

ESFRS Manual Note

DBS & NON-POLICE PERSONNEL VETTING, (NPPV), POLICY

document control

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Related documents	
Rehabilitation of Offenders Act 1974 GDPR Act 2018 Data Protection Act 1998 Human Rights Act 1998 Protection of Children Act 1999 Care Standards Act 2000 Criminal Justice and Court Services Act 2000 Education Act 2002 Safeguarding Vulnerable Groups Act 2006 Bribery Act 2010 Protection of Freedoms Act 2012 Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 Police Act 1997 (Criminal Records) Regulations 2002 Safer Recruitment Manual Note Safeguarding Manual Note DBS Code of Practice College of Policing, Vetting Code of Practice Sussex Police Vetting Process	

ESFRS Manual Note

HR02_04_V4 - Page No.2

Related manuals	
Disciplinary Procedure	
Resourcing Procedure	
Dignity & Respect, (Identification at Work), Manual	
Data Protection Manual Note	
Recruitment of Ex-Offenders Policy	

ESFRS Manual Note

HR02_04_V4 - Page No.3

Index

1	Summary	4
1.3	Recruitment of Ex-Offenders	4
2	Employee / Volunteer Responsibility.....	6
2.2	Levels of DBS & NPPV Checks.....	6
2.3	Employee & Volunteer Expected Standards	7
2.4	Reporting of Events which may Affect Clearance Status	8
2.5	The Duty of Notification	9
2.6	Clearance	10
2.7	DBS.....	10
2.8	Non-Police Personnel vetting, (NPPV).....	11
2.9	Shared Head Quarters, (SHQ)	12
2.10	Umbrella Body	12
3	Procedure.....	14
3.3	Sensitive Applications.....	14
3.4	Regulated Activities	14
3.5	NPPV Checks & Levels	15
3.6	Disclosure	16
3.7	Reported adverse DBS Check Internal Process for Incumbent Staff	16
4	Appendices	18
	Appendix A – DBS & NPPV Guidance Statement	19
	Appendix B - Positive Disclosure (DBS) Risk Assessment	20
	Appendix C – Examples of ESFRS Roles (not exhaustive), which Include Regulated Activity...29	
	Appendix D - ESFRS/FBU Vetting Agreement	30
	Appendix E - Equality Impact Analysis Record (Inclusion Risk and Benefits).....	31

ESFRS Manual Note

HR02_04_V4 - Page No.4

summary

1 Summary

1.1 This Policy contains information relating to ESFRS DBS & Vetting requirements for personnel permanent or temporary, (including, agency workers, volunteers, contractors, and other such designated service providers), where they fall within the scope of this policy. The aim of the policy is to provide specific guidance as to the application of the procedures where a DBS or Vetting process is required by ESFRS and provide assurance of compliance with ESFRS policies, procedures, and legislation, including the DBS Code of Practice & GDPR Data Protection Act 2018. Further information is available at: www.gov.uk & www.ico.org.uk

1.2 This policy should be utilised with the 'Recruitment of Ex-offenders' policy, Resourcing Policy and other relevant policies.

1.3 Recruitment of Ex-Offenders

1.3.1 ESFRS has a written statement relating directly to the recruitment of ex-offenders, which is available to view on the ESFRS website. For further information about the Recruitment of Ex-offenders, please refer to The Recruitment of Ex-offenders Manual Note.

1.3.2 Additionally, applicants will be notified at the start of the recruitment process, on which clearances are required for the role of that they are applying for. This applies to internal and external recruitment processes.

1.3.3 East Sussex Fire & Rescue Service (ESFRS) aims to promote equality of opportunity for all with the right mix of talent, skills and potential. An individual's criminal record will be considered for these purposes only when the conviction is relevant. Unless the nature of the work demands it, employees and volunteers will not normally be asked to

ESFRS Manual Note

HR02_04_V4 - Page No.5

summary

disclose convictions which are 'spent' under the Rehabilitation of Offenders Act 1974. Having an 'unspent' conviction should not necessarily bar them from employment. However, this will depend on the circumstances and background to the offence(s).

- 1.3.4 The Fire Authority comply with the Rehabilitation of Offenders Act 1975 and recognise the difference between 'spent' and 'unspent' convictions. However, there are some convictions which, whatever the circumstances of the case, will automatically bar an individual from employment with ESFRS, or within certain roles in the organisation.

For additional information, please refer to: www.gov.uk or refer to Appendix A.

ESFRS Manual Note

HR02_04_V4 - Page No.6

policy

2 Employee / Volunteer Responsibility

2.1 It is the responsibility of ESFRS to ensure that all personnel, (including volunteers), as described in the summary section have suitable clearances to undertake the role(s) and work they are appointed to, by undertaking appropriate DBS (Disclosure & Barring Service) and Non-Police Personnel Vetting (NPPV), clearances. Example of ESFRS roles and the appropriate level of DBS and/ or NPPV vetting is provided in Appendix B.

