 <p>GIG CYMRU NHS WALES</p> <p>Iechyd Cyhoeddus Cymru Public Health Wales</p>	<p>Name of Meeting People and Organisational Development Committee</p> <p>Date of Meeting 22 September 2025</p> <p>Agenda item: 3.1</p>
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Policy Approval Report

Section 1 - Policy Information

Policy / Procedure Title	Disclosure and Barring Service (DBS) Policy
Policy Lead	Alison Davies, Resourcing and Talent Lead
Lead Executive	Neil Lewis, Director of People and OD
PHW / All Wales?	PHW
Date of last Review	New policy
Is the current policy / procedure within review date?	N/A
Approving Body /Group	Leadership Team
Version Number	1.0

Section 2: Recommendation

That the People and Organisational Development Committee:

- Consider the revised policy, (Appendix 1) and the Equalities Impact Assessment (Appendix 1a)
- Approve the updated policy.
- Note that the Leadership Team are considering the draft Policy at the meeting on 18 September, and the LPF is also considering via email. A verbal update will be provided to update the Committee on the outcome of these.



Section 3 – Details of the Review:

Background:

Reason for review

The policy has been developed to support the implementation of the mandatory requirement for staff in eligible roles to subscribe to the DBS Update Service. It also strengthens our approach to barring referrals and provides clearer, more robust procedures for managing DBS checks across the organisation. This ensures consistency, compliance with statutory requirements, and improved safeguarding practice.

Description/Assessment

This is a new policy that sets out a clear framework for managing Disclosure and Barring Service (DBS) checks within Public Health Wales. It is needed to formalise expectations, clarify roles and responsibilities, strengthen guidance on barring referrals, and support the organisation-wide move to mandatory DBS Update Service subscriptions for staff in eligible roles.

Historically, Public Health Wales has required a new DBS check when an individual changes job and their existing certificate is over three years old or not at the correct level. This has presented safeguarding risks as the DBS certificate is only current on the date it is issued and we are reliant on staff reporting any change to their criminal record to their line manager.

Summary of changes incorporated into the Policy:


- Adoption of mandatory DBS Update Service subscription for eligible roles (with reimbursement).
- Clear articulation of the lawful basis for Update Service status checks (no consent required).
- Strengthened barring referral guidance: criteria, process, and responsibilities.
- Improved clarity on roles and responsibilities, with added accessibility and inclusion measures.
- Enabling ESR-based automated status monitoring (every 60 days) to provide more regular assurance.



Consultation	
Has this Policy / Procedure been through the appropriate 28 day consultation process?	Yes
Date range of consultation:	04/08/25 – 02/09/25
Please provide details of any feedback received and outline what changes if any were made to the document as a result:	<ol style="list-style-type: none"> 1. Add <i>Employing Ex-Offenders Policy</i> to the supporting documents list (link provided). 2. Section 7.1 – Consent wording not valid under Data Protection. Update to reflect lawful basis (employment contract / legal obligation) as per Staff Privacy Notice. 3. Add a line/paragraph in the Policy Statement or Policy Commitment to reflect cultural narrative/EVP principles. 4. Replace references to “the Trust” with “Public Health Wales” or “the organisation” throughout. 5. Add link to <i>DBS Update Service – GOV.UK</i>. 6. Consider adding a section briefly explaining how to subscribe to the DBS Update Service. 7. Section 7 – Expand reimbursement line to clarify it is through the usual expenses process. 8. Section 10 – Add link to EAP page and specify who individuals should contact for support (manager/People & OD). 9. Section 20 – Update title to <i>Review and Feedback</i> and include reference to Trade Unions as an avenue for feedback. 10. Under <i>Confidentiality, Storage, and Use of DBS Information</i> – add a statement on managing documents in line with Records Retention and Destruction Guidance. 11. Add a statement (end of Policy Commitment) that arrangements may be reviewed in the event of an enhanced/emergency response, where local or national guidance may supersede.
Amendments made	<ol style="list-style-type: none"> 1. Added <i>Employing Ex-Offenders Policy</i> to the list of supporting documents. 2. Revised Sections 1.3, 1.4 and 1.5: removed references to consent; clarified lawful basis for Update Service checks in line with GDPR and the Staff Privacy Notice in Section 7.1. 3. Added a new paragraph within the Policy Commitment to reflect values-led practice and organisational culture.



