

# Guidelines for requesting and confirming DBS checks for postgraduate research students

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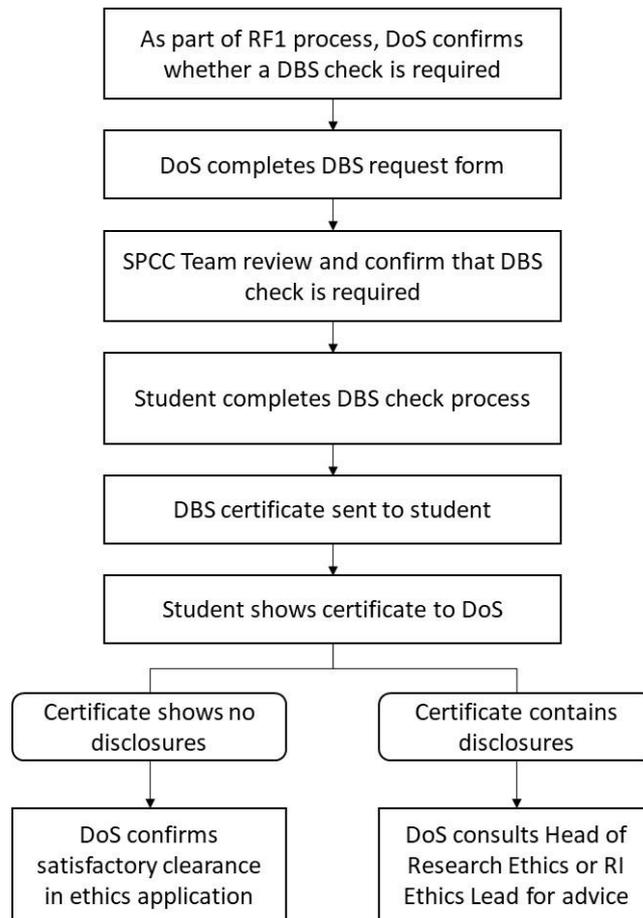
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## 1. Introduction

Some research degree projects may involve the postgraduate research (PGR) student undertaking [Regulated Activity](#) and therefore require the appropriate Disclosure and Barring Service (DBS) clearance. Where this applies, the student must be confirmed as having satisfactory DBS certification before they undertake any Regulated Activity.

DBS certification is part of the research ethics approval and satisfactory clearance must be confirmed before the research ethics application can be approved. It is the responsibility of the Director of Studies (DoS) to ensure that, if required, the appropriate DBS clearance is in place prior to any activity taking place. If satisfactory DBS clearance is required but not confirmed in the ethics application (see 5), the application will be 'referred back for resubmission' and either further clarification or adjustments to the project design (see 6) will be required.

If the requirement for DBS clearance only becomes apparent later in a student's studies – e.g. in year 3 – an additional ethics application will be required and this should include the DBS certification.



## 2. How to request a DBS check

As part of the RF1 Approval of Research Programme application Directors of Study should consider whether DBS clearance will be required. If it will, then Directors of Study should complete and submit the DBS request form available on the Research Degrees Blackboard site.

Sometimes the requirement for DBS clearance may only be apparent later in a student’s studies. In these cases, the Director of Studies should complete the DBS Request Form at the appropriate time.

DBS checks are facilitated by the Student Policy, Casework and Compliance Team (SPCC) in Student and Academic Services. As part of the process, the SPCC team must confirm that the activity meets the legal requirements for us to request a DBS check and determine the appropriate level of check. Therefore, Directors of Studies should provide sufficient information on the DBS request form to enable the team to establish the legal basis and type of check required. Prior to requesting a check, students must use the [eligibility tool](#) to determine which type of DBS check they require. Confirmation of use of the eligibility tool and its outcome must be recorded on the DBS request form.

Applications for an enhanced DBS check must be submitted via the Student Policy, Casework and Compliance Team. Where students have previously obtained a DBS check for the relevant workforce and have joined the [DBS Update Service](#), they may provide the necessary information to SPCC and consent to enable the University to undertake a status check via the Update Service.

### **3. Once the DBS check has been completed**

The DBS certificate will be sent to the student. The student should show their certificate to their DoS. If the certificate is clear, the DoS should proceed to step 5. If the certificate contains details of any criminal convictions or any additional information, the DoS should follow step 4.

### **4. Determining suitability of a student with a positive disclosure**

If a student's certificate contains a positive disclosure, this does not necessarily prevent the student from undertaking the research unless the incident indicates that the student is unable to work with children or vulnerable adults.

