



# St Dunstan's Catholic School

## Disclosure & Barring Service (DBS) Policy

### Statement of Intent

At St Dunstan's Catholic School we are committed to the welfare of our staff, students and visitors. Ensuring the safety of our school Community is of paramount importance to us and this policy reflects our dedication to creating a safe environment where pupils are cared for appropriately and safeguarded from harm.

Disclosure and Barring Service (DBS) checks replaced Criminal Record and Background (CRB) checks in 2012. DBS checks enable the School to ascertain an individual's suitability to work with children and in an educational environment.

This policy has been created to inform staff, pupils and parents of the measures taken by the School to ensure all employees and pupils are safe and cared for.

In addition, it outlines our commitment to meeting legislative requirements, DfE standards, GDPR responsibilities and Ofsted guidance as outlined in the Policy.

### Duties of the Governing Body

The Governing Body, in consultation with the Headteacher, will:

- Ensure familiarity with requirements of the appropriate legislation and codes of practice.
- Create and monitor a management structure responsible for safeguarding pupils and ensuring the correct use of DBS checks in the School.
- Periodically assess the effectiveness of the Policy and ensure any necessary changes are made.

### Duties of the Headteacher

- The Headteacher has the general responsibility for the day-to-day implementation of the DBS Policy throughout the School but may delegate these responsibilities to some extent.
- The Headteacher will take all reasonably practicable steps to ensure the DBS Policy is implemented through the heads of the appropriate departments and other members of staff.
- The Headteacher will designate the Business Manager to be responsible for the day-to-day implementation of the DBS Policy. This person will also be the designated contact with the Local Authority and the DBS service where necessary.

### Duties of all members of employees/Governors/volunteers

- All staff will familiarise themselves with the DBS Policy and aspects of their work related to safeguarding.
- All Governors must complete an Enhanced check for regulated activity.
- All 'regular' unsupervised volunteers must complete an Enhanced check for regulated activity.
- All 'regular' volunteers who are supervised by a paid member of staff in regulated activity should complete an Enhanced DBS check.
- It is the Governors's/volunteer's responsibility to show their Disclosure certificate to the Business Manager as soon as they receive it.
- All new employees/volunteers who complete a DBS form are required to complete an Overseas Criminal Record Declaration Form.
- It is the employee's/Governors/volunteer's responsibility to disclose any criminal convictions, cautions, reprimands or warnings that they incur during their employment/term of office with the school.



## **Legislative requirements**

The School is committed to ensuring it meets all requirements pertaining to safeguarding and background checks as prescribed in the following (the list is not exhaustive and other guidance, legislation and regulations may form part of the School's Policy):

- The DBS Code of Practice
- The Safeguarding Children and Safer Recruitment in Education DfE guidance
- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Education Act 2002

## **Portability and Update Service**

- An enhanced DBS check is required for all successful job applicants who are: teachers, education support staff, ICT and administrative staff, maintenance and cleaning staff who will be taking part in regulated activity. An enhanced check includes a check on local police records. Where these records contain additional information that may be relevant to the post, the Chief Officer of police may release information for inclusion in an enhanced check.
- St Dunstan's Catholic School does not accept portability of DBS Disclosures obtained from another registered body unless the applicant is subscribed to the DBS update service.
- When using the DBS update service to carry out a status check; the original DBS certificate must be provided for inspection, ID must be checked to confirm identity, written permission must be provided. The DBS certificate checked must be the same level as required for the post – standard or enhanced.

## **School Procedures**

### **Potential staff members**

- All employment at St Dunstan's Catholic School is subject to a satisfactory enhanced DBS check.
- All advertisements for positions at the School include the requirement of an enhanced DBS check.
- All job application forms sent to candidates contain a requirement to admit any criminal convictions, warnings or cautions.
- Applicants for teaching and education support positions are required to produce original certificates of qualifications.
- All candidates invited to interview are required to provide evidence of identity and address.
- Successful applicants are required to complete a DBS application as soon as practicable after the interview process.
- DBS certificates are sent directly to the applicant's home address.
- In a very small number of circumstances, this additional information may be sent under separate cover to the counter signatory and will not be revealed to the applicant.
- Written references are always requested in support of applicants and these are always followed up by contact with the previous employer.



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## Supply staff

The School requires enhanced DBS checks to be carried out in respect of supply teachers, instructors and other education support professionals. Supply teachers must bring proof of identity on their first day of work at the School. Supply teacher agencies are required to confirm that supplied staff members have relevant, clear and current enhanced DBS checks for regulated activity.

## Governors

The School requires enhanced DBS checks for regulated activity to be conducted in respect of governors. This requirement is waived for governors who only attend the minimum of three meetings a year and who have no unsupervised contact with pupils.

## Visitors

Visitors to the School are not permitted unsupervised access to pupils and therefore DBS checks are not required.