	<ol style="list-style-type: none"> 4. Updated terminology: references to “the Trust” replaced with “Public Health Wales” or “the organisation”. 5. Added a hyperlink to 6. Introduced new Appendix 1 <i>Subscribing to the DBS Update Service</i>, providing a signpost to the DBS Update Service – GOV.UK and an outline of the process for notification and reimbursement of subscription. 7. Updated Section 10 to include a link to the Employee Assistance Programme (EAP) and guidance on who to contact for support (manager or People & OD). 8. Retitled Section 20 as <i>Review and Feedback</i>; added reference to providing feedback via PeopleSupport or Trade Union representatives. 9. Inserted new paragraph under <i>Confidentiality, Storage, and Use of DBS Information</i> referencing Records Retention and Destruction Guidance. 10. Added statement at the end of the Policy Commitment confirming that arrangements may be reviewed and updated in the event of an enhanced or emergency response.
Had this policy / procedure been considered by any other groups?	Yes
If so, please provide detail of any comments / feedback or amendments made to the documents as a result of this	Local Partnership Forum – no comments received PHW Safeguarding Group – no comments received
(Add detail)	N/A

Section 4: Impact Assessments	
Equality and Health Impact Assessment	 <p>PHW DBS Policy EHIA Aug 25.docx</p> <p>The Equality and Health Impact Assessment (EHIA) identified a number of potential issues, including accessibility and digital exclusion, financial barriers, risks of unconscious bias or</p>



	<p>discrimination, impacts on particular protected or vulnerable groups (e.g. trans individuals, ex-offenders, care leavers, and people without stable housing), and ensuring parity for Welsh language users. Processes to mitigate these risks have been built into the DBS Policy, including support with upfront DBS Update Service fees, reasonable adjustments and assisted applications, fair and transparent risk assessments, and bilingual access to documents and systems.</p> <p>We are also developing manager guidance on how to deal with disclosures of a criminal record, to ensure these are handled fairly, consistently, and sensitively, with safeguarding, rehabilitation, and equality considerations in mind.</p>
<p>Welsh Language Impact</p>	<p>The Policy will be translated to Welsh and available on the internet bilingually.</p> <p>The application process for DBS checks is available bilingually, and Public Health Wales ensures that related policy documents and guidance are available in both Welsh and English. However, the DBS certificate itself is only issued in English by the Disclosure and Barring Service, and at present there is no option for this to be provided in Welsh.</p>
<p>Risk and Assurance</p>	<p>This policy and its supporting EHIA are directly relevant to the Corporate Risk Register (Ref 1541). The risk highlights the potential harm to service users and employees, particularly vulnerable groups, if regular DBS checks and renewals are not undertaken. By mandating DBS Update Service subscription, annual renewal monitoring, and clear processes for risk assessment and handling disclosures, the policy significantly reduces the likelihood of this risk materialising. It also mitigates the potential reputational, safeguarding, and financial consequences identified in the register, while strengthening public confidence in our safeguarding practices.</p>
<p>Health and Social Care (Quality and Engagement) (Wales) Act</p>	<p>This policy and EHIA support the implementation of the Health and Social Care (Quality and Engagement) (Wales) Act by strengthening the Duty of Quality through robust safeguarding measures that protect children, adults at risk, and the wider public.</p>