2.2 Levels of DBS & NPPV Checks

2.2.1 DBS checks & NPPV checks will need to be renewed in accordance with this policy as follows:

- **Basic DBS** - will now be removed as check that ESFRS conducts and all staff previously checked at this level will now undergo a Standard DBS Check.
- **Standard DBS** – is an in-depth criminal record check used by employers on behalf of applicants to ensure they are suitable for the role in question. It can only be requested by employers. This will include paid staff and volunteers.

2.2.2 At this level, the check shows information of all cautions, warnings and reprimands a person has. It will also surface any unspent convictions held on a person's criminal record in England and Wales as well as convictions in Scotland and Northern Ireland.

2.2.3 The Standard DBS Check is required for lawyers, accountants, prison workers and other positions of high responsibility – specifically any role or duty that is listed under the **Rehabilitation of Offenders ACT (ROA) 197 (Exceptions) Order 1975**. All Fire & Rescue Services employees are now included in this act.

2.2.4 This level of check will also ensure that no employees or candidates have no prior offenses, such as fraud or financial misconduct.

policy

- **Enhanced DBS Checks (with or without barred list as required)** – this level of check is specifically available for roles with duties that are listed in both the **Rehabilitation of Offenders ACT (ROA) 197 (Exceptions) Order 1975** and the Police Act 1997 (Criminal Records) regulations. This will typically include roles that require an organisation wide senior level of management responsibility or roles that involve working alone with children.

2.2.5 If an Enhanced DBS Check with Barred List is requested this will provide the employer with information on whether a candidate or employee is included in the Children's Barred List or Adults First List. This will ensure that the individual undergoing this level of check is not barred from working with vulnerable groups, which can include children and vulnerable adults. This can only be requested if the candidate or employee will be involved in regulated activity.

- **NPPV Clearance-** every 3 years, (only relevant to personnel based at SHQ Lewes due to sharing the facilities with the Sussex Police Force).

2.3 Employee & Volunteer Expected Standards

2.3.1 This section is relevant to all employees & volunteers, (regardless of the DBS/ Vetting required for their role at ESFRS) and therefore, it is the responsibility of all employees, to ensure that:

- their behaviour is always appropriate and in compliance with all relevant policies, (including the Dignity & Respect & Resourcing Manual notes).
- they observe Service policy, procedures, and codes of practice for safeguarding & protecting vulnerable groups, (PVG); and ensure that all mandatory training is kept up to date

policy

- they follow Service policy, procedures and codes of practice following suspicion, disclosure, or allegation of inappropriate behaviour; and
- must immediately report to the Assistant Director of People Services, if they become subject to any criminal investigations, (including all motoring offences, such as, but not limited to speeding). Parking offences are generally excluded, although it is the employee's responsibility to seek advice from the HR Team, to confirm this, if there is any doubt. And
- must be aware of and comply with the information provided in the 'Reporting of Events which may Affect Clearance,' (Section 2)

2.4 Reporting of Events which may Affect Clearance Status

- 2.4.1 All employees, (includes volunteers), are required to ensure that the HR & OD Manager and/or HR Business Partner is advised of any conviction or caution received since their last check DBS check by the Service, or any potential conviction which the Service should know about which may, if made public, potentially damage the Service's reputation. Confidential advice should be sought from the HR & OD Manager and/or HR Business Partner by employees or volunteers in this position. Full details of Notification of Criminal Investigations are laid out in the Disciplinary Procedure.
- 2.4.2 Advised that they are under investigation for a criminal act, (including road traffic offences); or
- Arrested, convicted, or cautioned in connection with a criminal act; or
 - Notified that criminal charges against them are being considered; or
 - Required because of pleading guilty of an offence, to attend a formal meeting with the Police to be cautioned as an alternative to appearing in court.
 - In receipt of a summons to appear before a Court of Law for an alleged offence

ESFRS Manual Note

HR02_04_V4 - Page No.9

policy

- 2.4.3 The employee, (or volunteer), will submit a written report and provide the following details about the nature of the charges/ caution or investigation:
- 2.4.4 Details of the name of the Court venue, and the time and the place of the Court hearing
- The alleged offences, and relevant dates of the offence/s
 - Confirmation of if the employee was on or off duty when the alleged offence occurred
 - The employee should do this as soon as they receive notice of any such
 - Court hearing.
- 2.4.5 Failure to notify the HR & OD Manager, of any of the above may result in disciplinary action being taken against the employee.
- 2.4.6 Full details of Notification of Criminal Investigations are laid out in the Disciplinary Procedure Manual Note.