## Applicants with overseas residence

- This includes all applicants, whether British nationals or not, with periods of three months or more overseas work or residence.
- The School Business Manager is responsible for ensuring all applicants with a record of overseas work have work permits if required.
- Police clearance to work with pupils is also required from their home country or country of residence while overseas. If not available, the Head Teacher is responsible for evidence of robust further checks for periods of three months or more outside the UK.
- Additional checks are in addition to the enhanced DBS checks required for all applicants.

## Renewal of DBS Clearance

Routine renewals are not required under Ofsted guidance. Ofsted guides that routine checks for staff go beyond legal requirements, represent poor use of resources and are considered excessive.

DBS renewal will be required if there is a break in service of more than three months or if there may be concerns about an individual which may affect their suitability.

## Positive Disclosures

All positive disclosures, regardless of the seriousness of the offence/conviction/charge, are subject to an objective assessment. The Headteacher will consider all DBS disclosures.

The following considerations will be taken in relation to positive DBS disclosures:

- The relevance of the disclosure in relation to the position applied for.
- The nature of the offence or other matters revealed.
- The length of time since the offence or other matters occurred.
- Whether there is a pattern of offending behaviour.
- Whether the candidate's circumstances have changed since the offending behaviour or other matters occurred.
- Any extenuating circumstances surrounding the offence and explanations offered.

In all circumstances where an offer of employment is made, a record of all recruitment decisions following positive DBS disclosures will be kept in the employees personnel file, the using the form provided in Appendix A.



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Depending on the circumstances of each case, the Chair of Governors may be asked to countersign the form.

### The recruitment of ex-offenders

Under the Protection of Children Act 1999 and the Criminal Justice and Courts Service Act 2000, the School cannot employ persons who may have regular contact with children who are:

- Included on the barred list (a list maintained by the Secretary of State for Health of people judged to be unsuitable to work with children).
- Subject to a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm and/or other serious acts of violence.

The School also consider it high risk to employ persons, who may have regular contact with pupils, if they have been convicted of or charged with any of the offences above or serious drug related offences. The CES Model Rehabilitation of Offenders Act 1974 – Disclosure Form is available on the school website.

### Record Keeping

Disclosure information is kept securely in lockable cabinets with strictly controlled access. Only those entitled to see this information as part of their duties are permitted access.

In addition, disclosure information will only be passed to authorised personnel who require it in the course of their duties, in accordance with section 124 of The Police Act 1997. **It is a criminal offence to pass this information to anyone who is not entitled to receive it.**

A record will be kept of all those to whom disclosure information has been revealed.

Disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's consent has been given.



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### Appendix A – Record of Recruitment Decision

All positive disclosures relevant to child protection, regardless of the seriousness of the offence(s) or other matter revealed, are subject to objective assessment. All sections of this form must be completed and retained on file.

<b>Personal Details</b>		
Date:		
Applicant's name:		
Position applied for:		
<b>Assessment</b>		
Does the applicant meet all the essential criteria for the role, including skills, knowledge and ability?	Yes	No
Is the nature of the offence(s) directly related to the role?	Yes	No
When did the offence(s) occur?	Less than 2 years ago	More than 2 years ago
Is there a pattern of related offences?	Yes	No
Is there a pattern of unrelated offences?	Yes	No
Is the context still relevant today?	Yes	No
Was the offence(s) committed at work?	Yes	No
What level of independence will the role entail?	Close supervision	Minimal supervision
Does the applicant show a determination not to re-offend?	Yes	No
Did the applicant reveal the offence(s)?	Yes	No
What response was given when questioned about the offence(s)?	Yes	No
Have two references been received?	Yes	No



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What information did the referees provide on the candidates suitability?	Yes	No
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Does the applicant constitute a risk?	Yes	No
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### Recommendation

Name:

Declaration: I understand the St Dunstan's Catholic School Policy on the Recruitment of Ex-offenders and, having considered all relevant information, I believe the applicant does/does not\* constitute a risk to children for the following reasons:

Therefore, the applicant should/should not\* be offered this role.

\*Delete as appropriate.

Signed:

**Headteacher**

Date:

If proposing to appoint a person convicted of a high risk offence, the Chair of Governors must countersign below.

Signed:

**Chair of Governors**

Date:



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## Appendix B

### Disclosure and Barring Service (DBS) Update Service Consent Form

By completing this form I understand I am giving the St Dunstan's Catholic School my consent to access the Disclosure and Barring Service (DBS) Update Service to undertake a check against my current DBS Disclosure.

I have provided the below information regarding my current DBS Disclosure to assist St Dunstan's Catholic School in carrying out this check.

First Name(s) <i>(as printed on t DBS Certificate)</i>	
Last Name <i>(as printed on their DBS Certificate)</i>	
Other Names <i>(as printed on their DBS Certificate)</i>	
DOB <i>(as printed on their DBS Certificate)</i>	
DBS Certificate Number <i>(as printed on their DBS Certificate)</i>	
DBS Clearance Date <i>(as printed on their DBS Certificate)</i>	

I have also **provided my original DBS certificate** for St Dunstan's Catholic School to review.

Signed: \_\_\_\_\_

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_