



Disclosure &  
Barring Service

## DBS checks for adult social care roles

**Disclaimer: This is not legal advice. If you need help with making sure you are complying with the law, you should speak to a legal advisor.**

This leaflet addresses the eligibility of a range of roles across the adult social care sector. It is based on generic descriptions of the roles and their responsibilities. This guidance applies whether the people in these roles are paid or unpaid.

You should refer to our online eligibility tool and guidance if you employ people in these roles who have extra duties to those explained in this leaflet, or if they are in different roles but have similar duties. They may be eligible for the same level of DBS check.

Any changes to a role or the activities that a person carries out can affect the level of check that is available.

Unless the individual also provides services to children, any checks for these roles should be submitted in the adult workforce only. For eligibility relating to working with children please see the child workforce guide found [here](#).

This information can be found on the DBS website at:

<https://www.gov.uk/government/collections/dbs-eligibility-guidance>

This guidance relates to obtaining criminal record checks in England, Wales, the Channel Islands and the Isle of Man. Information on the checks available in Scotland can be obtained from [Disclosure Scotland](#). Information on checks available in Northern Ireland can be obtained from [Access NI](#).

### Understanding DBS checks

The Disclosure and Barring Service (DBS) offers four different levels of check. They are as follows:

#### Basic DBS check

Basic DBS checks will disclose details of any unspent convictions and conditional cautions. Anyone can apply for a Basic DBS check themselves via our website or via an organisation registered with DBS to submit Basic checks (known as Responsible Organisations). For more information, our guidance on basic checks can be found [here](#).

#### Standard DBS check

Standard DBS checks will disclose details of spent and unspent convictions, cautions, final warnings and reprimands, subject to filtering. Standard DBS checks should only be

applied for when an individual is taking on a role or carrying out activities mentioned in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. Individuals can't apply for their own Standard check, only an employer or recruiter can apply via an organisation registered with DBS (known as a Registered Body).

### **Enhanced DBS check**

Enhanced DBS checks will disclose the same information as a Standard check but can also include non-conviction information that the police believe is relevant to the workforce applied for and ought to be disclosed. Enhanced DBS checks should only be applied for if a role meets the definition of 'work with children' (the child workforce), 'work with adults' (the adult workforce) or falls into the 'other workforce'. Only an employer or recruiter can apply for an Enhanced DBS check, via an organisation registered with DBS (known as a Registered Body).

### **Enhanced DBS with Children's and/or Adults' Barred List check**

Enhanced DBS with Children's and/or Adults' Barred List checks will disclose the same information as an Enhanced DBS check and include a check of the Children's Barred List, the Adults' Barred List or both, depending on which group the individual is working with and whether the role is eligible. Only an employer or recruiter can apply via an organisation registered with DBS (known as a Registered Body).

The minimum age at which someone can be asked to apply for a DBS check is 16.

## **Eligibility for DBS checks**

Access to Standard and Enhanced DBS checks is controlled by the law.

The law doesn't say when a Standard or Enhanced DBS check 'must' be carried out, but it does specify when a DBS check 'can' be applied for. Organisations may produce their own guidance stating when they want DBS checks to be requested, but this guidance must comply with the law that allows a DBS check to be applied for.

Anyone can apply for their own Basic DBS check via our website – it doesn't have to be for recruitment purposes and there's no eligibility criteria that needs to be met.

Standard and Enhanced DBS checks should only be applied for when someone will be carrying out the activities that would make them eligible for a check. They shouldn't be applied for because someone 'may in the future' carry out that work. The organisation deciding whether the applicant is suitable for the role or not, is also responsible for working out the level of check that the role is eligible for.

## **Regulated activity with adults**

The Safeguarding Vulnerable Groups Act 2006 (SVGA) sets out what 'regulated activity with adults' is for DBS purposes. More information about what is meant by 'regulated activity' can be found in our 'Regulated Activity with Adults' leaflet, [here](#). There is no frequency required for regulated activities with adults. They only need to be done once.

