

GUIDANCE DISCLOSURE AND BARRING SERVICE CERTIFICATES

1. Purpose

- 1.1 The Two Counties Trust has a duty to provide a safe and secure teaching and working environment.
- 1.2 All schools / academies will ensure they do not engage or make use of the services of any person who has a criminal conviction or record of conduct that could present a risk to the safety and wellbeing of students or staff.
- 1.3 This policy complies with the Trust's responsibilities defined within the Department for Education's publication: Keeping Children Safe in Education.

2. Checking processes

- 2.1 Satisfactory Enhanced DBS Certificates with barred list checks are required where staff, placements, governors, volunteers and agency workers will be engaged in Regulated Activity.
- 2.2 Teacher prohibition order checks and section 128 decisions will also be completed for relevant positions via the DfE system and the outcome recorded.
- 2.3 For supply staff, schools / academes always obtain written confirmation from the Agency supplying the worker that they have carried out the relevant checks and obtained the appropriate DBS Certificate. The school / academy will record the date this confirmation was received, who from, and the associated details on a worksheet within the Single Central Record.
- 2.4 Contractors will be assessed to determine the level of access to students and level of supervision on site before DBS Certificate requirements are specified in the contract.
- 2.5 Normally employees will not commence work in Regulated Activity where a DBS Certificate has not been received. On rare occasions, a school / academy may need to allow an individual to start work in Regulated Activity before the DBS certificate is available. In such cases this can only be approved in writing (e-mail) by the Headteacher or the Head of HR containing confirmation that the individual will be appropriately supervised at all times and that all other checks, including a separate barred list check, a teacher prohibition check, identity check, satisfactory references, copies of qualifications and right to work in the UK checks have been undertaken and documentation is in hand.

3. General principles

- 3.1 The Two Counties Trust and all members of the Multi Academy Trust will comply with the DBS Code of Practice, their obligations under the General Data Protection Regulation, Data Protection Act 2018 and other relevant legislation pertaining to the correct handling, use, storage, retention and disposal of DBS Certificates and Certificate information.
- 3.2 The Trust determines when a Certificate is required and funds the cost of obtaining a Certificate for employees.

4. Storage and Access

- 4.1 Certificate information is kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

5. Handling

- 5.1 Certificate information is only available to those who are authorised to receive it in the course of their duties and The Trust recognises that it is a criminal offence to pass the information to anyone who is not entitled to receive it.
- 5.2 A record is maintained of those to whom Certificate or Certificate information has been revealed.

6. Usage

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

7. Retention

- 7.1 Once a recruitment (or other relevant) decision has been made, DBS Certificates or Certificate information will not be retained for any longer than is necessary.
- 7.2 For satisfactory Certificates, the information will be entered onto the Single Central Record on receipt and the documentation will be disposed of immediately (see below). Information will not be retained on an employee's file.
- 7.3 Where additional time is required to allow for the consideration and resolution of any disputes or complaints, DBS information can be securely stored for a period of up to six months.
- 7.4 If, in very exceptional circumstances, it is considered necessary to keep Certificate information for longer than six months, in these cases we will consult the DBS giving full consideration to the General Data Protection Regulation, Data Protection Act 2018 and the Human Rights of the individual. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.
- 7.5 Each school / academy will keep a Single Central Record showing the Certificate number the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, confirmation of a barred check and any decision taken.

8. Disposal

- 8.1 Once the retention period has elapsed, or once the data has been entered on the Single Central Record, each academy will ensure that Certificate information is immediately destroyed by secure means, (usually shredding).
- 8.2 While awaiting destruction, a Certificate will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). Photocopies or other images of the Certificate or any copy or representation of the contents of a Certificate will not be retained.

9. Handling convictions

- 9.1 All Regulated appointments and placements are subject to receipt of a number of documents including a satisfactory Enhanced Certificate & barred list check as set out in Keeping Children Safe in Education.
- 9.2 Job applicants are requested to confidentially provide information about their criminal background during the application process so that any issues raised can be dealt with at the

earliest opportunity and a decision can be made, subject to the receipt of a DBS Certificate. The application process includes a statement to candidates that their appointment is subject to a satisfactory Certificate.

- 9.3 If a Certificate contains information, then the Headteacher may undertake a risk assessment or delegate this activity to a trained Designated Safeguarding Lead or the Trust's Head of Human Resources who will undertake a risk assessment to identify if the information indicates that the prospective candidate poses a potential risk to children.
- 9.4 This risk assessment is conducted confidentially and where necessary will involve meeting with the individual to ask questions about the information provided.
- 9.5 When the risk assessment process has been completed the outcome may be that the recommendation is that the individual is suitable for appointment.
- 9.6 Alternatively if the candidate is not fit for employment they will be informed that their Certificate is not satisfactory and that their appointment cannot be confirmed.

10. Re-checking

- 10.1 Where a member of staff changes role and does not have the correct level of Certificate for the new role, a DBS check will be completed. Routine re-checks of DBS Certificates are not undertaken however if there are any concerns about an employee a new Certificate may be requested.

11. DBS Code of Practice

- 11.1 A copy of the DBS's Code of Practice is available at:
www.gov.uk/government/publications/dbs-code-of-practice

Document management

Review cycle:	Every two years
Next review due:	May 2020
Policy owner	Head of Human Resources
Equality Analysis completed:	3.8.17