

Ashton Gate Primary School



Disclosure and Barring Service Checks Policy

Introduction

Ashton Gate Primary School will undertake enhanced DBS checks as part of its Safer Recruitment processes and its safeguarding obligations.

Who is included in these arrangements?

This policy applies to anyone applying or working for Ashton Gate Primary School. It also applies to school governors, peripatetic staff and volunteers.

Who is excluded from these arrangements?

Ordinary visitors to the school who are accompanied at all times when on visit.

Commitment to safer recruitment and safeguarding

- The governing body of the school is committed to safer recruitment and safeguarding.
- The school is committed to promoting the safety and wellbeing of all pupils, employees and volunteers, particularly those who would be incapable of protecting themselves from physical or sexual abuse, financial exploitation, or where there is a potential danger that their will or moral wellbeing may be subverted or over-powered.
- The school is committed to safer recruitment practices when recruiting new employees to work for the school or when using volunteers.
- DBS checks are only one element of a wider framework of safer recruitment practices the school undertakes.

Working with children and young people

The school will ensure all employees, temporary staff and volunteers act in accordance with the "Keeping Children Safe in Education" document:

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

Agency workers

The Executive Headteacher will be responsible for checking that the agency (as the agency worker's employer) has carried out an up to date DBS check for the role. The Executive Headteacher will ask to have sight of this and/or ask the agency to confirm the date of the DBS check and that it was obtained in relation to the role the agency worker will now be carrying out with the school. The Executive Headteacher can delegate this responsibility to another member of staff.

The role of the Bristol City Council DBS team

The Bristol City Council DBS team is the school's umbrella body and will work with the Disclosure and Barring service and comply with the DBS guidelines and regulations as part of its role as a registered body.

When is a DBS checks needed?

If a new employee has an Enhanced DBS check through Bristol City Council dated in the last three years, then there is no need for a new check to be carried out. A check from another Local Authority or umbrella body will not be acceptable and a new check must be requested.

All staff, governors and volunteers will need to have their DBS renewed every 3 years.

Information required from the applicant

In order to carry out thorough DBS disclosure checks, the school will need to know any names, name changes, or aliases by which the applicant may have been known in the past, including maiden names and change of name by deed poll. The applicant will be required to produce originals of three documents from two specific lists. Copies of the identification used will be kept on file. If a passport is used as photo identification for staff this also shows the right to work in the UK which is required under Safer Recruitment. If an EU passport is used as photographic identification this means that they currently automatically have the right to work in the UK; a non-EU passport should contain a work visa. If a passport is not used as identification, then the school will ask for must ask for additional right to work documents and keep copies on file.

Overseas candidates

If a candidate has not previously worked in the UK, or has lived overseas for some time it will be necessary to obtain a 'certificate of good character' (a criminal record check) from their country of origin. The process for obtaining such a certificate varies from country to country. Further information can be found at www.gov.uk/government/publications/criminal-records-checks-foroverseas-applicants or contact Bristol City Council DBS team.

The school will also request references and follow up any written references by telephoning selected referees and noting that this has been done on the single central record.

Ex-service personnel who have served abroad

Where an offer of employment is made to a member of the armed forces it will be necessary to not only carry out a DBS check into the successful candidate's background, but also to ask for the relevant branch of the armed forces (RAF, Army, Navy) to confirm in writing whether the candidate has a criminal record.

Partners of former armed forces personnel who are returning to work in the UK from abroad at the school will need to supply a 'certificate of good conduct' from the country they were based in.

Regulated activity at the school

'Regulated Activity' is work which involves close and unsupervised contact with children, and which cannot be undertaken by a person who is on the Disclosure and Barring Service's Children's Barred List. All employees working at Ashton Gate Primary School are considered as undertaking a regulated activity and Enhanced DBS with barred list check are required for all employees within the school. Any volunteers who may have unsupervised access to the children must also have an Enhanced DBS with barred list check.

School Governors need to have an Enhanced DBS without barred list check as long as they do not do any additional activities that would be classed as regulated activity.