2.5 The Duty of Notification

- 2.5.1 If an employee or volunteer is charged with or convicted of a criminal offence this is not normally in itself reason for disciplinary action. Consideration will be given to what effect the charge or conviction has on the employee's suitability to do the job and the relationship with the employer, work colleagues, community and partners and public interest/reputational damage. ESFRS has the right to decide in these circumstances based on all the facts following a full risk assessment being undertaken and if required any investigation in line with disciplinary procedures.

policy

2.6 Clearance

- 2.6.1 Clearance checks provide criminal record information about (spent or unspent), criminal offence(s) and/or conviction(s), held about an individual. In addition to, police records which include cautions, reprimands and final warnings based on the seriousness of the offences. The level of information disclosed, depends on the level of the check carried out. The purpose of disclosure is to facilitate safe recruitment and retention decisions for safeguarding purposes and assists in the prevention of unsuitable people having access to jobs and positions that provide opportunity to harm children and vulnerable groups. It provides information to help ESFRS make more informed decisions about the suitability of those seeking work or working in positions of trust. A risk assessment (form), should be used to carry out a full risk assessment where a Positive Disclosure has been received, in accordance with the directions contained in Appendices B & C.

2.7 DBS

- 2.7.1 Where recruiting people from overseas or who have lived overseas for more than one year (within the past 5 years), this check will be carried out for ESFRS by East Sussex County Council, (the 'umbrella body').
- 2.7.2 If the applicant has spent time living outside the UK, then a DBS check may not yield a full picture of their criminal history, as convictions that happen outside the UK are unlikely to be recorded on the UK Police National Computer, and the DBS is unable to access criminal records held overseas. Therefore, if an applicant has spent time living overseas, or has only recently moved to the UK, then ESFRS will aim to obtain a criminal record check from the country they've been living in, as well as the country, they are currently living in.

ESFRS Manual Note

HR02_04_V4 - Page No.11

policy

- 2.7.3 When considering an application from an existing staff member for extended leave to visit a foreign country, managers should ensure they are aware that they will need to obtain an overseas check should they be away more than 3 months.

2.8 Non-Police Personnel vetting, (NPPV)

- 2.8.1 This security check is at a higher level, than a DBS check and includes the requirement for the following successful clearances: Police National Computer, (PNC), Police National Database, (PND), Special Branch Terrorism, (SB) and a financial check, (Experian). The NPPV assesses the honesty, integrity and reliability, and the overall suitability for clearance of anyone other than police officers, police staff and members of the special constabulary, who have unsupervised physical or remote access to any of the following:

- Police premises, (including SHQ)
- Information, (including shared service occupational health data)
- Intelligence, (including 3rd party)
- Financial or operational assets
- Corporate databases, (MRI etc.)
- Data networks or hard copy material, (including IT contractors i.e., 'Telent.')

- 2.8.2 The level of vetting provided will be to the standard set out in the Vetting Code of Practice and further information can be located at:

www.assets.publishingservice.gov.uk

Please Note - to complete the vetting process, candidates must have 3 years UK residency to ensure that all applicants have a checkable history

ESFRS Manual Note

HR02_04_V4 - Page No.12

policy

2.9 Shared Head Quarters, (SHQ)

- 2.9.1 ESFRS & Sussex Police have a joint Head Quarters (SHQ), at Church Lane, Lewes, East Sussex, therefore, NPPV vetting applies to personnel based at this location. The NPPV procedure serves to reduce the risks of unauthorised disclosure or loss of sensitive police assets. Where an employee working at Shared Head Quarters (SHQ), Lewes, needs a DBS renewal check, this will default to a NPPV check, (as described in 2.4). When an employee, moves to a role outside of the SHQ, Lewes, location, an update to the NPPV is not required and will require only a DBS check by default.
- 2.9.2 ESFRS applicants whose role has been identified as requiring DBS or NPPV clearance, will be advised within their conditional offer of employment letter. The offer of employment will be made subject to satisfactory disclosure being received. In the interim, the Line Manager should ensure that there is no contact with children or vulnerable groups in the course of their duties and that personnel who have not passed a satisfactory, (NPPV), check is accompanied by an ESFRS or Police authorised staff member to enter Lewes SHQ, as per the NPPV Policy. Notification of a change of circumstances (i.e., a change of partner, change of address etc.), should be communicated directly to by the employee promptly.

2.10 Umbrella Body

- 2.10.1 As an organisation assessing applicants' suitability for positions, ESFRS uses the Disclosure and Barring Service (DBS), with East Sussex County Council and the external company Experian (as umbrella body) & Police Vetting for the processing and management of its DBS & Vetting applications.
- 2.10.2 If an organisation requires regular DBS checks to be undertaken on its staff/employees/volunteers and does not reach the minimum number of DBS checks

ESFRS Manual Note

HR02_04_V4 - Page No.13

policy

each year to meet the requirements for becoming a Registered Body, they can access the DBS Disclosure service through an Umbrella Body.

