



DBS Policy Statement 2013

This policy statement aim is to provide guidance on the most effective use of the DBS Disclosure process in order to safeguard the children of the College. David Game College is committed to safeguarding and promoting the welfare of its students and expects all staff and volunteers to share this commitment.

Throughout this document where a Disclosure and Barring Service (DBS) or DBS Disclosure or Check is referred to, this refers to Enhanced DBS Checks.

David Game College uses the DBS Disclosure process as part of a range of checks for assessing the suitability of preferred candidates and the continued employment of those candidates in specific administrative, operational and teaching roles, which require reassessment.

David Game College makes decisions based on information provided by DBS Checks in accordance with the Data Protection Act and the DBS Code of Practice, the Rehabilitation of Offenders Act and the Department of Education (as regulated and guided by Ofsted).

This policy should be read in association with the College's policies on Safeguarding, Safer Recruitment, Employment of Ex-Offenders and Retention of DBS Disclosures.

DBS Checks

As a Regulated Activity, Schools and Colleges have a legal duty to check the backgrounds of those who apply for employment, and also check those in continuous employment. A DBS Check is an essential part of the risk assessment process when exploring the suitability of a candidate to work in an environment with children. Management of the College and the Lead Counter Signature (John Dalton) is responsible alongside the Registrar to ensure proper checks are carried out on all candidates applying for work at the College as well as ongoing reassessment. The College only conducts one type of Disclosure – Enhanced Checks for Regulated Activity (Children). This check involves a check of the police national computer information and the children's barred list.

One cannot apply for a DBS Check for someone under 16 years old
From September 2012 you will no longer be able to obtain a DBS check for anyone undertaking "controlled activity".

Validity and Frequency of DBS Disclosure Checking

There is no agreed period of validity for a DBS Disclosure, which is technically out of date as soon as it is issued. All preferred applicants must complete and submit a DBS check in order to ascertain their suitability for the post. It is currently College practice to refresh Disclosures roughly every three years.

Portability and Update

Applicants can re-use their Disclosure via the Update Scheme. David Game College is going to closely monitor the success of the Update Service, and by 2014 is likely to join. DBS are no longer issued to the Employer, so the College has the right to see the Disclosure before employing the person. The College will continue to issue potential employees with DBS forms until 2014.

What happens if a Positive DBS is received?

If a positive DBS Check is received (i.e. it reveals details of a criminal record and background that might be of concern) then the Lead Counter Signatory must bring this to the attention of the Principal and the Chair of Advisors. If information is revealed about a Lead Counter Signatory, then the other Counter Signatory should take action. If information about criminal activity is revealed about the Principal, then the Chair of Advisors must be informed.

The nature of the information revealed, its date, and frequency are all taken into consideration before deciding to go ahead with the employment of an individual. For example, a teacher convicted of smoking cannabis 15 years ago when they were 18, and who has a clean criminal record since, would not be considered to show a reason why they should not employ that person. Consideration must also be given to the Rehabilitation of Offenders Act. If information on the Disclosure is deemed of concern, then a meeting must be held and senior members of the Leadership Team and Chair of Advisors must assess the risk.

Amongst other factors, managers must consider the following:

- The requirements of the role and level of supervision the individual will receive
- The seriousness of the offence/issue raised and its relevance to the safety of the pupils, other employees or property
- How relevant the offence is to 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 re-offending is likely
- Whether the individual was open and transparent about their past and declared their criminal background prior to receiving their Disclosure Form.

Overseas Recruitment

DBS Disclosures do NOT record convictions that may have been committed abroad. As a result it is College policy to not recruit staff from overseas solely on the basis that their

criminal record cannot be properly checked. In exceptional circumstances, if a person from overseas is recruited, then they should also obtain a Certificate of Good Conduct from their relevant Embassy. The risk of recruiting someone from overseas, must, however, be considered carefully.

Handling and Secure Storage of DBS Information

The College follows the Code of Practice and all certificate information is kept securely in lockable, non portable storage containers with access strictly controlled and limited to those entitled to see it as part of their duties.

Receipt of a DBS Disclosure

Once a DBS is received its identification/reference number is recorded on the Central Registrar with the month in which it was obtained.

Ex-Offenders and Employment

The College cannot legally turn someone down for a position as a member of staff because they have been convicted of an offence if the conviction is “spent”. Convictions with a sentence of 30 months or less will become spent after a certain period of time, which is known as the “rehabilitation period.”

However, as all jobs at David Game College require a Disclosure if this shows that someone is not suitable for job because of a spent conviction, the employers can withdraw the job offer.

John Dalton, August 2013
To be reviewed August 2014