



Disclosure &  
Barring Service

## Disclosure & Barring Service (DBS) Leaflet: DBS Checks in Sport – Working with Adults



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*Disclaimer: This is not legal advice. If you need help with making sure you are complying with the law, you should speak to a legal adviser.*

## Introduction

This leaflet explains the eligibility of a range of roles across the sports sector based on generic descriptions of the roles and their responsibilities. This guidance applies whether the individuals are paid or unpaid.

If your organisation employs people who do not meet all the conditions outlined in this leaflet, they may be eligible for a different level of check. You will need to refer to our online [eligibility tool and guidance to check this out](#). If your organisation employs people in different roles who perform similar duties to those in this leaflet, you should refer to our online guidance as they may be eligible for the same level of check.

Any changes to a role or the activities that a person carries out can affect the level of check that is applicable. For more information, please refer to [our eligibility guidance](#) which can be found on the Disclosure and Barring Service (DBS) website.

This guidance applies to criminal record checks in England, Wales, the Channel Islands, and the Isle of Man. Information on checks available in Scotland can be obtained from [Disclosure Scotland](#). Information on checks available in Northern Ireland can be obtained from [Access NI](#).

## Roles in the sports sector

Below are some examples showing how eligibility can be applied to some roles in the sports sector. Legislation sets out what regulated activity with adults is, and what falls into the definition of 'work with adults'. To see more about what is meant by regulated activity with adults, see the [Regulated activity with adults](#) leaflet on our website, and for 'work with adults', see [Annexe B](#).

## Meeting the period condition when working with adults

Certain roles in this guidance will be in 'work with adults' and eligible for an Enhanced DBS check without an Adults' Barred List check if they are carried out often enough to meet the period condition. The period condition when carrying out activities that are 'work with adults' is:

- on more than 3 days in any period of 30 days, or
- once overnight between 2am and 6am with the opportunity for face-to-face contact with adults, or
- at least once a week on an on-going basis

If this period condition is not met, the role is not carrying out work with adults. Organisations should check the [Eligibility for Standard DBS checks](#) guide to see if there is eligibility to apply for a Standard DBS check. If the role is not covered here, then the individual can be asked to apply for a Basic DBS check.

Some roles in this guidance will be regulated activity with adults. These roles are eligible for an Enhanced DBS check with an Adults' Barred List check. Regulated activities with adults only need to be undertaken once.

## Healthcare professionals in sports

There are several roles in the sports sector that provide healthcare, such as physiotherapists, psychotherapists, first aid organisations, club doctors/nurses etc, where eligibility exists for these individuals to be asked to apply for a DBS check.

Anyone who is providing healthcare to adults and is a regulated healthcare professional or working under the direction or supervision of a regulated healthcare professional, is carrying out regulated activity with adults. It does not matter how often this healthcare is being provided for the eligibility criteria to be met.

This means that they can be asked to apply for an Enhanced DBS check with an Adults' Barred List check.

Working under the direction of a healthcare professional means the individual will be receiving direct instructions from the healthcare professional about how to treat the client whilst the healthcare is being provided.

Working under the supervision of a healthcare professional means the individual is in contact with the healthcare professional while they are providing the treatment to the client.

Healthcare provided by **first aiders** is only regulated activity if it is provided on behalf of an organisation set up for the purpose of providing first aid, e.g., St John's Ambulance.

## Other roles working with adults

To be eligible when working with adults in a sports environment, in a role that is not providing healthcare, an individual must meet specific requirements that are set out in the Police Act 1997 (Criminal Records) Regulations 2002, as amended.

These regulations explain what work with adults is. This is defined as providing 'any activity in paragraph 6, to an adult that receives a health or social care service in paragraph 9, or a specified activity in paragraph 10', if they are doing it often enough.

More information about what these paragraphs say and how often an activity must be done can be found in the steps in [Annexe B](#).

Below are some examples of how the criteria for work with adults could apply to a selection of roles.