	<p>Ensuring that all staff in roles eligible for a DBS check are subject to appropriate and ongoing DBS checks helps maintain high standards of safety and quality in our services.</p> <p>The Duty of Candour is supported by transparent processes for handling and disclosing DBS information, providing clear guidance to staff and managers, and ensuring that any concerns are dealt with openly, fairly, and consistently. This approach promotes trust, accountability, and confidence in Public Health Wales as a safe and transparent organisation.</p>
Financial implications	<p>there are financial implications associated with the adoption of this policy. Additional resource for undertaking re-checks and implementing the DBS Update Service has been secured through an investment bid. Recurrent funding has also been agreed to cover the reimbursement of annual DBS Update Service subscription costs, ensuring that the policy is financially sustainable.</p>
People implications	<p>The policy is designed to enhance safeguarding and provide clarity for staff and managers, which may have a positive effect on workforce confidence and perceptions of organisational safety. Processes have been put in place to ensure reimbursement of DBS Update Service costs and to support staff through re-checks, and the policy has been designed to mitigate inconvenience as much as possible. Feedback from staff will continue to be monitored through the staff survey and other engagement mechanisms to identify any unintended impacts. Trade Unions have been kept updated on progress from the inception of this requirement, ensuring staff side engagement throughout development.</p>
Socio Economic Duty	<p>The Socio-economic Duty has been considered in the development of this policy. The requirement for all staff in regulated roles to subscribe to the DBS Update Service could have created a financial barrier; however, recurrent funding has been secured to reimburse subscription costs and PHW can support with the upfront cost (for example, via corporate credit card payment) where required. In addition, support is available for staff or applicants who may face digital exclusion or lack access to suitable IT, with alternative</p>



	application routes and equipment provided where needed. These measures ensure the policy does not disadvantage people from lower socio-economic backgrounds and instead promotes fair and equitable access to employment opportunities.
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Section5 - Implementation

Please complete the table below for this section, include any relevant actions required for implementation of this policy / procedure:

- How it will be implemented - If it requires resource, training or there are changes to current practice an implementation plan (template available on policy webpages) will be required to accompany the document giving clear timelines.
- If resources are required these should have been agreed prior to presentation to the Committee/Group.
- Info re any barriers to implementation and associated risk – explain how this will be mitigated.

Implementation plan (with timescales)		
Next steps	Timescale	Responsible officer(s)
Final approval of policy through governance routes	01/10/2025	Resourcing and Talent Lead
Communicate implementation of mandatory Update Service subscriptions to all managers and staff via intranet, email, and manager briefings	22/09/2025	Resourcing and Talent Lead
Develop and publish manager guidance on handling disclosures of criminal records	22/09/2025	Resourcing and Talent Lead
Update SharePoint pages, and FAQs to include clear staff guidance	22/09/2025	Resourcing and Talent Lead
Implement system changes in Trac/ESR to record DBS Update Service compliance and renewal monitoring	22/09/2025	NWSSP Recruitment
Publish guidance for applicants in job adverts	01/10/2025	NWSSP Recruitment
Establish process for upfront DBS subscription support (e.g. corporate credit card payment) and communicate to managers/staff	01/10/2025	Resourcing and Talent Lead / Finance
Monitor compliance through ESR reports and quarterly audits	Ongoing	Resourcing and Talent Lead / Safeguarding Group

Monitor feedback and unintended impacts through staff survey, Trade Union feedback, and staff networks	Ongoing	POD
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Section 6 – Dissemination

- The policy will be published on the Public Health Wales intranet (Policies and Procedures page) in both English and Welsh.
- A targeted all-staff communication will be issued via email and the weekly staff bulletin to raise awareness of the policy.
- Manager guidance will be provided to highlight responsibilities and practical implications, including handling of disclosures and renewal monitoring, with the option to book an appointment with the Advisory Team for further support.
- Trade Unions and staff networks will be updated to ensure staff-side engagement and wider reach.
- Key support documents (manager guidance, FAQs, DBS SharePoint pages) will be created and promoted.