- 2.10.3 The 'umbrella body' refers to a registered body which countersigns applications and receives disclosure information on behalf of other employers or recruiting organisations.
- 2.10.4 ESFRS will take all reasonable steps to satisfy that the umbrella body will in full compliance with the [code of practice](#) and in accordance with this policy.
- 2.10.5 ESFRS will also ensure that any registered body or individual, at whose request applications for DBS certificates are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

procedure

3 Procedure

3.1 This identifies ESFRS roles and or activities that require clearances, this will include the reassessment of existing roles, transfers, promotions, secondments, location changes, fixed term contracts (temporary or permanent), and others now that there is a requirement under the **Rehabilitation of Offenders ACT (ROA) 197 (Exceptions) Order 1975** for the Service to request the employee or volunteer to submit a disclosure application. In line with NFCC recommendations ESFRS will now conduct a refresher DBS check every three years for all employees and every year for all volunteers who work with Children.

3.2 When a clearance check is due for renewal, this may trigger a requirement for a different type or level of clearance. The requirement for additional clearances, should be noted within any job vacancy, authorisation to recruit (including for internal vacancies), and PCF (further information is available within the 'Resourcing,' Manual Note.)

3.3 Sensitive Applications

3.3.1 The sensitive applications route gives provides advice to applicants who have a previous identity that they do not wish to be disclosed on their DBS certificate. For further information about the sensitive applications route please refer to:
www.gov.uk/guidance/transgender-applications

3.4 Regulated Activities

3.4.1 The UK Government describes regulated activity as 'work that a barred person must not do'. However, it excludes any activity carried out during family relationships and personal, non-commercial relationships.

procedure

- 3.4.2 These roles will also be exempt from the Rehabilitation of Offenders Act 1974, which can be read in full at: www.gov.uk Examples of ESFRS roles which include regulated activity, are included in Appendix B.

3.5 NPPV Checks & Levels

- 3.5.1 NPPV for ESFRS staff is undertaken by Surrey & Sussex Joint Force Vetting Unit (JFVU), in line with the Sussex Police Force Vetting Policy, legal framework and requirements of the College of Policing (CoP) Vetting Code of Practice and the Authorised Professional Practice (APP).
- 3.5.2 Please refer to: www.assets.publishing.service.gov.uk Disclosures will be managed in accordance with the above. Having completed all vetting checks and enquiries, the JFVU will evaluate the information collated and decide as to the outcome of a vetting clearance. Once a decision has been made, ESFRS HR department will be notified.
- **Level 1, (Limited Access)**, applies to those individuals who have unsupervised access to premises on an ad hoc and irregular basis, but with no access to police information, systems, or hard copy material. In main, this applies to, manual or utility workers, such as plumbers, electricians etc. Those individuals for whom Level 1 clearance applies, will be vetted under the minimum standard requirement: PNC/INI/ local intelligence and other 'non conviction' data bases, including Special Branch.
Level 2, (Unsupervised Access), applies to those individuals who have frequent and regular unsupervised access to police information, systems, or hard copy material.
 - In the main, this applies to all ESFRS staff who work from shared headquarters, (SHQ). Individuals for whom Level 2 clearance applies will be vetted under the minimum standard requirement: PNC/INI/local intelligence and other non-conviction databases, including Special Branch. In addition, spouse/partner and

procedure

co-resident checks will be undertaken and military and professional standards checks, and credit reference checks will also be undertaken if required

- **Level 3, IT support organisation contractors** 'Telent' must be NPPV level 3 and SC, (higher level security clearance) vetted, they will liaise with SXP IT Service Desk, before entering sites.

3.6 Disclosure

- 3.6.1 Disclosure information resulting from DBS & umbrella body checks will be managed in compliance with the DBS Code of Practice. Refer to www.gov.uk for the full document. Where any NPPV or DBS clearance check is completed for personnel, (including volunteers), this will be recorded within the Fire Watch data management system, against the employee record, including unique disclosure number, date the disclosure was issued, level of disclosure, status & renewal date for enhanced checks.
- 3.6.2 Where content is revealed by a clearance check, the information will be kept for in accordance with the ESFRS Retention Schedule and in line with the Data Protection Policy. ESFRS is required to make a report to the Disclosure and Barring Service (DBS) when a person is dismissed in relation to misconduct involving children or vulnerable adults.
- 3.6.3 Any warning issued to an employee or volunteer because of misconduct involving children or vulnerable adults will remain permanently on the employee's or volunteer's Personal Record File (PRF).

