



Disclosure and Barring Service (DBS) Policy & Procedure.

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POLICY ISSUES AND UPDATES

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The following policy has been approved by the Senior Leadership Team and the Executive Team.

The policy will be reviewed on an annual basis unless circumstances arise requiring the policy to be reviewed earlier.

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1. Introduction

This is Blackburne Houses' policy on the use of Disclosure and Barring Service (DBS) checks. It covers the recruitment and employment of staff and volunteers with criminal convictions or those who are barred from working with vulnerable groups; the use of disclosures; and the storage and use of information about convictions which have been disclosed by the DBS.

Blackburne House is registered with Advanced Disclosures Ltd; they are recognised by the Disclosure and Barring Service as a responsible organisation for basic checks and a registered umbrella body for standard and enhanced checks.

Blackburne House complies with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure Information. It also complies fully with its obligations under the General Data Protection Regulations (GDPR) 2018 and other relevant legislation pertaining with the safe handling, use, storage, retention and disposal of Disclosure Information.

2. Scope

This policy applies to the appointment of all employees, paid and unpaid, including volunteers, agency and supply staff. It is designed to assist in ensuring that all persons working at Blackburne House are trustworthy and reliable and are not subject to any offences, which are a risk to our learners.

This policy is designed to supplement the Recruitment and Selection Policy and Safer Recruitment Procedure.

3. Background

A DBS check is conducted by the Disclosure and Barring Service, a Home Office sponsored non-departmental public group. The DBS was created in 2012 when the Criminal Records Bureau was merged with the Independent Safeguarding Authority (ISA). Many parts of this scheme remain unchanged, in particular it is a criminal offence: -

- For an employer to knowingly employ (either on a paid or voluntary basis) a barred person in Regulated Activity.
- To allow someone to work in Regulated Activity without carrying out the required checks.

Where a person is removed from Regulated Activity by an employer because the person has caused harm to a child or a vulnerable adult, the ISA must be notified.

4. Regulated Activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. HM Government has produced a Factual note on regulated activity in relation to children: scope.

Regulated activity includes:

- a) teaching, training, instructing, caring for (see (c) below) or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children.
- b) work for a limited range of establishments (known as 'specified places', which include schools and colleges), with the opportunity for contact with children, but not including work done by supervised volunteers.

Work under (a) or (b) is regulated activity only if done regularly

5. Enhanced Certificates

All Blackburne House DBS Certificates will be at an Enhanced level. This involves an extra level of check with local police force records in addition to checks with the Police National Computer and the

government department lists held, where appropriate. The government's safer recruitment initiative stipulates that all staff in an educational establishment must have an enhanced Certificate.

Blackburne House is required to carry out an enhanced DBS check for all staff and volunteers who will be engaging in regulated activity. However, Blackburne House can also carry out an enhanced DBS check on a person who would be carrying out regulated activity but for the fact that they do not carry out their duties frequently enough i.e. roles which would amount to regulated activity if carried out more frequently.

6. DBS Update Service

The online DBS Update Service allows:

- Applicants to keep their DBS certificates up to date
- Employers to do an instance DBS check against a DBS certificate previously issued.

When the applicant initially applies for a DBS check they can register to use the Update Service with a registration cost of £16 per year. There is no charge if the applicant is a volunteer.

The DBS tracking service can be used to check the progress of the DBS certificate. Where an applicant subscribes to the DBS Update Service the applicant must give consent to the school to check there have not been changes since the issue of a disclosure certificate. To check a DBS Certificate on the Update Service, the original DBS Certificate must be provided before the online check is completed. All employees of Blackburne House must subscribe to the DBS Update service within 14 days from the issue date shown on the certificate, and not from the date they received the certificate. Any application received on or after the 14 days have elapsed will be rejected by the DBS which means employees are unable to subscribe until they next need a DBS check. If an employee fails to register for the DBS update service within 14 days, they will be responsible for the cost of their next DBS¹

7. Renewal of DBS Certificates

It is the employee's responsibility to ensure that their subscription does not lapse. If their subscription is allowed to elapse, then the account held on the Update Service will be closed and those who have a legitimate interest in obtaining information on that individual will cease to receive information. To re-subscribe the employee must obtain a fresh DBS check and will be responsible for the cost.

¹ Enhanced DBS with Advanced Disclosures Ltd is £67.00

8. Criminal Convictions

It is the employee's responsibility to inform us if you have a criminal conviction. You must disclose this information to HR as soon as possible. You will be asked to attend an interview to explain the background and circumstances regarding the conviction. Failure to reveal information may lead to disciplinary action.

9. Recruitment of staff

Blackburne House will apply for a DBS Certificate only for applicants offered a position. The information obtained will be used to help establish whether that person has a background that might make him/her unsuitable for the job or voluntary position in question. Blackburne House will not run a check without the knowledge and consent of the person concerned.

The forms of unsuccessful applicants will be destroyed after a period of six months.

If a DBS Certificate reveals any convictions the school will follow a fair process.

Please see Recruitment and selection policy for more details on recruitment of staff

10. Overseas checks

Applicants who have lived/travelled abroad for more than 3 continuous months will need to obtain a criminal record check from the relevant country. The applicant will not be permitted to commence work until the overseas information has been received and is considered satisfactory by Blackburne House