



Serenity School

DBS POLICY

Author	Chair of Governors – Safeguarding Lead
Responsible post holder	Headteacher
Approved by / on	The Board of Governors 01.09.2018
Date of Review	01.09.2020/ 30.07.2021, 02/09/22, 30.08.2023
Next Review	01.09.2024
Publication Method	Website, Staff Handbook

Policy statement

The safety of children and young people is paramount. Serenity school is fully committed to safeguarding and promoting the welfare of children and young people and to the rigorous implementation of Disclosure and Barring Service (DBS) procedures and arrangements.

Definitions DBS

The Disclosure and Barring Service (DBS), was established under the Protection of Freedoms Act 2012. It is a Non-Departmental Public Body sponsored by the Home Office and became operational on 1 December 2012.

The DBS was created after the Criminal Records Bureau and the Independent Safeguarding Authority merged. DBS children's barred list The DBS children's barred list is a list of people barred from working with children (replacing List 99, the POCA list and disqualification orders). Portability refers to the re-use of a DBS check, obtained for a position in one organisation and later used for another position in another organisation.

What is a DBS check?

The DBS check searches an individual's details against criminal records and other sources, including the Police National Computer. The check may reveal convictions, cautions, reprimands and warnings. The DBS check will either confirm that the individual doesn't have a criminal record, or it will list any relevant convictions, cautions, reprimands, warnings and, if applicable, whether the individual has been barred from working with children or vulnerable groups.

The police can also include non-conviction information, for example, fixed penalties, that may be relevant. A DBS check uses a range of different information sources, including the records of: The Police National Computer (PNC) and other data sources. The Independent Safeguarding Authority (where requested).

It should be stressed that, whilst DBS checks are vital in the consideration of appropriately staffing posts with access to vulnerable people, they are just one in a range of pre-employment checks, which must be carried out in order to assess the suitability of candidates.

Other checks include thoroughly confirming identities, qualifications, taking up references and examining dates of employment histories on application forms. Ongoing monitoring and supervision is also vital alongside clear safeguarding policies and procedures.

Regulated activity

This is what defines the eligibility for an 'Enhanced check for regulated activity' and relates to specific roles. All school staff are in regulated activity as a school is defined as a 'specified place' and therefore meets the eligibility requirement.

Enhanced check for regulated activity

The Enhanced check for regulated activity is the highest level of criminal record check and is available for those working in regulated activity with children or vulnerable groups.

This checks for spent and unspent convictions, cautions, reprimands, final warnings, 'approved' information from local police records and a check of the DBS children's and or adults' barred lists where requested.

Approved information is non-conviction information provided by the police from their local records. The Chief Police Officer in each force will decide what, if any, information to provide.

What is the DBS Children's Barred List?

The DBS children's barred list is a list of people barred from working with children (replacing List 99, the POCA list and disqualification orders). All school staff and 'regular' unsupervised volunteers must be checked on the DBS children's barred list before they start work.

The DBS children's barred list is checked as part of an Enhanced check for regulated activity and also checked by the recruitment Team prior to sending the DBS application form to DBS. This is to ensure that all potential employees are not on the DBS children's barred list.

The DBS children's barred list should only be checked as part of the normal recruitment process and be checked alongside an Enhanced check for regulated activity.

It should not be used as a standalone check unless the Enhanced check for regulated activity remains outstanding at the time the individual begins work. If an individual is required to be checked on the DBS children's barred list then a member of staff from the school who is an 'Authorised Verifier' should do the following: Check the applicant's ID e.g. passport or driving licence and confirm the applicant's surname, previous surnames (where possible) and date of birth

DBS Code of Practice

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Serenity School complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

The code of practice is published under section 127 of the Police Act 1997. This is a constantly evolving document, which was last revised in April 2009. An up to date version is currently available to view on the DBS website. It is intended to ensure - and to provide assurance to those applying for Standard and Enhanced DBS checks - that the information released will be used fairly.

The code also seeks to ensure that sensitive personal information is handled and stored appropriately and is kept for only as long as necessary. Anybody who receives Standard or Enhanced DBS check information must abide by the code of practice.

Serenity school policy (recruitment of ex-offenders)

Serenity School is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background. We actively promote equality of opportunity for all with the right mix of talent, skills and potential.