## Coaches

The coach for an adult's football team set up specifically for people with cerebral palsy is eligible for an Enhanced DBS check if they are doing this often enough to meet the period condition (see section above).

This is because they are providing training to adults who are in receipt of a form of healthcare, care, or assistance provided because of their disability. There is no access to an Adults' Barred List check for this role.

If the adult's football team was open to any adult, the coach could only be asked to apply for a Basic DBS check. This is because the adult team members would not be receiving a service set up specifically to be provided for them because of their age, illness, or disability.

## Referees, umpires, and other officials

The role of a football ground steward is named in legislation and is automatically eligible for a Standard DBS check, regardless of whether they are dealing with children or adults in receipt of health and social care.

Other sports official roles are not specifically mentioned in legislation as eligible for a DBS check. This means that each role must be considered on an individual basis to establish what the person is doing that could be eligible. This is because an official's responsibilities can vary between different sports and clubs.

A referee in a wheelchair basketball league that has been specifically set up for adults who have a disability, physical or mental illness is eligible for an Enhanced DBS check **without** an Adults' Barred List check, if the referee's duties include caring for or supervising the adults playing, and they are doing it often enough to meet the period condition.

An official who has specific responsibility for supervising adults in receipt of health and social care (See [Annexe B](#)) before or after a match, or during training, is eligible for an Enhanced DBS check but again **without** an Adults' Barred List check, as long as the period condition is met.

If the basketball league was open to all adults, the referee can only apply for a Basic DBS check. This is because the adults are not receiving a service set up to be specifically provided to them because of their age, illness, or disability.

## Sports therapists

If a sports club employs anyone whose role includes performing and providing sports massages for adult teams, or any individual adults, they can request an Enhanced DBS check but without an Adults' Barred List check.

This is because the sports therapist is providing a form of treatment, the adult is in receipt of a health and social care service by receiving that treatment, and the therapist is doing this often enough to meet all the criteria in the Steps in [Annexe B](#).

If sports massage is being provided by a healthcare professional, then this is regulated activity with adults and eligible for an Enhanced DBS with an Adult's Barred List check even if it is only done on one occasion.

## Running groups

Public or private running groups sometimes appoint a run leader to organise or supervise events held by the group. If there is no organisation providing the approval for the individual to perform this role then they cannot apply for a Standard or Enhanced DBS check, the run leader could only apply for a Basic check.

Run leaders are generally not eligible for Standard or Enhanced DBS checks in the adult workforce, however for cases where an organisation **is** making a suitability decision on a run leader and the run leader has coaching duties, then eligibility may exist in the same way as for coaches (see above).

## Pool lifeguards

Guidance from the Royal Life Saving Society indicates that pool lifeguard duties do not include carrying out any of the activities that fall into regulated activity with adults or 'work with adults'. They are eligible for Enhanced DBS checks in the child workforce though, as explained in the 'Sports roles with children' leaflet.

## Leisure centre staff

As a rule, leisure centre staff, e.g., receptionists, cleaners, changing room attendants, gym instructors, are not eligible for Standard or Enhanced DBS checks in the adult workforce. Only those carrying out teaching activities with adults in the same way as mentioned in the 'Coaches' section may be eligible.

## Managers and supervisors

If an individual is employed with duties including the regular day-to-day management or supervision of someone who is carrying out work with adults, then this individual is also in work with adults and is eligible for an Enhanced DBS check but without an Adults' Barred List check.

For example, if a sports coach is eligible for an Enhanced DBS check without an Adults' Barred List check for being in work with adults, then any person that is employed to manage or supervise that sports coach on a day-to-day basis will also be eligible for the same level of check.

This only applies to direct management/supervisor positions and does not extend to cover the complete line management chain.