Where an individual is in regulated activity with adults (as defined in SVGA) they are eligible for an Enhanced DBS with an Adults' Barred List check.

If an individual is responsible for managing someone who is in regulated activity this means that they are in regulated activity too.

## Regulated activity providers

An organisation which employs individuals who carry out regulated activity is a 'regulated activity provider'.

As a regulated activity provider, you have a legal duty to refer individuals to DBS where the relevant conditions are met. More information about how and when to make a referral can be found in our 'Barring Referrals: how and when to make one' leaflet, [here](#).

If someone is included on a barred list, it means that they must not carry out 'regulated activity' within the workforce they are barred from, and an employer must not employ them in that role.

It is a criminal offence to work, seek work or offer to work in regulated activity when barred on the relevant list.

It is a criminal offence for a person to permit an individual they know (or have reason to believe) is barred from regulated activity to engage in regulated activity.

## Friends and family

Regulated activity excludes any activity carried out in the course of family relationships, and personal, non-commercial relationships.

Family relationships involve close family (e.g. parents, siblings, grandparents) and relationships between two people who live in the same household and treat each other as family.

Personal, non-commercial relationships are arrangements where either no money changes hands, or any money that does change hands is not part of a commercial relationship (for example, gifting a friend money for petrol after they have driven you to the hospital), and the arrangement is made between friends or family friends.

Where an external party is making a suitability decision as to whether a family member or friend will provide a regulated activity this is no longer a personal arrangement. This would therefore allow for an Enhanced DBS with an Adults' Barred List to be requested.

## Work with adults

The Police Act 1997 (Criminal Records) Regulations 2002 sets out what is 'work with adults' for DBS purposes. Work with adults is when certain activities are done for specific adults once a week, or on more than 3 days in a 30-day period. It also includes

certain inspection functions and working in a high security psychiatric hospital. Anyone who is in work with adults is eligible for an Enhanced DBS check without a check of the Adults' Barred List.

More information on what is 'work with adult's can be found in the DBS Adult Workforce Guide, [here](#).

## Home-based checks

For roles that take place in the applicant's own home, the DBS application form should answer 'Yes' to the question 'does this position involve working with children or adults at the applicant's home address?'. This allows a home-based check to be carried out. This means that the police will consider disclosing any relevant information held not only about the applicant, but also on any other person who is associated with the address that the applicant will be working from.

This doesn't apply if the applicant is travelling to someone else's home to carry out regulated activity.

## Specific roles in the adult social care sector

Here are some examples of different types of adult social care roles. Please click the links to go to the relevant sections:

- [Health care professionals](#)
- [Care workers](#)
- [Home share](#)
- [Shared lives](#)
- [Adult social workers](#)
- [Office of the Public Guardian](#)
- [Power of Attorney](#)
- [Deputies](#)
- [Staying put](#)
- [Transportation](#)
- [Adult care settings](#) – this section will also address auxiliary roles such as cleaners or maintenance workers

## Health care professionals

Any role in the adult social care sector where the individual is a regulated health care professional and their normal duties include providing health care to adults is eligible for an Enhanced DBS with an Adults' Barred List check.

Any individual, who is not a registered health care professional, providing health care to adults where a health care professional is supervising them or has given them direction on what to do, is also eligible for an Enhanced DBS check with an Adults' Barred List check.

## Care or support workers and assistants

Care workers or care assistants who carry out the activities below for adults who need it because of their age, illness or disability will be in regulated activity with adults. This set of activities is referred to as 'personal care' and if a care worker is carrying out any of them they can be asked to apply for an Enhanced DBS with an Adults' Barred List check irrespective of whether that occurs in a hospital, a care home, a day care centre, a prison or in sheltered housing.