Where a certificate contains a positive disclosure, the DoS should undertake a risk assessment (Annex 1) to determine the student's suitability for the proposed research. This should consider:

- The nature of the offence/incident
- The time elapsed since the offence/incident
- Whether there is a pattern of good behaviour or reoffending
- Information obtained from the student relating to the offence/incident – the student may provide further information and detail around their declaration

The DoS should meet with the student to consider the information and decide on the likely suitability of the student for the proposed research. Where a positive disclosure is likely to be low risk (see Annex 2), the DoS can proceed as for a clear DBS certificate.

Where a positive declaration is not low risk, the DoS should consult the Head of University Research Ethics or the Research Institute Ethics Lead. They will consider the information and decide on the likely suitability of the student for the proposed research. This may include contacting the student in writing to ask them to provide further information and detail around their declaration. If they wish, the student may also provide other supporting information such as professional or character references.

The Ethics Head/Lead should convene a meeting to consider the information contained within the disclosure and any additional information supplied by the student and make a decision on the likely suitability of the student for the proposed research. The meeting will be Chaired by the Ethics Head/Lead and comprise the DoS, the Head of Research Degrees or Postgraduate Research Tutor, and the student. The student may also be accompanied by a friend or a Students' Union Advisor. The SPCC Team can provide procedural or regulatory advice.

In making their decision, the Ethics Head/Lead will consider:

- The relevance of the declaration to the proposed research
- The time elapsed since the offence/incident
- Pattern of offending
- The circumstances surrounding the incident and the explanation offered by the student
- Whether the student's circumstances have changed since the incident
- Evidence of rehabilitation (Rehabilitation of Offenders Act 1974)

The Ethics Head/Lead should inform student and their DoS of the outcome in writing (by email).

## 5. Recording the DBS clearance in Converis

Once the DoS has confirmed a satisfactory DBS clearance (or the University has accepted a positive declaration – see 4), the student should record in response to P6 Q8<sup>1</sup> of their Converis ethics application:

- “Satisfactory DBS clearance is confirmed”
- The data of issue of the DBS certificate
- The type of certificate (workforce and level)
- The Certificate reference number

No other information concerning the DBS certificate or clearance should be recorded in Converis.

## 6. If a student is not able to undertake the research as planned

Where the ethics lead determines that the student is not suitable to undertake the Regulated Activity, the DoS and student should modify the planned programme of research so that Regulated Activity is no longer required.

There may be a consequent impact on a student’s scholarship funding if the scholarship is tied to a particular project or programme of research that requires DBS clearance. This will be assessed on a case-by-case basis.

## 7. Handling, storage and retention of information

DBS certificates are the property of the student and must be returned to the student at the conclusion of any relevant process.

All certificate information must be stored and handled in line with the University’s [DBS Handling Policy](#).

In particular:

- Certificate information must only be passed to those who are authorised to receive it in the course of their duties – it is a criminal offence to pass this information to anyone who is not entitled to receive it.
- Certificate information must only be used for the specific purpose for which it was requested and for which the applicant’s full consent has been given.
- It is not permitted to keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate.

Once the research ethics decision has been made, certificate information should not be kept for longer than necessary. This retention will allow for the consideration and resolution of any disputes or complaints or for the purpose of completing safeguarding audits.

Any documentation relating to positive disclosures and related correspondence, meetings and decisions will be kept by the Research Policy and Performance team. All information will be held securely and in line with the [DBS Handling Policy](#).

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<sup>1</sup> P6 Q8: If Disclosure and Barring Service (DBS) checks are required, please supply details \*

## **8. NHS Research Passports**

Some students may require an NHS Research Passport, involving DBS and Occupational Health clearance. Directors of Study should contact the research office of their NHS partner for further advice on whether a Passport is required.

## **9. Break in Study**

If a student takes a Break in Study for any reason, they are required to have a new DBS check (or consent to a check via the DBS Update Service) on their return to study before they undertake any Regulated Activity. If a student returning from a Break in Study has a new declaration, this will be considered as in 4.

## **10. Change in circumstances likely to affect DBS clearance**

If a student has started a programme of research with a satisfactory DBS check but their circumstances change following submission of the DBS application, they must inform their DoS immediately. If a student is subject to criminal charges or receives a conviction and they are still conducting Regulated Activity, a new DBS check will be required.

Failure to declare a relevant change in circumstances would be treated as research misconduct under the research ethics policies.

## **11. Overseas students**

If a student has lived outside of the UK for 12 months or more (whether continuous or in total), in the last ten years, they will be required to provide confirmation from every country they have lived in, of their criminal record. Further information is available from the Home Office at [Overseas Criminal Record Check Guidelines](#).