## Reporting concerns to DBS

When you request an Enhanced DBS check with a Barred List check to assess someone to carry out regulated activity with adults (see [Annexe A](#)), this means that you are a regulated activity provider (RAP). Being a RAP means that as an organisation you have a legal duty to make a barring referral to DBS where relevant conditions are met. Please see the DBS leaflet on Barring Referrals for more information.

## Annexe A

Regulated activity with adults is something that must not be carried out by people who are included on the Adults' Barred List.

If someone who knows they are barred from regulated activity with adults applies for any kind of work that meets the definition of regulated activity below, they are committing an offence as is anyone who employs them in a paid or unpaid role involving regulated activity knowing that they are barred. Both could be liable for up to 5 years imprisonment and/or a fine.

Anyone carrying out an activity that is covered by the definition of regulated activity with adults can apply for an Enhanced DBS check including an Adults' Barred List check.

The following activities are regulated activities with adults; regardless of how often they are carried out:

- providing healthcare to an adult by, or under the direction or supervision of, a regulated healthcare professional:
  - to be working under the direction of a healthcare professional, the individual will be receiving direct instructions from the healthcare professional about how to treat the client whilst the healthcare is being provided
  - working under the supervision of a healthcare professional means the individual is in contact with the healthcare professional while they are providing the treatment to the client
- providing personal care; made up of:
  - physical help with eating, drinking, going to the toilet, washing, bathing, dressing, oral care or the care of skin, hair or nails for adults who cannot do this themselves because of their age, illness, or disability
  - prompting and then supervising eating, drinking, going to the toilet, washing, bathing, dressing, oral care or the care of skin, hair or nails for adults who cannot decide to do this for themselves because of their age, illness, or disability
  - providing training, instructing, advice or guidance on eating, drinking, going to the toilet, washing, bathing, dressing, oral care or the care of skin, hair or nails to adults who cannot do this for themselves because of their age, illness, or disability
- providing social work by a social care worker of relevant social work to an adult who is a client or potential client
- assisting an adult who cannot manage themselves because of their age, illness, or disability with the financial day-to-day running of their own home by:
  - managing their cash
  - paying their bills
  - doing their shopping
- assistance in the conduct of an adult's own affairs, where:

- a lasting power of attorney is created
- an enduring power of attorney is registered or applied for
- the Court of Protection has made an order in relation to the making of decisions on the adult's behalf
- an independent mental health or mental capacity advocate is appointed
- independent advocacy services are provided
- a representative is appointed to receive benefits payments on the adult's behalf
- conveying adults to, from or between healthcare, personal care and/or social work services who cannot convey themselves because of their age, illness, or disability
- regular day-to-day management or supervision of anyone carrying out any of the activities listed above



## Annexe B: Definition of work with adults' activities

A person will be performing work with adults if they meet the criteria in the 3 steps mentioned below.

### Step 1: Who is the individual working with?

A person must be carrying out an activity for adults who are receiving a health or social care service in paragraph 9, or a specified activity in paragraph 10.

#### Paragraph 9 – health or social care services:

- a) residential accommodation for an adult in connection with any care or nursing they require
- b) accommodation for an adult who is or has been a pupil at a residential special school
- c) sheltered housing
- d) any form of care, or assistance provided because of an adult's age, health, or disability they have, that is provided to the adult in the place that they live.
- e) any form of healthcare, including treatment, therapy, or palliative care of any kind
- f) support, assistance, or advice to help develop or sustain an adult's capacity to live independently in accommodation
- g) any service provided specifically for adults because of their age, any disability, physical or mental illness. This excludes the following disabilities:
  - i) dyslexia
  - ii) dyscalculia
  - iii) dyspraxia
  - iv) irlen syndrome
  - v) alexia
  - vi) auditory processing disorder
  - vii) dysgraphia
- h) Any service provided specifically to expectant or nursing mothers who are in receipt of residential accommodation