The activities are:

- physically assisting an adult with eating, drinking, going to the toilet, washing, dressing, oral care or care of the skin, hair or nails
- prompting an adult to do any of the above activities because they are unable to make the decision to do these things for themselves and then supervising the adult doing them
- providing training, instruction or advice and guidance to an adult on how to do the above activities

Please note, haircuts and nail treatments are only included if they are required to keep the adult healthy and safe. Hair dressing appointments and beauty treatments provided to someone who would like one for cosmetic purposes are not covered.

### Scenario 1

Mohammad is a care worker and attends to Danny who suffers from Dementia. He visits Danny daily to prompt him to eat and take his medication. He also prompts him to wash regularly and supervises. Mohammad is in regulated activity with adults and can be asked for an Enhanced DBS with an Adults' Barred List check.

### Scenario 2

Theresa is a mobile hairdresser. She goes to a care home once a month to provide haircuts and perms to the residents who want them. As she is only providing the service to those who want it rather than because they need it, she would not be in regulated activity. Anyone who is responsible for the day to day management of care workers and care assistants undertaking this work would also be in regulated activity and eligible for an enhanced DBS with an Adults' Barred List check.

## Adult social workers

Social workers provide ongoing support to adults in addition to assessing and reviewing their needs. This means they are in regulated activity with adults and can be asked for an Enhanced DBS with an Adults' Barred List check.

## Transportation

Anyone who transports adults, on behalf of an organisation, to or from anywhere they receive health care, social work or personal care so that they can access these services are in regulated activity with adults and are eligible for an Enhanced DBS with an Adults' Barred List check. This includes roles such as hospital porters who move adult patients around hospital grounds and air ambulance pilots. Taxi drivers, however are specifically excluded from regulated activity with adults and so could not be asked for an Adults' Barred List Check.

Anyone who transports adults who live in residential care, sheltered housing or live independently but are in receipt of care or assistance because of their age, illness or disability, on behalf of an organisation for any reason could be eligible for an Enhanced DBS check without the Adults' Barred List check. They would need to do this three times in any 30-day period, overnight between 2am and 6am or at least once a week on an ongoing basis. The transport doesn't need to relate to health care appointments etc. and can include transport for recreational day trips.

### Scenario 3

A volunteer for Age UK whose role is to drive elderly people to or from hospital or doctors' appointments because they wouldn't be able to get there themselves, would be eligible for an Enhanced DBS with an Adults' Barred List check.

### Scenario 4

An individual who drives the minibus for the church whose role includes driving elderly and disabled individuals to and from church, and does this once a week every Sunday, would be eligible for an Enhanced DBS check without the Adults' Barred List check.

## Home share

Homeshare UK brings people with spare rooms together, with people who are happy to chat and lend a hand around the house in return for affordable, sociable accommodation.

The organisation takes details of those with a spare room (the householder) and what they need from a house share. This can vary from companionship and helping with chores to doing the shopping and cooking. They would then be matched with an individual in need of accommodation (home sharer) willing to provide the help requested to the householder for a minimum of 10 hours per week.

In a home share arrangement, the home sharer would never be expected to provide personal care. If the householder requires personal care, this would be done by another service provider.

### Scenario 5

The home sharer could be asked to help with the financial day-to-day running of the house, such as doing shopping for the householder or helping them pay their bills. If they are doing this because the householder needs this help because of their age,

illness or disability, then they will be carrying out regulated activity with adults and can be asked to apply for an Enhanced DBS with an Adults' Barred List check.

### **Scenario 6**

If the home sharer is providing any kind of assistance to the householder who needs this to be able to live independently, and they are doing this more than three times in any 30-day period, overnight between 2am and 6am or at least once a week on an ongoing basis, then they would be carrying out work with adults and can be asked to apply for an Enhanced DBS check without an Adults' Barred List check.

### **Scenario 7**

There may be some home share arrangements where the home sharer is simply required to provide companionship and share the cooking and cleaning of the house. For this type of arrangement, the home sharer could be asked to apply for a Basic DBS check.

## **Shared lives**

Shared lives organisations assess a person's needs and then place that person with a carer, in the carer's home, on a long term, overnight or respite basis. The person is treated as a member of the family, but the shared lives carer is paid.

