

FILTERING

Introduction

Filtering is the term we use to describe the process which will identify and remove protected convictions and cautions so that they are no longer disclosed on a DBS certificate (DBS check).

In addition, employers will not be able to take old and minor cautions and convictions into account when making recruitment decisions.

All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure on a DBS check.

All convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where more than one conviction is recorded.

Standard and enhanced DBS certificates will include details of convictions and cautions (which include youth cautions, reprimands and warnings) recorded on the Police National Computer

PNC information relating to protected cautions and convictions will be filtered and will not appear on the certificate.

The rules as to when a conviction or caution will be filtered are set out in legislation.

This states that a certificate must include the following:

- cautions relating to an offence from a list agreed by Parliament (see DBS website 33 pages)
- cautions given less than 6 years ago (where individual 18 or over at the time of caution)
- cautions given less than 2 years ago (where individual under 18 at the time of caution)
- convictions relating to an offence from a prescribed list (see DBS website 33 pages)
- where the individual has more than one conviction offence all convictions will be included on the certificate (no conviction will be filtered)
- convictions that resulted in a custodial sentence (regardless of whether served)
- convictions which did not result in a custodial sentence, given less than 11 years ago (where individual 18 or over at the time of conviction)
- convictions which did not result in a custodial sentence, given less than 5.5 years ago (where individual under 18 at the time of conviction)

The list of offences which will never be filtered from a criminal record check has been taken from legislation.

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The list includes a range of offences which are serious, relate to sexual or violent offending or are relevant in the context of safeguarding. It would never be appropriate to filter offences on this list. In addition, the legislation covers equivalent offences committed overseas.

Where an individual is aware that they have committed an offence overseas which may be equivalent they should seek independent expert or legal advice to ensure that they provide information that is truthful and accurate.

What other types of information are shown on enhanced DBS certificates?

In addition to information from the PNC, it may also include information taken from police records that a chief officer of a police force considers relevant to the application and ought to be disclosed, or details of whether an individual is included on one or both of our two lists barring people from working with children and/or Adults at risk