3.7 Reported adverse DBS Check Internal Process for Incumbent Staff

- 3.7.1 Following the requirement to now refresh all incumbent staff and volunteer DBS Checks (every year or every three years as required) the internal process to address any adverse returns from DBS checks of offenses not reported is as follows:

ESFRS Manual Note

HR02_04_V4 - Page No.17

procedure

- A Positive Disclosure Risk Assessment will be conducted by the line manager.
- This risk assessment will then be passed to the appropriate HR Business Partner who will assess against the DBS Code of Conduct (Appendix B) and Rehabilitation Periods Table (Appendix C) and make a recommendation as to whether or not the matter should be progressed to a disciplinary investigation to the HR & OD Manager.
- If it is found that a disciplinary investigation is not required an informal warning may still be placed on the employee's file for failure to report the offense which resulted in the adverse DBS check being returned. A recommendation will be made by the HR&OD Manager and submitted to the People Services, Assistant Director for agreement. All decisions made will undergo the Quality & Assurance process by the Senior Investigation Officer, the DCFO.
- If a disciplinary investigation is required then this will take place in accordance with the disciplinary process.

ESFRS Manual Note

HR02_04_V4 - Page No.18

appendices

4 Appendices

Appendix A	DBS & NPPV Guidance Statement
Appendix B	ESFRS Positive Disclosure (DBS) Risk Assessment
Appendix C	Examples of ESFRS Roles (not exhaustive), which Include Regulated Activity
Appendix D	ESFRS/FBU Vetting Agreement
Appendix E	EQiA Impact Assessment

Appendix A – DBS & NPPV Guidance Statement

When using this risk assessment, you should consider the main principles (among others that may be relevant) to ensure an appropriate and proportionate approach is taken. The National Fire Chiefs Council (NFCC) and Fire and Rescue Authorities (FRAs) are committed to support the rehabilitation into employment of reformed ex-offenders who have stayed on the right side of the law.

Fire and rescue services are also organisations committed to public safety. Therefore, the potential risks to public safety identified through a DBS check must be carefully evaluated and appropriately mitigated.

[The Public Sector Equality Duty](#) requires that we should seek to eliminate discrimination, advance equality of opportunity, and foster good relations between people with protected characteristics. We recommend that services collect and analyse data on any actions agreed through these risk assessments so any discriminatory impacts can be mitigated.

Efficiency and effectiveness are key elements of services achieving value for money. In adhering to this principle, you should consider the need to expeditiously make any considerations relating to risk ensuring, for example, that recruitment is not delayed, and unnecessary costs are not incurred.

Under the Rehabilitation of Offenders Act 1974, following a specified period of time which varies according to the disposal administered or sentence passed, all cautions and convictions (except those resulting in prison sentences of over 30 months) are regarded as 'spent'. As a result, the offender is regarded as 'rehabilitated'. For most purposes, the Act treats a rehabilitated person as if they had never committed an offence and, as such, they are not obliged to declare their caution(s) or conviction(s), for example, when applying for employment or insurance.

All individuals have a right to a private life which should not be interfered with except, for example, where in the interests of public safety. You should, for example, limit the circulation of information regarding a positive disclosure to a need-to-know basis only.



Appendix B - Positive Disclosure (DBS) Risk Assessment

The ESFRS Positive Disclosure Risk Assessment Guidance should be read in conjunction with completing this template.

Name of Individual:		Date of Birth:	
Address:			
Post Held or Post Applied for:		Service Area:	
HR Professional contact name:			
Safeguarding Professional contact name:			

Assessment of risk

The Disclosure and Barring Service (DBS) barred lists are designed to prevent unsuitable people from entering the workforce – it is an offence to employ a person to do work with children or vulnerable adults if they have been barred from doing so.

Does this person appear on the DBS barred list, yes or no? If the answer is **yes**, then the appointment is automatically unlawful, and the person **must not** be appointed to the post.

You **do not** need to complete the Decision Record Sheet for external applicants.

You may wish to continue for internal applicants to support decision making about suitability for different or adapted roles to demonstrate our commitment in relation to the Rehabilitation of Offenders.

This risk assessment is based on the principles of OASys but adapted for our audience. OASys is an actuarial risk and needs assessment tool used by the prison and probation services in England and Wales. Fire and Rescue Services are committed to the rehabilitation of offenders, as such, the OASys was considered to support this approach.

The scoring for this risk matrix gives a re-offending score based on risk factors.