### **Scenario 8**

In shared lives arrangements, if the carer will be providing personal care such as bathing, feeding, toileting or dressing, they are carrying out regulated activity with adults and can be asked to apply for an Enhanced DBS with an Adults' Barred List check.

### **Scenario 9**

Where this is not the case but the shared lives carer is providing any kind of assistance to the person who needs it to be able to live independently, and they are doing this three times in any 30-day period, overnight between 2am and 6am or at least once a week on an ongoing basis, then they would be carrying out work with adults and can be asked to apply for an Enhanced DBS check without an Adults' Barred List check.

## **Office of the Public Guardian**

Staff working within the Office of the Public Guardian who have access to data relating to adults are eligible for a Standard DBS check.

## **Power of Attorney**

Individuals given Power of Attorney responsibility for someone are eligible to be asked by the Office of the Public Guardian to apply for an Enhanced DBS with an Adults' Barred List check even where they are family or friends.

This activity is included in the legislative definition of regulated activity with adults, as the individual will be providing 'relevant assistance in the conduct of a person's own affairs'. This definition states that relevant assistance includes anything done on behalf of a person by virtue of a Lasting Power of Attorney, or an Enduring Power of Attorney.

## Deputies appointed by the Court of Protection

The position on Power of Attorney responsibility mentioned above also applies to individuals who have been given the power to make decisions on a person's behalf under an order by the Court of Protection. Individuals who are appointed under such an order are referred to as deputies.

As with Power of Attorney, family members or friends acting as a deputy are carrying out regulated activity. Appointed deputies are eligible to be asked for an Enhanced DBS with an Adults' Barred List check, because they are appointed to this role by the Court of Protection, and so it is not a personal arrangement.

## Staying Put

These arrangements are for children in foster care who stay on in the foster home once they reach 18 years old and become an adult. The arrangements exist to support the transition of a looked after child into adulthood. The foster carer may be asked to apply for an Enhanced DBS check in the following scenarios:

- If the foster carer provides personal care to the adult because they need it due to having an illness or disability, they are eligible for an Enhanced DBS with an Adults' Barred List check
- If the foster carer provides supervision, teaching, training or instruction, assistance, advice or guidance to the adult because of their illness or disability on more than three days in any 30-day period or overnight between 2am and 6am, they are eligible for an Enhanced DBS check without the Adults' Barred List check

## Adult care settings

In some cases, eligibility can exist for DBS checks because of where they work. Here we will address some of the adult social care settings. Please select the links to access the relevant sections:

- [Care homes including Nursing homes](#)
- [Sheltered housing/Supported living](#)
  
- [Domiciliary care](#)
- [Day centres](#)



## Care homes including Nursing homes

Anyone who carries out any type of work in a care home, that is not regulated activity, which gives them the opportunity to have contact with the adults living there and do this on more than 3 days in a 30-day period or between 2am and 6am, or at least once a week on an ongoing basis, is eligible for an Enhanced DBS check without an Adults' Barred List check. This can apply to auxiliary workers such as cleaning, administration and maintenance staff.

Anyone who works there less often but has the opportunity for contact with the people who live there in the course of their work would be eligible to be asked to apply for a Standard DBS check.

### Scenario 10

Fergus is a musician and has a contract with a local care home to provide entertainment for the people living there every Sunday afternoon in the lounge. He is eligible to be asked for an Enhanced DBS check without an Adults' Barred List check.

### Scenario 11

Hanna volunteers as a reader in a care home. She reads to the people living there two evenings a week. She is eligible to be asked for an Enhanced DBS check without an Adults' Barred List check.

### Scenario 12

Martina comes to the care home on the first Thursday of the month to do arts and crafts with the people who live there. She is eligible for a Standard DBS check.