## **12. Appeals**

Decisions made by the Head of University Research Ethics are final and students cannot appeal the academic judgement of the Head of University Research Ethics.

The [Student Complaints Policy and Procedure](#) is available and will consider new evidence, complaints about an error in the process or that the findings were manifestly unreasonable based on the evidence.

## **13. Useful information**

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

Relevant Sheffield Hallam policies:

[DBS Handling Policy](#)

[Research Ethics & Integrity](#)

[Research Misconduct](#)

## Annex 1 Risk assessment

(Based on HWLS Guidelines for confirming the professional suitability of applicants and students)

Factor	Relevant considerations
The relevance of the declaration to the research the individual is planning to conduct	<ul style="list-style-type: none"> <li>• The entire range of activities the student may undertake</li> <li>• The range of social care/clinical/educational settings in which the research will be conducted, and the degree to which the individual will be working independently in that setting</li> <li>• The seriousness of the declaration in relation to contact with vulnerable groups and any consequent concerns about the individual's ability to undertake this type of activity</li> </ul>
The length of time since the incident occurred	<ul style="list-style-type: none"> <li>• The length of time since the incident should be considered, as well as the age of the individual at the time of the incident</li> </ul>
The pattern of offending	<ul style="list-style-type: none"> <li>• The number of offences/incidents should be considered. Someone with a single conviction may be less of a risk than someone who has a pattern of repeat offending</li> </ul>
Circumstances surrounding the incident and explanation offered by the individual	<ul style="list-style-type: none"> <li>• Mitigating circumstances need to be considered</li> <li>• Was there a financial, domestic or political context to the offence/incident?</li> </ul>
Whether the individual's circumstances have changed since the offence/incident	<ul style="list-style-type: none"> <li>• The individual's circumstances may now be very different to those in which the incident occurred</li> </ul>
Evidence of rehabilitation	<ul style="list-style-type: none"> <li>• Individuals are invited to submit evidence of rehabilitation. This may take the form of character references, evidence of community work etc.</li> </ul>

## Annex 2 Risk categories

(Taken from HWLS Guidelines for confirming the professional suitability of applicants and students)

Risk category	Definition	Example
<p><b>High risk</b></p> <p><i>Individual would normally be determined not suitable to undertake Regulated Activity</i></p>	<p>Offences/incidents which suggest the individual is likely to pose a risk to the safety and wellbeing of patients and service users and is therefore unsuitable to undertake regulated activity.</p> <p>Categories of high risk offences/incidents include:</p> <ul style="list-style-type: none"> <li>• Offences/incidents against children</li> <li>• Sexual offences/incidents</li> <li>• Offences/incidents involving the abuse of trust</li> <li>• Offences/incidents involving cruelty</li> </ul>	<ul style="list-style-type: none"> <li>• Indecent conduct towards a child</li> <li>• Kidnapping, false imprisonment or abduction</li> <li>• Take, permit or make, distribute or publish an indecent photograph of a child or pseudo photograph of a child</li> <li>• Cruelty to persons under 16</li> <li>• Murder</li> <li>• Infanticide</li> <li>• Cruelty to or abuse of animals</li> <li>• Non-consensual sex acts</li> <li>• Causing or inciting prostitution</li> <li>• Burglary with intent to Rape</li> <li>• Sexual abuse of trust</li> <li>• Repeated Medium Risk offences/incidents</li> </ul>
<p><b>Medium Risk</b></p> <p><i>Individual would normally be invited to attend a suitability meeting</i></p>	<p>Offences/incidents which suggest the offended may pose a risk to the safety and wellbeing of vulnerable groups, and may therefore be unsuitable to undertake Regulated Activity</p>	<ul style="list-style-type: none"> <li>• Driving a motor vehicle with excess alcohol</li> <li>• Failure to provide a specimen for analysis</li> <li>• Possession of Class A drug</li> <li>• Custody or control of a false instrument or document with intent</li> <li>• Common assault</li> <li>• Theft</li> <li>• Repeated Low Risk offences/incidents</li> </ul>
<p><b>Low Risk</b></p> <p><i>Individual would normally be accepted based on declaration</i></p>	<p>Offences/incidents which suggest the offended is unlikely to pose a risk to the safety and wellbeing of vulnerable groups and is therefore likely to be suitable to undertake Regulated Activity</p>	<ul style="list-style-type: none"> <li>• Shoplifting offences/incidents as a minor</li> <li>• Possession of Class B or Class C drug</li> <li>• Minor motoring offences/incidents</li> </ul>