

Disclosure and Barring Service (DBS) Procedure

Document control

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1.0	July 2018	Kelly Sooben	Update to procedure re KCSIE 2018
2.0	Jan 2019	Kelly Sooben	Procedure update

Owner	SMT Lead	Author	Frequency of review	Next review date	Approval Committee	Next approval Committee Date	Date of last EIA
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1. BACKGROUND

South Devon College is committed to safeguarding and promoting the welfare of children, young people and adults at risk, and expects all staff, contractors and volunteers to share this commitment.

As part of the recruitment process, several checks are undertaken including an enhanced check via the Disclosure and Barring Service (DBS), disqualification by association check (if applicable) and any relevant overseas criminal records checks.

An offer of employment for a post at South Devon College will be conditional, on satisfactory completion of the DBS checks. Where the job applicant refuses to agree to an application to the DBS or a DBS check is completed but the job applicant refuses to allow the College to see the DBS certificate, this will be treated as not having fulfilled a condition of employment.

2. PURPOSE AND SCOPE

This procedure applies to all staff, volunteers, placements, contractors and job applicants.

This procedure should be read in conjunction with the Recruitment and Selection procedure, Recruitment of Ex-offenders procedure and Employment References procedure.

3. PRINCIPLES

All staff employed by South Devon College will be DBS checked to the appropriate level. Staff will be required to have an Enhanced DBS which includes the barred list check.

An Enhanced Disclosure with barred lists check shows details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered. This check also includes a check of local police records and the barred lists held by the DBS.

Where a new member of staff has resided abroad for 6 months or more within the last 5 years, they must provide a Police check from the relevant country(ies) which is translated and notarised.

New staff will be DBS checked once they have been offered a role at the College, unless they are in possession of a DBS certificate issued within the last 12 months and/or are signed up to the Update Service, in which case proof of this will be required for verification. This DBS certificate must include barred list activity.

The College will always undertake a barred list check if a new employee will be starting work before their DBS certificate is available. A person will not be able to work unsupervised until they have been checked against the barred list.

Staff are required to bring their original DBS certificate into College for verification within one week of receipt.

Contractors working regularly at the College may require an Enhanced DBS check obtained by the relevant company. It is the responsibility of the College member of staff (designated to link with the contractor) to seek assurance from HR that the DBS checks are required and to make a record of their DBS disclosure number. This assurance should be confirmed in writing annually.

Where contractors are on site occasionally, work out of term time, or are working in an area where they do not have contact with students, DBS checks will not be required. Contractors who work occasionally on site during term time, maybe required to have an Enhanced DBS check. (See above).

College Governors will be subject to an Enhanced DBS check, facilitated by the Clerk to the Governing Body. Records will be retained by HR.

When a person is commencing employment in an academic role, the College will also check that the new employee is not subject to a Teacher Prohibition order using the Employer Access Online Service.

Staff who are appointed to the College Leadership Team will also be checked to ensure they are not prohibited under section 128 provisions.

4. DBS RETENTION

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

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

The College will not keep any photocopy, or make an image of the Disclosure or any copy or representation of the contents of a Disclosure, without prior permission from the member of staff. However, notwithstanding the above, the College will keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position and workforce for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

5. DBS PROCESS FOR CONTINUING STAFF

There is no requirement for staff to be checked again following receipt of a satisfactory check at the start of initial employment, unless the College has concerns about a person's suitability to work with children or adults in which case the College reserves the right to obtain an updated DBS. If a member of staff is moving from a Business Support to an Academic position the College will also undertake an updated DBS. Staff are also contractually obliged to inform Human Resources if they receive a caution or criminal conviction following the issue of their contract of employment.

6. DBS REFERRAL

The College has a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult; where the harm test is satisfied in respect of that individual; where the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that the individual has committed a listed relevant offence; and that the individual has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person.