Risk Factors	Score 0 for Green	Score 1 for Amber	Score 2 for Red	Total Score
Criminal History: An individual's criminal history is extremely important. Offence(s) have been carried out in the last two years (Score 2) Previous convictions unspent (Score 1) 1-2 Previous convictions (score 1) 3 + Previous convictions (score 2)	No	Yes	Yes	
Were the offence(s) first disclosed by the individual? Failure to disclose a relevant offence without a satisfactory reason, may be a breach of contract and render any employment offer void. If the individual is an employee, consider the potential for disciplinary action.	Yes	N/A	No	
Burglary: Individuals with burglary offences are more likely to re-offend than other types of offences. Does the offence(s) – caution or conviction include burglary? Including 'Aggravated Burglary' and 'Attempted Burglary'.	No	N/A	Yes	

Risk Factors	Score 0 for Green	Score 1 for Amber	Score 2 for Red	Total Score
Sexual Offences: Does the offence (conviction or caution) involve a sexual or sexually motivated offence?	No	N/A	Yes	
Age of first offence (conviction or caution)? The risk of reoffending is higher for those aged 10-17 years of age at their first offence, this is evidenced by ‘The Start of a Criminal Career’ .	24+ years	18-23 years	10-17 years	
Has the individual previously breached a court order? Breach of previous Court Orders increase the risk. Such as, breaches of: Conditional discharge Bail Licence Failure to comply with any Order	No	N/A	Yes	
Criminal Versatility: OASys research evidence suggests that generic offenders are more prolific and more likely to re-offend than offenders who specialise in one type of offences. Use the categories below to differentiate groups of offences: Violence against the person Sexual offences Burglary Robbery Theft and handling Fraud and forgery	0 offences	1-4 offences	5+ offences	

Risk Factors	Score 0 for Green	Score 1 for Amber	Score 2 for Red	Total Score
Criminal damage Drug offences Other indictable offences (serious enough to be dealt with at Crown Court – excluding motor) Indictable Motoring Offences Other summary offences (can only be dealt with at Magistrates Court) – excluding motor. This includes Public order offences (threatening behaviour), harassment, drunk and disorderly Summary motoring offences				
Is the role holder public facing or a person in a position of trust?	No	N/A	Yes	
Did the offence include any of the following? When certain factors are present, it increases the likelihood of further incidents of serious harm: Carrying or using an offensive weapon Any violence, threat of violence or coercion Excessive use of violence or sadistic violence Arson Physical damage to property (but not caused when committing another offence, for example burglary or theft) Sexual element to offending (such as disclosing private sexual images without consent)	No	N/A	Yes	

Risk Factors	Score 0 for Green	Score 1 for Amber	Score 2 for Red	Total Score
Do offences form part of an established pattern? These might not be the same category of offence, but could stem from same motivation, such as: Burglary or break ins Theft Fraud (financial) Drug or Alcohol related (drug or drink driving, drunk and disorderly or assault under the influence of drugs or alcohol)	No (No pattern evident)	N/A	Yes (A pattern is demonstrated)	
Are there any concerns in regard to the individual's motivations for working with children or vulnerable adults? In accordance with local authority safer recruitment practice and guidance.	No	N/A	Yes	
Is there any evidence in regard to any inability to manage conflict, cope with challenging behaviour?	No	N/A	Yes	
Risk Factors - Total Category Scores: Grand Total (0-24 from all categories in blue box):				

Assessment Results

Using the Total Score, identify the scale of risk and consider the following:

0 - 4 Low Risk

If **low risk** and nothing highlighted in question (I - Factors which indicate increase in likelihood of further incidents of serious harm) – Okay to employ or continue in post. Exclude, suspend, or redeploy (pending internal investigation) if the individual has committed sexual offence(s) or offence(s) against a child or vulnerable adult.

If **low risk** but offence(s) have been highlighted in question (I - Factors which indicate increase in likelihood of further incidents of serious harm), consider the factors highlighted in (A - Criminal History) and the nature of employment or role. Exclude suspend or redeploy (pending internal investigation) if the individual has committed sexual offence(s) or offence(s) against a child or vulnerable adult.

5 - 9 Medium Risk

If **medium risk** action is required. For an existing employee, consider actions to mitigate any potential risks to members of the public, the employee or applicant, and the organisation. These actions should follow your disciplinary processes or withdrawal of offer of employment for new applicants. Consider whether there has been a breakdown of trust for non-disclosure. Exclude or suspend (pending internal investigation) if the individual has committed sexual offence(s) or offence(s) against a child or vulnerable adult.

10 - 24 High Risk

If **high risk** action is required immediately. For an existing employee consider actions to mitigate any potential risks to members of the public, the employee or applicant, and the organisation. These actions should follow your disciplinary processes or withdrawal of offer of employment for new applicants. Consider whether there has been a breakdown of trust for non-disclosure. Exclude or suspend (pending internal investigation) if the individual has committed sexual offence(s) or offence(s) against a child or vulnerable adult.

