two or three, then you should indicate this on the application form at Box W59 and return the form to the DBS. **The applicant will then need to be sent for fingerprinting by the Police, which you should be aware is likely to cause delay to the DBS application process and subsequently to your recruitment processes.**

### **Route Three**

**ALL Registered Bodies must have exhausted route one and should have endeavoured to have accessed an external validation check (route two) before you consider processing them through route three.**

If the applicant cannot meet the requirements of Route one and two, you should have had a probing discussion with them to establish why they could not meet these requirements and whether there has been a recent or previous change of name that has **not** been declared.

For route three, the applicant must produce:

- o Birth certificate (UK and Channel Islands) – (issued after the time of birth by the General Register Office/relevant authority i.e. Registrars – Photocopies are not acceptable) **and**
- ~ o 4 further documents from group 2 consisting of:
  - ~ 1 document from group 2a; **and**
  - ~ 3 further documents from group 2a or 2b; one of which must verify their current address.

**If the applicant fails to produce the required document set at route three, they will need to be sent for fingerprinting by the Police which you should be aware is likely to cause delay to the DBS application process and subsequently to your recruitment processes.**

### **What if I cannot establish the applicant's ID using one of the three routes?**

If you or your ID checker cannot establish an applicant's identity in accordance with DBS ID guidelines then you should mark W59 on the application form with a **NO**.

Applicants who are unable to provide the required documents will then be asked to give their consent to have their fingerprints taken in line with the current procedure. Registered Bodies should be aware that this will require attendance by the applicant at a Police station at an appointed time, and may add delay to the overall application process.

## Documents the applicant must provide

### Group 1: Primary identity documents

#### Document

Passport  
Biometric residence permit  
Current driving licence – photo card with counterpart where one is issued

Birth certificate – issued at time of birth

Adoption certificate

#### Notes

Any current and valid passport  
UK  
UK/Isle of Man/Channel Islands and EU (full or provisional)  
(Please note some European countries do not issue counterparts)  
All licences must be valid in line with current [DVLA](#) requirements  
UK and Channel Islands – including those issued by UK authorities overseas, eg embassies, High Commissions and HM Forces  
UK

### Group 2a: Trusted government documents

Current driving licence – photo card (where a counterpart has been issued but no counterpart is presented)  
Current driving licence – paper version

Birth certificate – issued after time of birth  
Marriage/civil partnership certificate  
HM Forces ID card  
Firearms licence

#### Notes

All countries (full or provisional)  
All licences must be valid in line with current [DVLA](#) requirements  
UK/Isle of Man/Channel Islands and EU (full or provisional).  
All licences must be valid in line with current [DVLA](#) requirements  
UK and Channel Islands  
UK and Channel Islands  
UK  
UK, Channel Islands and Isle of Man

## Group 2b: Financial and social history documents

	Notes	Issue date or validity
Mortgage statement	UK or EEA	Issued in last 12 months
Bank or building society statement	UK and Channel Islands or EEA	Issued in last 3 months
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK or EEA	Issued in last 3 months
Financial statement, e.g. pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Work permit or visa	UK	Valid up to expiry date
Letter of sponsorship from future employment provider	Non-UK or non-EEA only – valid only for applicants residing outside of the UK at time of application	Must still be valid
Utility bill	UK – not mobile telephone bill	Issued in last 3 months
Benefit statement, e.g. Child Benefit, Pension	UK	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, e.g. from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
EU National ID card		Must still be valid
Cards carrying the PASS accreditation logo	UK and Channel Islands	Must still be valid
Letter from head teacher or college principal	UK – for 16 to 19 year olds in full time education Only used in exceptional circumstances if other documents cannot be provided	

## External validation service

### What is an external ID validation check?

An external ID validation check is an alternative way of verifying the identity of an applicant. It will involve you providing an applicant's details (as presented on the application form) to your chosen supplier, who will compare the data you have obtained from the applicant against a range of independent, external data sources.

For the purposes of accessing DBS's services we request that Registered Bodies pursue a check that is aligned to the following standard:

□ LEVEL 2 (Remote) – as detailed in '[HMG's Minimum Requirements for the Verification of the Identity of Individuals/Version 2.0/January 2003](#)'.

