

Grange Park Infant & Nursery School

Disclosure Barring Service Policy Statement

Document summary

This policy statement provides guidance on the effective use of the DBS Disclosure process to safeguard the children and adults who access our services.

DBS Policy Statement

Key points

Grange Park Infant and Nursery School is committed to safeguarding the welfare of children and all adults who work in the school through the effective use of the DBS Disclosure vetting process for all of employees.

The guidance set out in this DBS Policy Statement relates to employees, volunteers, agency staff and contractors / sub contractors.

Throughout this document where a “DBS Disclosure or check” is referred to, this covers all types of DBS check (i.e. standard/enhanced/enhanced + childrens’ and /or adults barred list check).

Where the term ‘vulnerable adult’ is used, this is where an adult is in receipt of, or accessing a service which leads that adult to being considered vulnerable at that particular time.

Grange Park Infant and Nursery School uses the DBS Disclosure process as part of a range of checks for assessing the suitability of preferred candidates, volunteers, contractors, agency staff, and the continued employment of those in specific roles which require reassessment.

Grange Park Infant and Nursery School obtains and makes decisions based on information provided on DBS Disclosures in accordance with the Data Protection Act, the DBS Code of Practice, the Rehabilitation of Offenders Act and the regulations of the Department for Education (DFE)

DBS Checks and when to use them

It is best practice to determine the type of DBS Disclosure that is required by way of a risk assessment which should be undertaken by the manager responsible for the activity that the individual will be undertaking.

Managers should conduct the risk assessment before the activity commences and in the case of recruitment to a vacant post, this should take place prior to the recruitment process.

Managers are also responsible for the ongoing reassessment of the post/work to ascertain if the level and type of contact the individual has with children and/or vulnerable adults has changed and, if necessary, to initiate a new DBS Disclosure.

There are five types of check that are available. A series of flow diagrams are provided in Appendix 1 to enable you to establish, which, if any, level of check is required. The checks that are available are:

- Enhanced Check for Regulated Activity (Children) - used when someone is undertaking regulated activity relating to children (see Appendix 1). This

check involves a check of the police national computer, police information and the children's barred list.

- Enhanced Check for Regulated Activity (Adults) - used when someone is undertaking regulated activity relating to adults (see Appendix 1). This check involves a check of the police national computer, police information and the adults barred list
- Enhanced Check for Regulated Activity (Children and Adults) - used when someone is undertaking regulated activity relating to both children and adults (see Appendix 1). This check involves a check of the police national computer, police information and the children's and adults barred list.
- Enhanced DBS Check - used where someone meets the pre September 2012 definition of regulated activity (see Appendix 1). This level of check involves a check of the police national computer and police information.
- Standard DBS Check - used primarily for people entering certain professions such as: members of the legal and accountancy professions. Standard DBS checks just involve a check of the police national computer and do not include a check of police information or the children's or adults barred lists.

Please note that we cannot apply for a DBS check for someone who is under 16 years of age.

If there are concerns about an existing worker's suitability to continue working with children and/or adults then there is the discretion to undertake a DBS Disclosure.

Due to the requirements of the DBS Disclosure process the individual concerned must give their consent for the DBS Disclosure to be obtained.

Validity of DBS Disclosures

There is no period of validity for a DBS Disclosure.

A DBS Disclosure is technically out of date on the day it is issued as a new or further criminal conviction, caution, etc may be recorded against the individual at any time after the issue date.

In contracts of employment it sets out that if following an individual's appointment they are subsequently cautioned, charged, summonsed or convicted of a criminal offence then they should inform their line manager immediately. Failure to disclose such information may lead to disciplinary action being taken.

Portability of DBS Disclosures

Portability refers to the re-use of a DBS Disclosure, obtained for a position in one organisation and later used for a position in a new organisation.

Any applicant (whether an employee or a volunteer) who applies for, or receives, their disclosure certificate on or after 17 June 2013 is eligible to join the online update service. Membership of the online update service incurs an annual charge (payable by the applicant). Membership for volunteers is free of charge.