#### Paragraph 10 – specified activities:

- a) the detention of an adult in a prison, a remand centre, young offender institution, a secure training centre, or an attendance centre
- b) the detention of a detained person (within the meaning of Part 8 of the Immigration and Asylum Act 1999) who is detained in a removal centre or short-term holding facility or in pursuance of escort arrangements made under that Act
- c) the supervision of an adult under a court order by a person acting for the purposes of Part 1 of the Criminal Justice and Court Services Act 2000

- d) the supervision of an adult by a person acting for the purposes mentioned in section 1(1) of the Offender Management Act 2007
- e) providing assistance to an adult with the conduct of their affairs in situations where:
  - i) a lasting power of attorney is created in respect of the adult in accordance with section 9 of the Mental Capacity Act 2005 or an application is made under paragraph 4 of Schedule 1 to that Act for the registration of an instrument intended to create a lasting power of attorney in respect of the adult
  - ii) an enduring power of attorney (within the meaning of Schedule 4 to that Act) in respect of the adult is registered in accordance with that Schedule or an application is made under that Schedule for the registration of an enduring power of attorney in respect of the adult
  - iii) an order under section 16 of that Act has been made by the Court of Protection in relation to the making of decisions on the adult's behalf, or such an order has been applied for
  - iv) an independent mental capacity advocate is or is to be appointed in respect of the adult in pursuance of arrangements under section 35 of that Act
  - v) independent advocacy services (within the meaning of section 248 of the National Health Service Act 2006 or section 187 of the National Health Service (Wales) Act 2006) are or are to be provided in respect of the adult; or
  - vi) a representative is or is to be appointed to receive payments on the adult's behalf in pursuance of regulations made under the Social Security Administration Act 1992
- f) payments are made to the adult or to another person on the adult's behalf under arrangements made under section 57 of the Health and Social Care Act 2001
- g) payments are made to the adult or to another person on the adult's behalf under section 12A(1) or under regulations made under section 12A(a) of the National Health Service Act 2006, or under regulations made under section 12A(4) of that Act.

If someone is performing an activity with an adult who is receiving a service in paragraph 10, go to Step 2.

If the adults are not in receipt of a service in either paragraph 9 or 10, the person working with them may still be eligible for a Standard DBS check and will always be able to apply for a Basic DBS check.

## **Step 2: What is the activity?**

If the adults are receiving a health and social care service, or a specified activity from the paragraphs in Step 1, then the activity being provided to those adults should be considered. A person must be doing one of the following activities in paragraph 6:

## **Paragraph 6 – activities for the adults:**

- a) providing any form of care or supervision
- b) providing any form of treatment or therapy
- c) providing any form of training, teaching, instruction, assistance, advice, or guidance wholly or mainly for adults described at Step 1
- d) moderating a public electronic interactive communication service to be used wholly or mainly by adults described at Step 1
- e) doing any form of work in a care home if the person doing the work has the chance to have contact with the residents
- f) providing representation or advocacy services
- g) conveying adults, even if they are accompanied by someone caring for them

If someone is performing one of the activities above, go to Step 3.

If they are not performing one of these activities, they may still be eligible for a Standard DBS check and will always be able to apply for a Basic DBS check.

If the adults are receiving a service or activity from Step 1 and the individual is providing an activity for them from Step 2; then they need to be providing this activity often enough to be carrying out work with adults.

This requirement is met if the person carrying out the activity is doing it:

- at any time on more than 3 days in any period of 30 days; or
- at any time once between 2am and 6am and the activity gives the person the opportunity to have face-to-face contact with the adult; or
- at least once a week on an ongoing basis

If the individual meets the requirements in all these steps, they are carrying out what is referred to for DBS checking purposes as work with adults.

If they are not carrying out these activities often enough, they may still be eligible for a Standard DBS check and will always be able to apply for a Basic DBS check.

This means they are eligible to apply for an Enhanced DBS check. There is no access to an Adults' Barred List check for anyone carrying out work with adults.

Each case should be treated on an individual basis. Detailed guidance on work with adults can be found in the Adult Workforce Guide on our [website](#).