This document was produced by The Cabinet Office and provides guidelines for verifying the identity of individuals, prior to granting access to government services. A 'Level 2 (Remote)' check provides **substantial assurance** that the registrant's real world identity is verified.

It is important to note that standards set out within 'HMG's Minimum Requirements' are widely acknowledged within the ID checking industry. Countersignatories will not be required to have any in-depth knowledge of what a 'Level 2' check involves. Those organisations who provide the check, will be in a position to give an assurance that they comply with the standards described within the guidance.

### How can I access an external ID validation check?

There are a large number of suppliers that may be able to perform a check for you to the required standard. We would recommend that Registered Bodies begin their enquiries by performing an internet search e.g. UK search for 'Identity Validation'.

We are aware that Call Credit Group, Equifax, Experian, and GB Group are working towards the provision of ID validation services tailored for DBS purposes.

Registration to access an external ID validation service may differ for each supplier. We would encourage you to discuss your requirements with more than one supplier to gain access to checks in the most appropriate way for your organisation and to agree charges.

### How do I decide whether an applicant has passed or failed an external ID validation check?

You should specify when sourcing a potential ID validation supplier that a 'PASS/FAIL' decision is required as part of the check that you request.



Dependent on the result, you will then either authenticate the applicant or consider moving to route three of the process.

### **Easy five-step guide to accessing an external ID validation check**

The following provides general information on how to access a suitable external ID validation check. This is provided as a guide and is not exhaustive.

#### **Step 1**

Research suppliers that provide an ID validation service (i.e. through use of an internet search engine – entering wording like ‘ID verification’ should return a number of suppliers websites). You should read the general information provided by these suppliers regarding the type of services they provide before deciding whether to contact them.

#### **Step 2**

Once you have identified a suitable supplier, you should make contact using the telephone number or email address provided on their website. Use the following requirements in your discussions to ascertain whether the supplier can provide an ID check that is suitable for DBS purposes:

We require an ID validation check which:

- ☐ complies with the standards set out in Level 2 (remote) of ‘HMG's Minimum Requirements for the Verification of the Identity of Individuals/Version 2.0/January 2003’.
- ☐ provides a straightforward PASS/FAIL result (some suppliers may return a score or a percentage, neither of which are acceptable).
- ☐ provides a hard copy or printable result page.

#### **Step 3**

If the ID validation supplier can meet the above requirements; you should then gather further information by asking questions such as:

- ☐ can you perform this type of check now, or is the service still in development?
- ☐ how much will it cost?
- ☐ how do I register with you?
- ☐ what are the payment methods and processes?
- ☐ what are your terms and conditions?

#### **Step 4**

You may wish to contact a number of ID validation suppliers to establish which is best suited to your requirements.

## **Step 5**

Start conducting external ID validation checks on applicants to establish their identity.

The process of accessing an external ID check supplier should only need to be conducted once. Once you have identified a suitable supplier there should be no need to source an alternative, unless you decide the service is unsatisfactory.

### **What if the applicant has been adopted?**

Registered Bodies should inform applicants that if they were adopted before the age of 10, they do not need to provide their surname at birth in section A of the DBS application form, they should give their adoptive name in this section.

This is because the age of criminal responsibility is deemed to be 10 years, under the Children and Young Persons Act 1933, Chapter 12, Section 50. This means that there is no possibility that an individual could have a criminal record in a name that was used until the age of 10.

### **The DBS paper application form can only hold three name changes, what do I do for applicants who have changed their name more than three times?**

In these instances, you must return a [continuation sheet](#) with the application form.

### **How can I check driving licences?**

Do not accept licenses, other than those stated in the list of valid identity documents. English, Welsh and Scottish driving licence numbers contain information about the applicant's name, sex and date of birth. This information is written in a special format but can be gleaned and matched against the information provided by the applicant in Section A.

Please note that the date of birth on English, Welsh and Scottish driving licences, issued before 1977, is not recorded as a separate entry on the licence. The date of birth can be deciphered from the driving licence number and checked against the date of birth field on the application form.

For example the format of the number for Christine Josephine Robinson, born 2 July 1975

ROBIN 757025 CJ99901  
NNNNN YMMDDY IICCCCC

□ N = 1st five letters of the surname (if the surname begins MAC or MC it is treated as MC for all).