If a certain set of criteria are met, a free and instant check can be undertaken online which will detail whether the individual's current certificate remains valid or if there is new information present which will mean that a new disclosure certificate will need to be sought. If the check remains valid then it will be accepted as a portable check.

Applicants can register to become a member of the online update service at;
<https://secure.crbonline.gov.uk/crsc/subscriber>

In relation to Contractors or Agency Staff, the “employer” is responsible for obtaining the DBS check. This check can then be used within any organisation that the Agency or Contractor provides staff to work within.

DBS Disclosure requirements for those moving positions within the school

Where an individual has undertaken a DBS Disclosure for a position within the school and they move to another position within the school, the DBS Disclosure will be acceptable in the following instances:

- The type of DBS Disclosure (i.e. Standard / Enhanced / Enhanced relevant barred list check) is the same for the old and new post;
- The individual has not had a break in service of more than three months
- The new work does not represent a significant increase in responsibility for, and contact with, children and/or adults.
- The individual is registered with the online update service and, following a check of the update service, the certificate has been verified as current and valid.

Commencement of work prior to receipt of DBS disclosure

In all circumstances every effort must be made to ensure a DBS Disclosure is obtained prior to the individual commencing work

Only in exceptional circumstances can an individual commence work without the full results of the DBS and authorised by the Head Teacher.

Prior to the approaching the Head Teacher for approval the following must have taken place:

All of the other pre-employment checks been carried out and these have been confirmed as being satisfactory.

Correctly completed DBS Disclosure application form has been submitted to the school and this has been sent off to the DBS

Schools HR have checked and cleared the individual against the relevant barred list and a risk assessment to determine and ensure that sufficient safeguards are in place to ensure the individual has no unsupervised access to children or adults.

Receipt of DBS Disclosure

With effect from 17 June 2013, the DBS issue 1 copy of a DBS Disclosure to the applicant, a copy is no longer sent to employer.

The applicant will need to present the certificate to their prospective manager with three working days of receipt.

If a positive DBS Disclosure (i.e. a Disclosure that reveals a criminal background or details that may be of concern) is received the manager needs to follow the

necessary guidance found in the 'Online Update Service and Single Certificate Guidance', Assistant Headteachers (or Chair of Governors in the cases of a DBS Disclosure for a Headteacher) must consider and approve the suitability of the candidate to commence/continue their employment.

In these instances a risk assessment is required to determine whether the risk of employing or continuing to employ an individual can be taken and what safeguards would need to be introduced to manage that risk.

In accordance with the Rehabilitation of Offenders Act a criminal conviction may not automatically prevent an individual from working in Grange Park Infant and Nursery School.

The Headteacher in consultation with the Chair of Governors or the Child Protection and Safeguarding Governor must consider the following:

- The requirements of the role and the level of supervision the individual will receive;
- The seriousness of the offence/issue raised and its relevance to the safety of employees, service users, clients or property;
- How relevant the offence is on the role to be undertaken;
- How much time has elapsed since the offence was committed and whether it was a one-off incident or part of a history of offending;
- Whether the individual's circumstances have changed since the offence was committed making re-offending less likely;
- Whether the individual was open and transparent about their past and declared their criminal background prior to receiving the DBS Disclosure.

Recruiting from overseas

Disclosures do not record convictions that were committed abroad. When recruiting candidates who have spent a period of time living or working abroad, a DBS Disclosure must be obtained in the normal way and a DBS Disclosure or equivalent from the country(s) concerned may be required as well.

DBS Disclosures for agency workers, contractors, subcontractors or volunteers

Agency workers, contractors, sub-contractors and volunteers must be assessed against the same criteria as those working directly for Grange Park Infant and Nursery School to see if a DBS Disclosure is required (please refer to Appendix 1).

Agency staff and contractors Staff employed via an agency must have their DBS renewed on an annual basis.

A standard clause relating to DBS Disclosure requirements has been developed and should be introduced into any contract which involves work with children or adults or providing services for, or in, establishments where children and/or vulnerable adults may be present.

Contractors must ensure that their employees and sub contractors' DBS checks are refreshed every 3 years.