Disclosure of past convictions – for all roles exempted from the Rehabilitation of Offenders Act 1974

Where a role is exempted from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, the applicant/employee is required to be completely honest in disclosing all convictions throughout their entire life, from the age of criminal responsibility (10 years).

All posts at the school are exempted from the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, and no conviction will ever be considered spent and applicants/employees must declare it, unless it is a 'protected conviction/caution'. The school's HR Advisor will advise on these situations.

Applicants/employees are informed on their application form that if they have accepted a caution, warning or reprimand from the Police these must be declared as relevant offences.

Barred lists

The Children's Barred List is held and administered by the Disclosure and Barring Service.

All applicants/employees are required to declare if they are barred from working in any roles. There are some offences which may result in a person having been made subject of a Disqualification Order (DO). It is an offence for this person to apply for a post that is restricted under the (DO). If a person is subject to a DO and they apply for a restricted post, the school will report them to the police. Any person who has been convicted of an offence under Schedule 1 of the Children and Young Persons Act 1933 (as amended by subsequent legislation) will not be eligible to apply for a restricted post. A person will never be allowed to work or volunteer at the school if they have been barred from carrying out a restricted post.

Prohibition orders - teachers

Every time a teacher commences employment at the school the school will check whether a teacher is the subject of a prohibition order by checking the employer access online site which is maintained by the Teaching Regulation Agency (TRA). This check is recorded on the Single Central Record. Prohibition orders are an additional check to that undertaken as part of the enhanced DBS check.

Handling of DBS data

Secure storage and handling of data

Any information provided by the DBS as part of a DBS disclosure will be securely stored and handled and the content will be confidential to the staff of the school who are authorised to fulfil this role. The school cannot keep copies of an individual's DBS certificate, however copies of identification will be kept on the employee's personnel file. The school will observe the DBS code of practice including the opportunity for individuals to appeal to the DBS about the check information provided.

Policy Issues

The disciplinary policy

Any employee who does not comply with the terms of school's DBS Policy and where the school feels they have behaved in a way which is felt to be dishonest in respect of this policy or which brings the school's reputation into question, may be subject to the school's disciplinary policy. This could result in a dismissal from employment with the school.

New offences for existing employees

All employees at the school are required as part of their contract of employment to inform the Executive Headteacher (in the case of the Executive Headteacher him/herself, the Chair of Governors) of any police investigation, charge, caution, reprimand, warning, fine or conviction

against them immediately. All such disclosures will be handled in accordance with the relevant procedure, and consideration will be given as to whether suspension from duties is required while an investigation takes place.

Staff and Volunteer Suitability Declarations

All staff have a duty to safeguard children and notify the Executive Headteacher of anything that may affect their suitability or that of anyone living in their household. They will notify the Executive Headteacher immediately of any changes to their situation or that of anyone living in their household which may impact on the safeguarding of children. All staff will be required to complete a staff suitability check annually.

Roles and responsibilities

Applicant and employee responsibilities

- To be completely honest in declaring all convictions before employment.
- To be completely honest in declaring subsequent convictions after having been employed.
- To provide such information as is requested in order for a DBS check to be carried out.

School responsibilities

- To ensure that the need for a DBS check is recorded on the job description for any role that is advertised.
- When information is received regarding a candidate's offending background, to confirm with the Bristol City Council DBS team and the school's HR Advisor whether the information is relevant to the role being applied for.
- To not employ a candidate on the basis of a DBS check outcome without first discussing this with the candidate and an HR adviser.
- Not to unfairly discriminate against an applicant with a criminal record.
- To confirm on all recruitment materials relevant to a role whether it is exempt from the Rehabilitation of Offenders Act (under the Rehabilitation of Offenders Act (Exceptions) Order 1975), and that an enhanced DBS disclosure will be required for the successful candidate.
- To ensure all safer recruitment processes and procedures are followed and recorded on the single central record.

Date: September 2022

Review Date: September 2024