DBS Applications for Refugees, Asylum Seekers and Non-UK nationals

Disclosure and Barring Service (DBS) is a government body that helps organisations to make decisions on whether a person is suitable and safe to work in certain roles, including roles working or volunteering with vulnerable adults and children.

An organisation may ask an individual to complete a DBS check before they begin work or volunteer with them.

DBS Jurisdiction:
DBS is a service provided under England and Wales law and can only disclose criminal record information under that specific jurisdiction. As DBS cannot access criminal records held overseas, a criminal record check may not provide a complete picture of an individual's criminal record. For more information please see the following Home Office guidance: Criminal records checks for overseas applicants

Non-UK Nationals and Right to Work
Employers should follow the Right to Work guidance to ensure all non-UK applicants have permission to undertake the position they are applying for. For more information on this see Checking a job applicant's right to work - GOV.UK

For volunteer roles, Right to Work does not have to be established, however it is the responsibility of the individual and the organisation to ensure that there are no restrictions on the individual volunteering with them.

How to apply for a DBS check
Non-UK nationals can apply for a DBS check for a paid role and/or volunteer role if they meet the eligibility requirements for the level of DBS check (if applicable) and can provide the appropriate ID documents required for DBS check application process.

There is no eligibility requirement for a **basic DBS check** and this can be applied for online: Request a basic DBS check - GOV.UK (www.gov.uk).

Non-UK nationals that require a basic DBS check should use Route 1 to verify their identity as detailed in Basic check ID checking guidelines. If an applicant can't provide Route 1 documents, Route 2 may be used.

To submit an application for a **standard, enhanced or enhanced with barred list DBS check** the role has to meet the relevant eligibility criteria. These checks can then only be processed by an umbrella body. Umbrella bodies are registered organisations that can process DBS checks for other organisations.

ID checking guidelines for standard/enhanced DBS check applications explains the ID checking processes that must be used to verify identity for DBS applications. Applicants must use Route 1 to verify their identity. If the applicant is unable to present the documents needed in Route 1, then they can use Route 2. Route 3 can only be used if it's impossible to process the application through Routes 1 or 2.

Disclosure & Barring Service

Once a DBS check has been completed, the applicant will receive a DBS certificate which they can then show to the organisation whom they are working or volunteering for. The organisation can then use the DBS check to decide on how suitable the individual is for that role. They may also use other safer recruitment processes to help them make the decision.

If a Non-UK National applicant is unable to provide the appropriate ID documents
If an applicant is unable to provide the appropriate ID documents to verify their identity for a basic DBS check, then they can't submit the application.

Applicants who require a standard/enhanced DBS check applications but do not have the relevant documents to verify their identity will be asked for their consent for their fingerprints to be taken at a local police station. Employers should note this will require attendance by the applicant at a police station at an appointed time and may add delay to the overall application process.

If the employing organisation cannot establish an applicant's identity in accordance with DBS ID guidelines then they should mark W59 on the application form with a 'NO'.

Fingerprint Route
Applicants who are unable to provide the required documents will be asked to give their consent to have their fingerprints taken in line with the current procedure.

A letter is sent, inviting the applicant to have their fingerprints taken as evidence of identity under Part V of the *Police Act 1997*. The applicant will be required to attend a fingerprinting appointment at the local police force where they currently reside.

The DBS consent letter is issued to the applicant which includes a consent form and a request for two photographs. The applicant should return the required correspondence within 14 calendar days via post or email.

If a response is not received following the letter and subsequent reminders, the application will be withdrawn. If all the information is received, the DBS will email the force where the applicant currently resides. The police will then process the taking of fingerprints.

The Local Police Force (LPF) will contact the applicant via telephone (from a withheld number) to arrange a suitable time to attend a fingerprint appointment. The applicant may request that fingerprinting is performed at an alternative police force to that within which they reside. For example, the person may work in a different area to their home. The applicant may make a request direct to the police or to DBS. The LPF have 21 days to arrange and hold the appointment then respond with results.

Once the results are returned, DBS will inform the RB that the applicant attended fingerprints. They will attach one of the photos for the RB to ensure that the person who had the prints taken is the applicant.

DBS will then process the DBS check and send the DBS certificate to the applicant for them to share accordingly.

For further advice and information please contact dbsregionaloutreach@dbs.gov.uk

Disclosure &
Barring Service