

## Appendix B

### Disclosure and Barring Service (DBS) filtering guide

#### What are the filtering rules?

##### For adults

An adult conviction will be removed from a DBS certificate only if:

- (i) 11 years have elapsed since the date of conviction
- (ii) It is the person's only conviction
- (iii) Conviction did not result in a custodial or suspended sentence
- (iv) Conviction does not appear on the [list of specified offences](#)

An adult caution will be removed after six years have elapsed since the date of the caution and if it does not appear on the list of specified offences. There is no limit to the number of cautions that can be filtered.

##### For juveniles

A juvenile conviction will be removed from a DBS certificate only if:

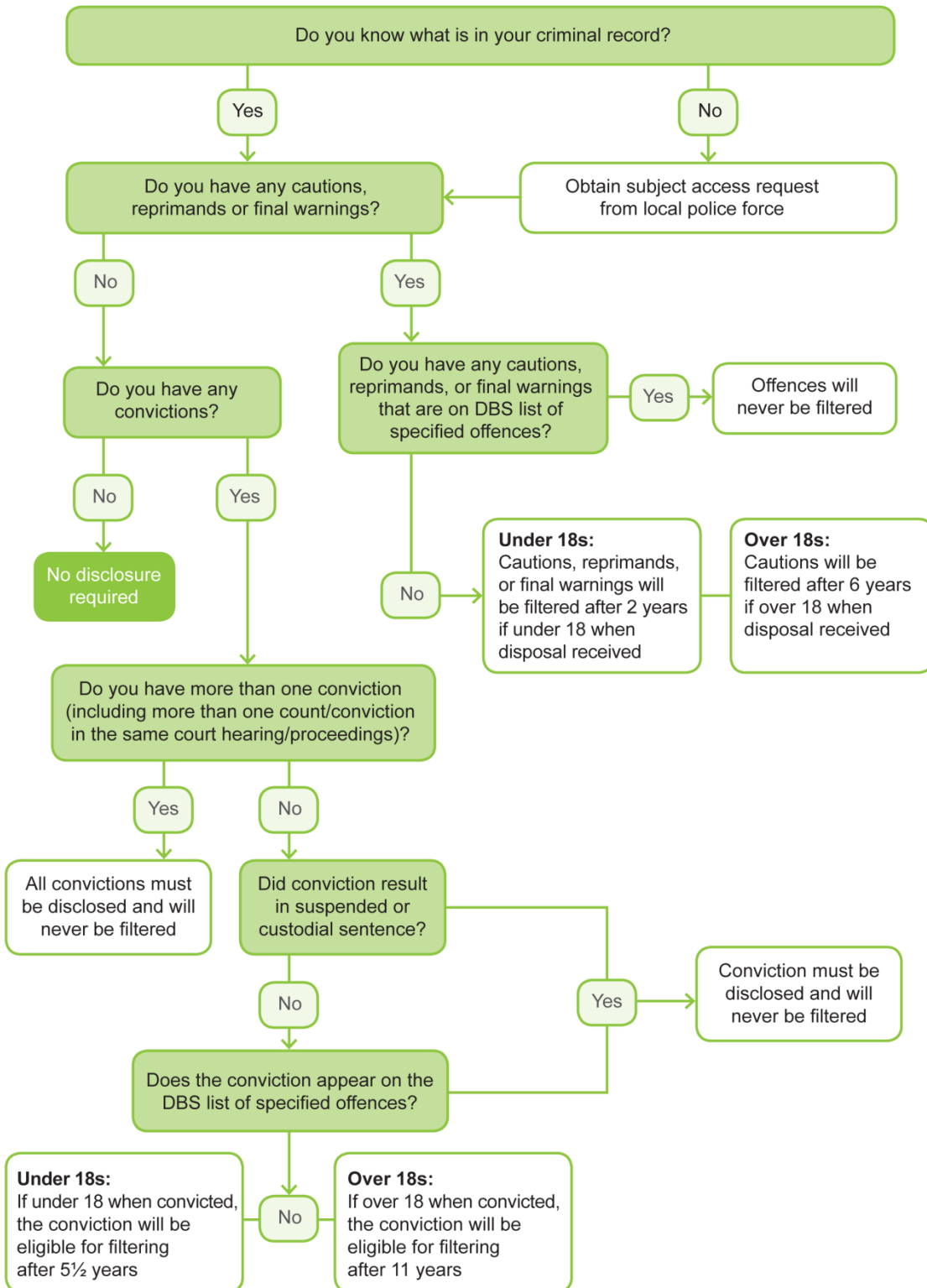
- (iii) Five and a half years have elapsed since the date of conviction
- (iv) It is the person's only conviction
- (v) Conviction did not result in a custodial or suspended sentence
- (vi) Conviction does not appear on the [list of specified offences](#)

A youth caution, reprimand or final warning will be removed after two years have elapsed since the date of the caution and if it does not appear on the list of specified offences. There is no limit to amount of cautions, reprimands or final warnings that can be filtered.

#### Key considerations for employers

- It is unlawful to carry out a standard or enhanced DBS check for a role which is not 'exempt' from the ROA, and therefore not eligible for a DBS check
- It is unlawful to require an applicant to disclose a 'protected' conviction, caution, reprimand or final warning, which would be filtered off a DBS check
- It is unlawful to require an applicant or existing employee to carry out an 'enforced subject access request,' i.e. provide a copy of their Police National Computer (PNC) record from the police
- Applicants are not legally required to disclose fixed penalty notices (FPNs), penalty notices for disorder (PNDs) or other disposals that are not convictions, cautions, reprimands or final warning
- Applicants are not legally required to disclose allegations, arrests or not guilty verdicts

## Filtering process flowchart



Comprehensive guidance on filtering can be downloaded [here](#).