- ☐ Y = YEAR of birth.
- ☐ M = MONTH of birth (In the case of a female, the number represented by the first M will have the value 5 added to the first digit e.g. a female born in November (i.e. 11) would display '61' in the MM boxes or if born in February (i.e. 02) would display '52').
- ☐ D = DAY of month of birth.
- ☐ I = Initial letter of the first two forenames - if only one, then 9 will replace the second letter. If the licence indicates that the applicant has a middle name, ensure that one has been provided in Section A.
- ☐ C = Computer generated.

Please note, for Northern Ireland; Isle of Man and Jersey driving licences the licence number is in a different format. The licence number is unique to the driver and the 'name' or 'date of birth' validation, as shown above, cannot be used.

### **What should a Registered Body do if they suspect false identity or documents?**

If you suspect that you have been presented with a false identity or documents at the time of application, do not proceed with the application process.

- ☐ To report suspected identity fraud see the [Action Fraud](#) website
- ☐ For further information on identity fraud [click here](#)
- ☐ If you suspect identity fraud once a DBS check has been submitted, you must contact the DBS.

You are also advised that under Section 8 of the Asylum and Immigration Act 1996 all employers in the United Kingdom are required to make basic document checks to help prevent anyone from working illegally. By carrying out checks employers will be able to establish a defence for themselves if any of their employees are found to be working illegally at a later date.

Further details are available on the [UK visas and immigration website](#) and the employer helpline on 0845 010 6677.

The following guidance applies to individuals applying for a DBS check and those applying for Lead or Countersignatory status.

### **How do I check for indicators of fraud?**

Always check for signs of tampering when checking identity documents. Documents should be queried if they display any signs of damage, especially in the areas of personal details such as the name and the photograph. The following guidelines should help you look out for any suspicious signs when authenticating documents.

## **Checking a passport**

Check the general quality and condition of the passport. Treat it with suspicion if it is excessively damaged; accidental damage is often used to conceal tampering. Photographs should be examined closely for signs of damage to the laminate or for excessive glue or slitting of the laminate; these signs would indicate photo substitution. If the photograph appears excessively large, this might indicate an attempt to hide another photograph underneath. There should also be an embossed strip embedded into the laminate, which will catch a portion of the photograph.

Check there is no damage to this area. If the passport is from a foreign national, you can still follow the same general procedures as above.

Her Majesty's Passport Office have produced a guide to be used when [checking passports for identification](#)

## **Checking a photo driving licence**

Examine the licence for evidence of photo tampering or any amendment of the printed details.

## **Checking an old style driving licence (no photograph)**

Remove the document from the plastic wallet and check that it is printed on both sides. It should have a watermark visible by holding the licence up to the light and there should be no punctuation marks in the name or address. The 'Valid To' date should be the day before the bearer's 70th birthday (unless the bearer is already over 70). The 'Valid To' date can therefore be cross-referenced with the applicant's date of birth detailed in Section A.

## **Checking a birth certificate**

Birth certificates are not evidence of identity, and are easily obtained. Although certificates issued at the time of birth may give more confidence that it belongs to the individual, unlike a recently issued certificate they will not show if any information has been corrected or superseded by a new registration.

Check the quality of paper used; genuine certificates use a high grade. There should be a watermark visible when the document is held up to the light. Any signs of smoothness on the surface would indicate that original text might have been washed or rubbed away. There should be no signs of tampering, changes using liquid paper, overwriting or spelling mistakes.

The following list provides some general information about certificate completion which may help to establish whether the certificate and/or the details have been falsified. This is provided solely as a guide and is not exhaustive:

- ☐ the certificate format used should be appropriate for the year of registration.
- ☐ only the surname should be entered in upper case, not the forename(s).
- ☐ dates of birth should be shown with the day and month in words and the year in figures.

The following information might indicate that the certificate has been altered:

- ☐ spacing between falsely added particulars might be irregular compared to original information. 'Thick' or 'thin' spacing might infer particulars have been added.
- ☐ false particulars might not have been aligned with other words.
- ☐ characters may not be of the same size or shape with the rest of the particulars.
- ☐ movement of handwriting may look mechanical and does not flow with the rest of the particulars.
- ☐ changes might not be consistent e.g. parents' surnames might be altered, but not the signatures.
- ☐ the area around falsely added or removed particulars may react differently under an ultra violet light i.e. show signs of staining. In addition, such areas of paper may appear thinner where the paper fibres have been disturbed by abrasion.