Serenity School encourages all applicants called for interview to provide details of any criminal record at an early stage in the application process. The school request that this information be sent under separate, confidential cover, to a designated person within School (the Headteacher) and guarantees that this information will only be seen by those who need to as part of the recruitment process.

All whom are involved in the recruitment process at Serenity school have been suitably trained to identify and assess the relevance and circumstances of offences.

Serenity school recruitment staff also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

Serenity School selects all candidates for interview based on their skills, qualifications and experience. A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned.

Volunteers from an external organisation

If an external organisation wants to come into the school to do an activity, the Headteacher will conduct a risk assessment to decide if these people are working in regulated activity and if Enhanced Disclosures are required for these people.

If the Headteacher decides that Enhanced Disclosures are required, it is the responsibility of the external organisation to provide them. The external organisation will need to provide the school with a headed and signed letter to confirm that their staff have valid DBS checks (issued within the last 3 years) for the role, they will be carrying out. It is the external organisation's responsibility to confirm that these staff are cleared to work in the school. If the external organisation cannot do this, their staff will not be able to work in the school.

People not requiring an Enhanced check for regulated activity are people who do not need to apply include;

Visitors who have business with the Headteacher or other staff or who have only brief contact with children with a teacher present.

Volunteers or parents who are accompanying staff and children on one-off outings or trips that do not involve overnight stays, or who only help out at specific events, e.g. school fete. (These people should not be asked to help children with their personal care e.g. toileting)

An Enhanced check for regulated activity will apply to any employees or 'regular' volunteers involved in after school activities if there is contact with children. Responsibility for obtaining Disclosure will fall to the employing body,

People, who are on site before or after school hours when children are not present, e.g. local groups who hire premises for community or leisure activities. (Note: if children are participating in the activity during the hire period, whether pupils of the school or not, then an Enhanced check for regulated activity will be required).

Building contractors/tradespersons - A tradesperson attending the school on a one-off basis, for example, an electrician making repairs, does not need to be DBS checked as it is expected that they would not be allowed to walk around the school unaccompanied.

There may be situations that fall outside the scope of the above and in these circumstances a risk assessment should be carried out to determine what measures may be appropriate. It may therefore be appropriate in certain circumstances to obtain Disclosure information for operatives.

The Headteacher will make a risk assessment and apply their professional judgement in deciding whether an Enhanced Disclosure is needed. For more guidance on this, please see <https://www.criminalrecordchecks.co.uk/crb/enhanced/eligibility-non-eligibility-of-trade-and-maintenance-workers-in-schools>

Overseas applicants

Overseas members of staff need to be treated as any new employee. The Disclosure and Barring Service cannot establish details of criminal convictions acquired outside of the UK. Practices in other countries vary considerably but certificates or letters of good conduct may be obtainable from some overseas applicants from their embassy. The level of information varies from country to country, some are complete extracts from the criminal record, and others are partial. Where an applicant is from a country where criminal record checks cannot be made, extra care must be taken in taking up references and conducting other background checks. As a special school with highly complex pupils, we track 5 years references.

Overseas check policy

All new applicants (paid or voluntary) are given an Overseas Criminal Record Form to complete at the same time they complete their DBS application form. If, within the last 5 years, the applicant has continuously resided outside the UK in one or more countries for 6 months or more (excluding holiday periods), then they must provide those full address details including the period of time lived at those addresses.

Once the overseas police check has been verified and there is no 'information' that prevents the applicant from starting work, then upon receipt of a satisfactory DBS Enhanced Disclosure, the applicant is deemed ok to work. This now includes all EEU applications applying to work or volunteer in our schools.

For agency staff, the Headteacher (or other designated school staff) will speak to the agency to ascertain what their procedures are and pursue an overseas check at their own discretion.

Disclosures for agency staff

The Headteacher must be satisfied that agency workers have an Enhanced Disclosure (Listed on the Update service) and current, satisfactory references, by checking with the agency responsible for their employment.

Once written confirmation of an agency worker's Enhanced Disclosure has been received, we would not have to repeat this process every time that particular individual returns to work at the school, unless a period of three years has passed, and a re-check is due.

Agencies supplying overseas teachers should give the school full details on clearance checks obtained. It is the Headteacher's responsibility to ensure that all the agency staff coming into school have a valid DBS Enhanced Disclosure issued within the last year and relevant to their role.