## Sheltered housing/Supported living

Many adults choose to live in sheltered accommodation to enable them to continue to live independently. Unlike residential homes there is no eligibility for DBS checks for sheltered housing schemes. For individuals whose role is solely to maintain the public areas of the housing scheme, they could only be asked to apply for a Basic DBS check.

There may be staff who have responsibilities for helping the people who live there with the day to day running of their households because of their age, illness or disability. If their responsibilities include one or more of the following it would make them eligible to be asked to apply for an Enhanced DBS with an Adults' Barred List check:

- shopping on their behalf
- paying their bills
- managing their cash

If their role requires an individual to provide advice and guidance or assistance to any of the people living there to help them to remain living independently and they do this on

more than 3 days in a 30-day period, or at least once a week on an ongoing basis then they would be eligible for an Enhanced DBS check without an Adults' Barred List check.

### Scenario 13

Alexi works for the sheltered housing scheme and provides a shopping service to the people living there who are unable to do their shopping for themselves. They give him their shopping lists and money and he returns their shopping and change. He is eligible for an Enhanced DBS with an Adults' Barred List check.

### Scenario 14

Paula works as a cleaner in the sheltered housing scheme. In addition to maintaining the cleanliness of the communal areas she assists some of the people living there in the cleaning of their apartments two mornings a week as they are unable to do this themselves because of their age, illness or disability. Because of this additional duty she is eligible for an Enhanced DBS check without an Adults' Barred List check.

## Domiciliary care

Domiciliary care is for anyone who wants to stay in their own home but may need some extra help with personal care, medication management, household tasks or any other activity in order for that to happen.

For individuals who provide personal care to adults, please see the section on [care workers](#).

Where a domiciliary care worker doesn't provide personal care they could still be eligible for an Enhanced DBS check without an Adults' Barred List check if they provide any form of advice, assistance or instruction to someone who needs it because of their age, illness or disability, in the person's home, and they do this on more than 3 days in a 30-day period, or on a weekly basis, or once overnight between 2am and 6am.

### Scenario 15

Malachy is employed as a home help, he goes into various people's homes and undertakes different activities depending on the person's needs. He may tidy up, do some washing or ironing or cook and prepare a meal. He does not undertake any aspects of personal care. He works 5 days per week. Malachy is eligible to be asked to apply for an Enhanced DBS check without an Adults' Barred List check.

### Scenario 16

Anaya works for the same company but does provide personal care. She helps people dress, wash and helps them go to the toilet. She also prompts them to take medication and supervises them to make sure they do this. Even if she only does this once she is in regulated activity and eligible to be asked to apply for an Enhanced DBS with an Adults' Barred List check.

## Day care centres

Day care centres will need to look at the activities undertaken in individual roles to work out what level of check is available as there is no eligibility based solely on where it takes place.

It is worth noting, that for any role concerned with the provision of care services to adults where they have contact with the adults receiving the service while carrying out their duties will be able to obtain at least a Standard DBS check.

### Scenario 17

Aziz volunteers at an adult day care centre each week. He does painting and craft activities with the service users. He is eligible for a Standard DBS check.

### Scenario 18

Jola also volunteers at the adult day care centre but helps with the lunches. His duties are to serve the lunch and help with feeding and prompting/supervising those who need it. This would be regulated activity with adults and so he is eligible to be asked to apply for an Enhanced DBS with an Adults' Barred List check.

**Further information can be found on the DBS website. You may find the following pages useful:**

**Our eligibility tool:**

[www.gov.uk/find-out-dbs-check](http://www.gov.uk/find-out-dbs-check)

**Workforce guidance:**

[www.gov.uk/government/publications/dbs-workforce-guidance](http://www.gov.uk/government/publications/dbs-workforce-guidance)

**DBS guidance leaflets:**

<https://www.gov.uk/government/publications/dbs-guidance-leaflets>

Information about regulated activity with adults is also available from the Department of Health and Social Care (DHSC) [here](#).

## Contact

**General enquiries:** [customerservices@dbs.gov.uk](mailto:customerservices@dbs.gov.uk)

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