

GUIDANCE DISCLOSURE AND BARRING SERVICE DISCLOSURES

1. Purpose

- 1.1 The Two Counties Trust has a duty to provide a safe and secure teaching and working environment.
- 1.2 All 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 DBS Code of Practice, relevant legislation and responsibilities defined within the Department for Education's publication: Keeping Children Safe in Education.

2. Checking processes

- 2.1 Satisfactory Enhanced DBS Disclosures 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 will also be completed for relevant positions via the Teacher Services system and the outcome recorded.
- 2.3 For supply staff, academies always obtain written confirmation from the Agency supplying the worker that they have carried out the relevant checks and obtained the appropriate DBS Disclosure. 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 disclosure requirements are specified in the contract.
- 2.5 Normally employees will not commence work in Regulated Activity where a DBS Disclosure has not been received. On rare occasions, an 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 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 and right to work in the UK documentation has been fully completed.

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 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of DBS information.
- 3.2 The Trust determines when a Disclosure is required and funds the cost of obtaining a Disclosure for employees.

4. Storage and Access

- 4.1 Disclosure 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 Disclosure 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.

6. Usage

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

7. Retention

- 7.1 Once a recruitment (or other relevant) decision has been made, DBS information will not be retained for any longer than is necessary.
- 7.2 For satisfactory Disclosures, 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 in these circumstances.
- 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 exceptional circumstances, it is considered necessary to keep Disclosure information for longer than six months, we will consult the DBS giving full consideration to data protection 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 academy will keep a Single Central Record showing the Disclosure number the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the Disclosure 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 Disclosure information is immediately destroyed by secure means, (usually shredding).
- 8.2 While awaiting destruction, a Disclosure will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack). Photocopies or other images of the Disclosure or any copy or representation of the contents of a Disclosure 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 Disclosure & 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 Disclosure. The application process includes a statement to candidates that their appointment is subject to a satisfactory Disclosure.

- 9.3 If a Disclosure 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 Disclosure 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 Disclosure for the new role, a DBS check will be completed. Routine re-checks of DBS Disclosures are not undertaken however if there are any concerns about an employee a new Disclosure 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

12. General Data Protection Regulation

- 12.1 All data within this policy will be processed in line with the requirements and protections set out in the General Data Protection Regulation

Document management

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