

**STUDENT SUPPORT INFORMATION NOTE (SSIN)**

Arrangements for students funded under the  
Education (Student Support) Regulations

**DISABLED STUDENTS' ALLOWANCES (DSAs)**

**To:** Student Finance administrators and practitioners in institutions of higher education, further education or specialist colleges providing HE, and alternative providers;

DSA assessors, assessment centres and suppliers;

The Disabled Students' Allowance Quality Assurance Group;

Student Finance advisors, and

The Student Loans Company

**SSIN 05/18**  
**18<sup>th</sup> October 2018**

Dear Colleagues,

**Disclosure and Barring Service checks for non-medical help provision**

A number of stakeholders have raised the issue of whether it is necessary or appropriate for those delivering Disabled Students' Allowances (DSAs) funded non-medical help (NMH) support to be Disclosure and Barring Service (DBS) checked. We thought it might be helpful to clarify the Department's thinking via this Student Support Information Note (SSIN).

We believe that DBS checks should only be sought where an individual is to be engaged in "regulated activity" as defined in Schedule 4 to the Safeguarding Vulnerable Groups Act 2006.

Whether an activity is regulated is very much a question of fact, and may be dependent on its precise nature, and the frequency with which it is carried out. In our opinion the vast majority of people delivering DSAs funded NMH support to students do not need to be DBS checked as they will not be delivering support to people covered by the Act. However, we believe that it may be appropriate for two distinct groups of individuals to be DBS checked: those delivering support to students under the age of 18 when they start their course (who will be classed as children), and those delivering support to adult students who could be classed as vulnerable.

With children, our understanding is that provision of DSAs funded help to students under the age of 18 could in some cases be a 'regulated activity relating to children' under the terms of the Act. This is because NMH could be classified as providing teaching, training, instruction, supervision or guidance on their well-being, and meet the frequency requirement of the Act (providing support at least once a week, or more than three times in a 30-day period). However, as the vast majority of students will be aged 18 or over when they start their course we do not believe there is a need for blanket DBS checking. Nonetheless, it will be appropriate on the rare occasion

that support which meets the definition of regulated activity will be delivered to a student who is under 18. Organisations, which employ or engage providers of NMH, should satisfy themselves both of a student's age and whether the activity they are asked to provide falls within the definition of 'regulated' before commencing support, and undertake or provide a DBS check where this is appropriate.

An adult is regarded as vulnerable under the Safeguarding Vulnerable Groups Act in the context of the service they receive. Paragraph 7 of Schedule 4 of Act gives a list of those services and most of these refer to health care, personal care, and so on. However, there is reference in that schedule to 'the conveying...of adults who need to be conveyed by reason of age, illness or disability' and we believe that those providing DSAs funded taxi services to students could well fall into this category. Our understanding is that licensed taxi firms usually insist on DBS checks for their drivers but assessors should assure themselves that any quotes for provision of transport are from organisations that require DBS checks from their drivers, or from individuals who can confirm they are DBS checked.

Finally, we would like to remind stakeholders that it is an offence (under section 7 of the Safeguarding Vulnerable Groups Act 2006) for a person to seek to engage in regulated activity from which they are barred, and an offence (under section 9 of the that Act) to permit a person to engage in regulated activity, knowing or having reason to believe that they are barred from it.

We hope this information is helpful.

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