

Witness Name: Suzanne Smith  
Statement No.: 3  
Exhibits:  
Dated: 10 December 2019

## THE INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE

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### Witness Statement of Suzanne Smith

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I, Suzanne Smith, Director of Barring and Safeguarding for the Disclosure and Barring Service will say as follows:-

- 1.1 I am the Director of Safeguarding at the Disclosure and Barring Service (DBS) having been appointed in May 2017. I have 28 years experience in the safeguarding environment and have a PhD in Child Protection. I am a qualified nurse and health visitor, and have led safeguarding teams across acute and community sectors of the NHS.
- 1.2 Insofar as the contents of this witness statement are within my own knowledge they are true, otherwise they are true to the best of my knowledge, information and belief and are derived from organisational records.
- 1.3 The statement of Adele Downey DBS000024 and myself DBS000243 provides explanations of the legislative framework that DBS operates within and I would refer the Inquiry to that statement for further details.
- 1.4 The Safeguarding Vulnerable Groups Act 2006 (SVGA) is the core statute governing Regulated Activity within Schedule 4 of the SVGA. Regulated Activity is not defined by reference to the group or body in which a person is engaged but rather in reference to the type of activity carried out, where the activity is carried out and, depending upon the type of activity, how often it is carried out.
- 1.5 It is likely that Regulated Activity with children is undertaken within faith groups by various people. This would be because of what the individuals do or where they work and, depending upon the activity, whether they do it often enough, known as the period condition. To meet the period condition these activities need to be done –
  - On more than 3 days in a 30 day period or
  - Overnight between 2 am and 6 am with contact with the children

- 1.6 The provisions within Schedule 4 to the SVGA, relevant to faith groups, provide that anyone who undertakes teaching, training or instruction of children and does so often enough to meet the period condition will be in Regulated Activity with children and eligible for an Enhanced DBS check with a Children's Barred List Check.
- 1.7 Provision of personal care to a child is also Regulated Activity. Caring for or supervising children often enough to meet the period condition is also Regulated Activity with children and eligible for an Enhanced DBS check with a Children's Barred List Check.
- 1.8 Anyone who provides advice and guidance wholly or mainly to children on their educational, emotional or physical wellbeing again would be in Regulated Activity with children and eligible for an Enhanced DBS check with a Children's Barred List Check.
- 1.9 Also if anyone drives a vehicle for children for the faith group and they do this on more than 3 days in a 30 day period they would be in regulated activity and eligible for an Enhanced DBS check with a Children's Barred List Check.
- 1.10 If an individual carries out activities that would fall within the definition of Regulated Activity but not often enough to meet the criteria would be eligible for an Enhanced DBS check without a barred list check.
- 1.11 There are some establishments where even if an individual does not undertake any of these activities they could still be in Regulated Activity because of where they work. This would include faith run institutions such as schools, academy's or childrens homes. Anyone who works in one of these would be in regulated activity if they meet the following criteria- They work there on more than 3 days in a 30 day period or overnight between 2am and 6am with the opportunity for face to face contact with the children and
- They have the opportunity, because of their job, to have contact with the children in the establishment and
  - They work there for the purpose of the establishment and
  - It is not temporary or occasional work and
  - It is not a supervised volunteer role
- 1.12 DBS has not produced specific guidance relating to religious settings.
- 1.13 DBS receives applications from a variety of different faiths – Roman Catholic, Baptist, Methodist, Anglican, Judaism, Muslim, Sikh, Buddhism, Bahá'í and Mormon. We are unable to say whether all organisations within these faiths submit checks as there is not a central register of those organisations or a view of how many people work in such organisations.
- 1.14 From a barring perspective where a role is considered to be within regulated activity then there is a legal duty for organisations to make referrals to DBS when they have dismissed or removed an employee or volunteer from working in Regulated Activity, following harm to a child or vulnerable adult or where there is a risk of harm.

**Statement of Truth**

I believe that the facts stated in this witness statement are true.

**Signed:**

**DPA**

**Dated:** 10 December 2019