

DBS RISK ASSESSMENT GUIDELINE

GUIDANCE FOR COMPLETION OF ROLLING PROGRAMME RISK ASSESSMENT

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**VALIDITY – Guidelines should be accessed via the Trust intranet to ensure
the current version is used.**

CHANGE RECORD

Version	Date	Change details
1.0	Sept-23	<i>New Guideline created as part of recommendations from DBS risk assessment audit. Approved at Quality & Patient Safety Group (7 September 2023).</i>

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1. INTRODUCTION

The purpose of the risk assessment guidance is to assist line managers in the completion of risk assessments, in the event that an individual's DBS has expired, or where the individual has declared an offence, caution or conviction or a DBS has returned and shows an offence, caution or conviction.

The Trust has an ongoing programme of DBS checking which will ensure that where applicable, checks are renewed every 3 years. This is managed by the Workforce and OD department who work closely with other services across the Trust when a DBS expires or where an offence, caution or conviction is declared or returned, particularly when the individual works with a vulnerable client group such as children, young people or vulnerable adults.

1.1. Safeguarding considerations

Safeguarding and promoting the welfare of children, young people and vulnerable adults and protecting them from harm is a responsibility of every member of staff working or volunteering for Humber Teaching NHS Foundation Trust. The Trust holds a commitment to this which is underpinned by statutory legislation (Care Act 2014, Children Act 2004).

Where an individual is working, or due to work, with children, young people or vulnerable adults and does not have a DBS in place, this presents a potential risk of harm or abuse to patients. In these exceptional circumstances and whilst the matter is being resolved, a DBS risk assessment form must be in place and **the individual must not work unsupervised with a vulnerable client group in any way**. This may involve restricting the persons practice to non-patient facing or agreeing no lone working. Advice can be sought from Workforce & OD, DBS Renewals and the Named Professional for Safeguarding Adults / Named Nurse for Safeguarding Children on this.

Where an offence, caution or conviction is declared or returned **and** the risk assessment form identifies a risk of harm or abuse to children, young people or vulnerable adults, the line manager must escalate this to the General Manager or Deputy Director and seek advice from relevant services including the Trust Safeguarding Team.

2. SCOPE

The guidance is aimed at line managers as it is a line managers responsibility to complete the risk assessment on staff in their area where a DBS has not been reviewed in timescale or where an offence has been declared or returned.

3. PROCEDURES

3.1. When should a line manager complete the risk assessment?

The risk assessment must be completed and in place on the day of DBS expiry, or in circumstances when the individual has declared an offence, caution or conviction or one has returned on a DBS the risk assessment should be completed immediately following the declaration/return.

Please note that the DBS renewals team will return the risk assessment form to the line manager if it is incomplete, or the guidance below not followed.

3.2. Guidance on completing a risk assessment?

On the next page is a copy of the risk assessment section of the form with guidance/prompts within it, for line managers to refer to when completing.

RISK ASSESSMENT
1. Why is this risk assessment form being completed?
DBS expiry <input type="checkbox"/> Offence, caution or conviction declared or returned on DBS <input type="checkbox"/> Individual commencing work without DBS in place <input type="checkbox"/>
2. What are the general duties of the individuals job?
<ul style="list-style-type: none"> • Describe the general duties of the individuals job role • Include any key duties the person holds (this could include supervisor responsibility, controlled medication access/administration, work carried out with vulnerable client groups such as children, young people and vulnerable adults) need to specify access and role in relation to vulnerable adults and children
3. How much unsupervised access will the individual have to vulnerable client groups?
<ul style="list-style-type: none"> • Include any unsupervised access no matter how small, do we need to include what we mean by unsupervised access? • Describe which vulnerable client group the individual will have access to eg children under 18 years of age and what about adults, give some pointers about what makes someone vulnerable eg mental health issue, limited capacity etc
4. Has the individual declared any offences, cautions or convictions, or has a DBS returned showing an offence, caution or conviction?
<ul style="list-style-type: none"> • YES or NO • All parts of Section 4 (below) to be completed if the answer is YES • If NO, progress to Section 5
IF YES provide the date and details of the offences, cautions or convictions below and complete sections 4a-4d
<ul style="list-style-type: none"> • If there is more than one offence, caution or conviction declared or returned detail them separately • Include: <ul style="list-style-type: none"> ○ Date of offence, caution or conviction ○ Type of offence, caution or conviction ○ Outcome of any offence or conviction such as fine, suspended sentence, custodial sentence ○ What was the context behind the offence, caution or conviction? The discussion between the line manager and the individual should be detailed here. ○ Is this an old offence, caution or conviction from when the individual was a minor? • This list is not exhaustive
4a. Are the offences, cautions or convictions relevant to the individuals role?
<ul style="list-style-type: none"> • Consider if the offence, caution or conviction is relevant to the individual's role. Examples of relevance below: <ul style="list-style-type: none"> ○ A person convicted of fraud or theft who has access to sensitive information, materials or finances ○ A person convicted of or subject to driving offences/bans who as part of their role has to drive ○ A person who has received a caution or conviction for a violent or sexual offence who works with a vulnerable client group • This list is not exhaustive • Include an example about domestic abuse as this is generally the difficult area