'Soft Information' Disclosed

If 'soft information' is disclosed on an Enhanced DBS Form, or a statutory agency (for example the Police or Local Authority Designated Officer (LADO)) note the following actions:

For an individual who has no other offending history, and this does not include factors listed in question (I - Factors which indicate increase in likelihood of further incidents of serious harm) – **treat as low risk as per assessment result 1.**

For an individual who has identified other offending history but does not include factors listed in question (I - Factors which indicate increase in likelihood of further incidents of serious harm) consider the factors highlighted in (A - Criminal History) and the nature of employment or role, which would increase risk action accordingly.

If this information does include factors listed in question (I - Factors which indicate increase in likelihood of further incidents of serious harm), but no other offending history treat as per **assessment result 2**.

If this information does include factors listed in question (I - Factors which indicate increase in likelihood of further incidents of serious harm) and other offending history treat as per **assessment result 4**.

Decision Record Sheet

Low Risk:		Medium Risk:		High Risk:	
Total score recorded:		Total score recorded:		Total score recorded:	
Recommended Outcome Recorded (To be retained with both Safeguarding and HR systems)					
Action Decided:					
Report Summary:					
Safeguarding Professional					Date:

Signature:		
Printed Name:		
Human Resources Professional		
Signature:		Date:
Printed Name:		
Senior Manager for Safeguarding		
Signature:		Date:
Printed Name:		
Senior Manager for Human Resources		
Signature:		Date:
Printed Name:		
Note: If the above post holders of Signatory are not available, consider a Principal Officer, equivalent to ACO level or above as a signatory.		

Appendix C – Examples of ESFRS Roles (not exhaustive), which Include Regulated Activity

Enhanced – with some roles requiring barring list checks due to regulated activities
Role
Fire Safety Inspection staff and associated managers
Those delivering Safe and Well checks for adults at risk and associated managers
Those with regular and unsupervised contact with children and young people, delivering education, interventions, and activities – such as Youth Engagement staff, Safety Centre staff, volunteers, and associated managers
Falls/OT specialists delivering home safety advice/interventions
Staff supervising young people on work experience
Those co-responding/first responding
Standard
Role
Head of Finance
Senior Finance Officers
Finance Officers
Internal Audit Officers
Firefighters
All HR staff
All Service Support Centre staff
All ICT staff
All Occupational Health staff
Volunteers, (depending on the role they are undertaking)

Any response received regarding the DBS eligibility of a post should be retained for audit purposes by the EFRS.

When further clarification is needed, EFRS can refer to the regulations relating to regulated activity and the DBS workforce guidance which outlines the circumstances a check can be made.

Appendix D - ESFRS/FBU Vetting Agreement

1. All information supplied, and the detail of any outcome of the vetting process, will be treated as strictly confidential.
2. Sussex Police will only disclose to ESFRS the overall result of the vetting process and therefore whether an individual has been approved for full access, will be on restricted access or is declined access to the site.
3. Individuals with a concern about the vetting process, either prior to completion or following any outcome, should speak on a confidential basis directly to the HR Manager or a Business Partner within the ESFRS HR Department.
4. ESFRS will consider the implications of the results of the vetting process on a case-by-case basis and in the event of a decline of access to the site there is a 14-day appeal process.
5. The HR Manager/ HR Business Partner and, where acceptable to the individual, the responsible Principal Officer, will discuss the outcome confidentially with the individual member of staff and where appropriate support the appeal process.
6. Any member of staff declined access to the site because of the vetting process shall not suffer a detriment to their contract with ESFRS or their employment with the organisation unless there is a breach of existing ESFRS policy.

Appendix E - Equality Impact Analysis Record (Inclusion Risk and Benefits)

This form should be completed in conjunction with EIA Tip Sheet and Key EIA Considerations

Part 1 – The Document

1.	Name of Policy, Procedure, Activity, Decision or Service:	DBS & NPPV Manual Note		
	Status of PPADS (please tick)	☐ NEW ☒ UNDER REVIEW ☐ CHANGING ☐ EXISTING		
2.	a. Main purpose of PPADS:	Strategy to update & combine the DBS, Vetting & Safeguarding policies into this single Clearance policy and ensure it is aligned with the processes and practices of the Service & updated Government guidance. This forms part of the People Strategy.	b. Project Manager and Process owner:	Lyndsey Goodwin
	c. Project/processes this PPADS is linked to:	Resourcing Manual Note Disciplinary Manual Note Data Protection Policy DBS Code of Conduct EDI Manual Note Aligned to the Public Sector Equality Duty, standards IRMP and other Strategies within the Members Handbook. With particular focus to the commitments of Delivering high performing services and Developing a diverse, safe and valued workforce.		
3	List the information, data or evidence used in this analysis:	Alignment with other Fire Authorities Equality Act 2010 Public Sector Equality Duty		