For more information on checking birth certificates, please refer to Her Majesty's Passport Office document [General Register Office guide to birth certificates](#).

### **Checking an EU photo identity card**

Examine the card for evidence of photo tampering or any amendment of the printed details.

### **Checking an HM Forces ID card**

Examine the card for evidence of photo tampering or any amendment of the printed details.

### **Checking a firearms licence**

Check the licence is printed on blue security paper with a Royal crest watermark and a faint pattern stating the words 'Home Office'. Examine the licence for evidence of photo tampering or any amendment of the printed details, which should include home address and date of birth. The licence should be signed by the holder and bear the authorising signature of the chief of police for the area in which they live, or normally a person to whom his authority has been delegated.

## **Checking a biometric residence permit**

To view the features of a permit and how to check them follow [this link](#).

## **Other forms of identification**

Ensure all letters and statements are recent, i.e. within a three month period. Do not accept documentation printed from the internet. Check letter headed paper is used, bank headers are correct and all documentation looks genuine. The address should be cross-referenced with that quoted in Section B.

## **Where to go for help**

The PRADO website is provided by the Council of European Union. Employers are able to use this website to identify the basic safeguards contained in European documents and a few more other nationality documents. [The Public Register of Authentic Identity and Travel Documents Online](#) (PRADO website)

## ANNEX C

### DBS UPDATE SERVICE - INTRODUCTION

From 17 June 2013, you can subscribe to the new Update Service when you next apply for a DBS check, and you may never need to apply for another one again.

#### What is the DBS Update Service?

For a small annual subscription of just £13 (free for volunteers) you can have your DBS Certificate kept up-to-date and take it with you from role to role, within the same workforce, where the same type and level of check is required. By subscribing to the new service you could save yourself a lot of time and money depending upon how many DBS checks you have needed in the past.

#### How do you access the Update Service?

From 17 June 2013 you will be able to join the Update Service online at [www.gov.uk/dbs-update-service](http://www.gov.uk/dbs-update-service).

Subscribing online is quick and simple. Just enter your application form or DBS Certificate number, name, date of birth and address and pay the subscription fee securely from your account. When your subscription is confirmed you then start to see the benefits of this new service.

#### Benefits to you

- Saves you time and money.
- One DBS Certificate is all you may ever need.
- Take your DBS Certificate from role to role within the same workforce.
- You are in control of your DBS Certificate.
- Get ahead of the rest and apply for jobs DBS pre-checked.

#### Benefits to your employer

- Instant online checks of DBS Certificates.
- No more DBS application forms to fill in.
- You may never need to apply for another DBS check for an employee again.
- Less bureaucracy.
- Saves you time and money.
- Enhances your safeguarding processes and may help to reduce your risks.

- Easy to incorporate into your existing suitability decision-making processes.

## **What else you need to know**

To coincide with the launch of the Update Service the DBS will no longer automatically issue a copy of your DBS Certificate to the Registered Body who countersign your DBS application form. Employers will need to ask you for sight of your DBS Certificate. This is to give you greater control over your information.

## **Further information**

You can also find further information at [www.gov.uk/dbs](https://www.gov.uk/dbs)



## **ANNEX D**

# **Handling of DBS certificate information**

### **Secure storage, handling, use, retention and disposal of Disclosure and Barring Service (DBS) certificates and certificate information**

It is a requirement of the Disclosure and Barring Service code of practice that all registered bodies must have a written policy on the correct handling and safekeeping of DBS certificate information. It also obliges registered bodies to ensure that a body or individual, on whose behalf they are countersigning applications, has a written policy.

### **Licensing Service Policy Statement**

#### **General principles**

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, Slough Borough Council complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

#### **Storage and access**

Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

#### **Handling**

In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

## **Usage**

Certificate information is only for the specific purpose for which it was requested and for which the applicant's full consent has been given.

## **Retention**

Once an application requiring a DBS Certificate has been determined, we do not keep certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

## **Disposal**

Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the decision taken.