4b. Is there a pattern to the offences, cautions or convictions?		
<ul style="list-style-type: none"> Where there any circumstances or behaviours leading to the offending? Was the offence an isolated incident or are there several? How would they know? 		
4c. Does the nature of the individuals job present any opportunities for the individual to reoffend when at work?		
<ul style="list-style-type: none"> Consider section 3a answer and whether the individual may have the opportunity to reoffend when at work due to their role This could include access to a vulnerable client group, technology, medication, sensitive information or material and finances 		
4d. As a result of the offences, cautions or convictions is the individual barred from working with children, young people or vulnerable adults either by DBS or by a professional body?		
<ul style="list-style-type: none"> When the individual is recruited checks will be completed by the Recruitment Team however after this the checks are only completed as part of the 3 year rolling programme Once being informed of an offence, caution or conviction it is the line managers responsibility to check whether the individual has been barred from working with children, young people or vulnerable adults either by DBS or a professional body Professional bodies could include Social Work England, Nursing Midwifery Council, General Medical Council, Health and Care Professions Council and any other body associated with the persons role 		
5. Have recruitment checks been completed on the individual in line with the Trusts recruitment and selection policy and procedure?		
<ul style="list-style-type: none"> Check with the Workforce & OD/Recruitment Team that the individual has been subject to recruitment checks in accordance with the NHS Pre-Employment check standards, such as ID checks, appropriate references, Model Declaration Form, Barred List checks and any other checks required on employment Consider whether references were satisfactory This provides additional assurances as to the individuals suitability to work in their role If checks have not been completed, detail why and subsequent action taken 		
6. Following the risk assessment, is this person suitable to remain in their current role? I think we need to ask, what are the risks and how can they be mitigated, are there any risks which cannot be mitigated?		
<ul style="list-style-type: none"> YES or NO If YES, the section below requires the line manager to identify the risks, how they will be minimised or eliminated and who is responsible for that risk Each risk should be individually detailed Where an individual works with children, young people and vulnerable adults and a risk has been identified it is strongly recommended that this is escalated to the General Manager or Deputy Director for additional approval and that advice is sought from relevant services including the Trust Safeguarding Team. 		
If YES, what arrangements will be put in place to appropriately supervise, minimise or eliminate the risks involved?		
Risk	How will this risk be minimised or eliminated?	Person responsible
1.		
1.		
If NO, what are the other options are available to you and what action will now be taken? (please consider restricted practice, suspension from duty)		
<ul style="list-style-type: none"> Consider restricted practice where risk cannot be effectively minimised or eliminated Is suspension from duty appropriate? Seek advice from Workforce & OD or other service areas such as the Trust Safeguarding or Legal teams 		

3.3. Line manager actions on completion of risk assessment

If the risk assessment relates to an individual starting work without a DBS the line manager must seek final approval from the General Manager or Deputy Director before the individual starts work.

A copy of the completed risk assessment must be held on the individuals record and sent to the DBS renewals team at hnf-tr.dbsrenewals@nhs.net. The risk assessment should be reviewed when any new information is received (such as receipt of clear DBS or details of offence) or there is a change in the persons role or responsibility.

Additional guidance can be sought from Human Resources, DBS Renewals Team or for cases involving vulnerable client groups, the Trust Safeguarding Team.

4. RELEVANT TRUST POLICIES/PROCEDURES/PROTOCOLS/GUIDELINES

- [Recruitment and Selection Policy HR-032](#)
- [Managing Concerns against individuals in a position of trust Policy N-004](#)