



Briefing Paper on DBS Filtering Process

Links to offences & filtering guide

- [DBS filtering guide - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/dbfs-filtering-guide)
- [List of offences that will never be filtered PDF .pdf \(publishing.service.gov.uk\)](https://publishing.service.gov.uk/guidance/what-should-be-disclosed-on-a-standard-or-enhanced-criminal-record-check)

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Criminal records that don't show (stay) on standard and enhanced DBS checks (filtering and protected cautions and convictions)

Topics

- [About Criminal Records](#)

Tags

- [Disclosure and Barring Service](#)
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Aim of this information

In July 2020 the government announced plans to change the rules on what is disclosed on (and removed from) standard and enhanced criminal record checks issued by the Disclosure and Barring Service (DBS). This was in response to a Supreme Court ruling in 2019. This information sets out the filtering process incorporating the changes made by the government that came into effect on 28 November 2020.

Note – This information focuses on how the filtering process works in England and Wales

Why is this important?

If you are applying for a job or role which is 'exempt' from the Rehabilitation of Offenders Act and which requires a standard or enhanced DBS check, your DBS certificate will disclose details of all spent and unspent cautions and convictions unless they are eligible for removal (often referred to as filtered or protected).

If your criminal record meets the criteria set out below it will automatically be removed from your DBS certificate at the time an application is made.

Many organisations ask individuals for some kind of criminal record self-disclosure at application stage and it's important therefore to know whether your offence will be removed from your DBS certificate to ensure that you do not disclose it to an employer if, legally, you don't need to.

Background

Since May 2013, standard and enhanced DBS checks stopped disclosing all cautions and convictions after the introduction of a process referred to as 'filtering'.

In July 2020, in response to a Supreme Court ruling in 2019, the government announced further changes to the process which came into force on 28 November 2020. These changes will see more people benefiting from having cautions and/or convictions removed from standard and enhanced certificates, allowing them to apply for jobs without the need to disclose old cautions and/or convictions.

'Filtering' is similar to the [rehabilitation periods under the Rehabilitation of Offenders Act 1974](#). However, instead of establishing what is 'spent' and doesn't get disclosed on a

basic check, 'filtering' establishes what doesn't get disclosed on a standard or enhanced DBS check.

Information that is filtered will be removed from a DBS check automatically at the point you apply for one. However, cautions and convictions do not get 'removed' or 'wiped' from the Police National Computer (PNC).

Recent changes to the criminal records disclosure regime

The changes which have been made to the criminal records disclosure regime apply to jobs and voluntary roles that involve a standard or enhanced check issued by the Disclosure and Barring Service (DBS). The new rules mean that:

- Warnings, reprimands, and youth cautions (including conditional cautions) will no longer be automatically disclosed on a DBS certificate.
- The multiple conviction rule has been removed. This means that individuals with more than one conviction will have each conviction considered individually against the criteria, rather than all being automatically disclosed.

How filtering works

What will be disclosed on a standard or enhanced DBS check?

The rules around what cautions and/or convictions are automatically disclosed are set out in legislation. The table below provides details of what a standard or enhanced certificate must include:

Disposal	Age when given/sentenced	How long since given/sentenced
Caution for a specified offence*	18 or over	Any time
Caution for non-specified offence	18 or over	Less than 6 years
Conviction for a specified offence*	Any age	Any time
Conviction resulting in prison sentence	Any age	Any time
Conviction for non-specified offence	Any age	Less than 11 years
	Under 18	Less than 5.5 years

* A full list of specified offences can be found on the [DBS list of offences that will never be filtered](#).

What will not show up? Cautions

- Reprimands, final warnings and youth cautions (including conditional cautions) received when under the age of 18 will be removed from standard and enhanced checks immediately, regardless of the offence. This means that even if your caution was for a specified offence it would still be removed.
- Adult cautions will be removed from standard and enhanced checks if 6 years have passed since the date of issue, providing it is not for a specified offence.

The process applies no matter how many cautions you have. Cautions will be removed even if you have others which are not (for example where others are for a specified offence, or they are too recent).

What will not show up? Convictions

Convictions received when 18 or over will be removed from standard and enhanced checks if:

- 11 years have passed since the date of conviction.
- they did not result in a prison sentence (or suspended sentence).
- they were not for a specified offence.

The process applies no matter how many convictions you have. They will be removed even if you have others which are not (for example where others are for specified offences or they are too recent).

For a conviction received when under 18, the same rules apply as for adult convictions, except that the elapsed time period is 5.5 years.

Disposal	Under 18	18 or over
Caution	Immediately	6 years
Conviction	5.5 years	11 years

Offences that stay on ('specified offences')

A 'specified offence' is one which is on the [list of offences that will never be filtered](#) from standard and enhanced DBS checks. The list includes a range of offences which relate to sexual or violent offences or are relevant in the context of safeguarding.

The table below provides a summary of the types of offences which are eligible for removal and those that are not.

Eligible for removal	Not eligible for removal
Common assault/battery	ABH
Drunk & disorderly	Assault on a child or vulnerable adult
Soliciting	Safeguarding offences
Drug possession & some supply offences	Sexual offences
Theft (where no violence is involved)	Robbery
	Aggravated burglary

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