Part 2 - Analysis

Characteristics	Neutral Impact (x)	Negative Impact* (Risk Assess & score)	Positive Impact (x)	Narrative Section, detail below why and how you scored impact, you should consider: What are the risks &/or negatives, benefits and or opportunities to that Protected Characteristic? You <u>will</u> need evidence to support your Analysis.
A person of a particular age	☐	X	☐	The process of completing the on-line DBS & Vetting forms could disadvantage colleagues or applicants whom do not have much experience of technology & on-line form completion.
A disabled person	☐	X	☐	The process of completing the on-line DBS & Vetting forms could impact on colleagues with neurodiversity or some disabilities as they may find it difficult. Although, it would depend on the individual colleague and how they were impacted. However, these

				difficulties could be mitigated by implementing reasonable adjustments and implementing the adjustment passport.
A person of a particular sex, male or female	☒		☐	
Pregnancy, Maternity, Marriage or Civil Partnership	☒		☐	
A person of a gay, lesbian or bisexual sexual orientation	☒		☐	
A person of a particular race	☐	X	☐	English may not be an employee's first language whereby they may have more difficulty understanding the procedure and the concept of Clearance. The process for persons who have spent time living overseas may take longer, due to the need to obtain additional clearance checks from the countries they have visited in the previous five years. This could delay the pre-employment checks & start date.
A person of a particular religion or belief	☒		☐	

Transgender a person whose gender identity/expression does not make their assigned sex	☐	X	☐	Colleagues and/ or applicants may feel disadvantaged as they may not wish to refer to their previous name. The policy includes the contact details needed for applicants to speak with the 'Sensitive Applications Team,' whom can advise appropriately.
Community considerations Application across communities or associated with socio-economic factors considering the 10 dimensions of Equality	☐		☐	For Criminal Convictions & Human Rights considerations, these are covered by Government policy/ legislation as identified in DBS Code of Practice/Equality Act/ DBS Code of Conduct/ & Public Sector Equality Duty policy. A reference to the Recruitment of Ex-offenders Statement is provided in the policy and is available on the ESFRS website for those seeking further information.
Criminal convictions	☐	X	☐	
Rural living	☒		☐	
Human rights	☒		☐	

Part 3 – The results

	Yes	No	
Are there negative scores in Low ? (see guidance)	☒	☐	<i>If Yes, list any actions required to adjust the activity and any mitigation you will implement in the action plan below in section 6</i>
Were positive impacts identified?	☐	☒	<i>If No, I & D will contact you about this</i>
Are some people benefiting more than others? If so explain who and why.	☐	☒	
Are one or more negative scores in Medium or High ?	☐	☒	<i>If Yes, Contact I & D for further consultation</i>

(See guidance)			
Part 4 - Consultation, decisions and actions			
If medium or high range results were identified who was consulted and what recommendations were given?			
Describe the overall decision on this Policy, Procedure, Activity, Service or Decision:			
Policy is due to be released for consultation			
List all actions identified to address/mitigate negative risk or promote positively			
Action	Responsible person	Completion due date	
Make reasonable adjustments as required, in line with relevant policies/ procedures. Ensure all managers and hiring managers are knowledgeable and competent in applying the DBS/ Vetting procedure & how to identify what level checks/s are required. Ensure the process is applied, fairly and consistently and in line with Resourcing Procedure, Data Protection Policy & Equality, Neurodiversity & Diversity and Inclusion processes. Ensure managers are up to date & familiar with all relevant policies including neurodiversity/ learning passport. Understanding how age and/ or dissability may be impacted is an element to be explored through effective monitoring and data collection alongside the recommended application of the HR Strategic Group (People Committee) and People Impact Assessment also known as Equality Impact Assessment. The 'Sensitive Applications route,' is now refereenced in the policy for colleagues & applicants whom wish to utilise this. Guidance to completing the on-line form can be provided in different languages for those that need it. The strategy enables the needs of those with a disability to be established and supported more effectively in the workplace through both internal and external network consultation.	Line Managers/HR/OH/D & I	Use JobTrain reports & data to analyse compliance. Produce monthly reports for DBS compliance from FW.	
When, how and by whom will these actions be monitored?			
Monthly by HR//D & I Volunteer Co-Ordinators & Cadet Unit Managers			
Part 5 – Sign Off			
Created by (Print Name): L Goodwin		Department: HR	
Signature**Lyndsey Goodwin		Date: 26.01.2023	
To be completed by Equalities Team			
Signature**		EIA number:	
Assessment date:		Review date:	

**** Please type your signature to allow forms to be sent electronically****

Part 6 - Equality Improvement Plan

[illegible]