

**Plymouth
School of
Creative Arts**

make
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perform

Child Protection and Staff Training Policy

Date created: 03/01/2013
Date reviewed: 02/12/2014

Created by: M. Sweeney
Reviewed by: M. Beard

Review period: Annual

Contents

Plymouth School of Creative Arts.....	Error! Bookmark not defined.
Child Protection and Staff Training Policy	1
1. Roles and responsibilities	4
1.1 All staff and visitors:	4
1.2 Designated Person	5
1.3 Governing Body	5
1.4 Nominated Governor.....	6
1.5 Designated Person	6
1.6 Suggested Audience for this policy: All staff.....	7
1.7 Related policies.....	7
2. Responding to allegations/causes for concern: Pupils at risk of harm	8
3. Recording.....	8
4. When is it appropriate to refer to Social Services?	9
5. Making a referral to Social Services.....	9
6. Historical Abuse	10
7. Allegations against staff and volunteers.....	10
8. Considering the substance of an allegation.....	10
9. Communicating with students about their concerns	11
10. Considering the substance of the allegation: Next Steps	11
11. Demonstrably False	11
12. Unprofessional Practice	12
13. Child Protection Concern.....	12
14. Suspension of Staff and Alternatives to Suspension.....	13
15. Communication	14
16. Disciplinary and Grievance Procedure	14
17. Allegations against the Headteacher.....	14
18. Work Experience.....	14
19. Staff Recruitment.....	15
20. Safe Practice	15
21. Staff support	15
22. Staff Training.....	15
23. Governing Body Approval and Review Date	16
APPENDIX 1.....	16
SAFEGUARDING CONCERN FORM	Error! Bookmark not defined.

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

APPENDIX 2..... **Error! Bookmark not defined.**
Disclosure & Barring Service..... **Error! Bookmark not defined.**

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

1. Roles and responsibilities

The responsibility for the implementation of this policy and provision rests with the Headteacher. On an operational basis, the management, responsibility and evaluation of this policy is undertaken by the SENCO and Child Protection Designated Staff.

1.1 All staff and visitors:

1.1.1 Must be familiar with the Plymouth School of Creative Arts' (PSCA's) Child Protection Policy including issues of confidentiality.

1.1.2 Must be alert to signs and indicators of possible abuse.

1.1.3 Must record concerns on a '**Safeguarding Concern Form**' (*see Appendix 1*) Staff will have blank copies of these, which, once completed, should be handed to the Designated Persons within the Building Learning Capacity team.

1.1.4 Deal with a disclosure of abuse from a child in line with the recommendations in this policy. These must be passed to one of the Designated Persons immediately, together with a written account.

1.1.5 Will be involved in ongoing monitoring and recording to support the implementation of Individual Learning Plans and interagency child protection and child support plans.

1.1.6 Will be subject to Safe Recruitment processes and checks whether new staff, supply staff, contractors, volunteers etc.

1.1.7 Will be expected to behave in accordance with the school's code of conduct and / or '**Working Together to Safeguard Children**' - A guide to inter-agency working to safeguard and promote the welfare of children (March 2013), together with more recent guidance including:

- Keeping children safe in education (*Statutory guidance for schools and colleges on safeguarding children and safer recruitment in education*; April 2014)
- Keeping children safe in education (*Information for all school & college staff*; April 2014)
- Keeping children safe in education (*Childcare disqualification requirements – supplementary advice*; April 2014)

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

1.2 Designated Person

1.2.1 The Designated Senior Person and Designated Persons will be nominated by the Headteacher. Along with the Headteacher, they will be responsible for co-ordinating all child protection activity.

1.2.2 Where the school has concerns about a child, the Designated Person, in consultation with the Headteacher if appropriate, will decide what steps should be taken.

1.2.3 Child Protection information needs to be dealt with in a confidential manner. A written record will be made of what information has been shared with whom, and when. Staff will be informed of relevant details only when the Designated Person feels their having knowledge of a situation will improve their ability to deal with an individual child and /or family.

1.2.4 Child Protection records will be stored securely in a central place separate from academic records. They will be kept for at least the period during which the child is attending the school, and beyond that in line with current data legislation.

1.2.5 Access to these by staff other than the Designated Person will be restricted, and a written record will be kept of who has had access to them and when.

1.2.6 Parents/carers should be aware of information held on their children and kept up to date regarding any concerns or developments by the appropriate members of staff. General communications with parents/carers should be in line with any home school policies and give due regard to which adults have parental responsibility.

1.2.7 Information will **not** be disclosed to a parent/carer if it will put the child at risk of harm or further harm to do so.

1.2.8 If a student moves from PSCA, child protection records will be forwarded onto the new school, with due regard to their confidential nature. Contact between the two schools may be necessary. We will record where and to whom the records have been passed, and the date.

1.3 Governing Body

The Governing Body will ensure that PSCA:

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

1.3.1 Has a Child Protection policy and procedures in accordance with Local Safeguarding Children's Board guidelines.

1.3.2 Operates safe recruitment procedures and ensures appropriate checks are carried out on all new staff and volunteers.

1.3.3 Has at least one senior member of the school's leadership team designated to lead on Child Protection issues and at least one Designated Senior Person.

1.3.4 That the Designated Senior Person has appropriate refresher training every two years.

1.3.5 The Headteacher and all other staff who work with children undertake training at three yearly intervals. Also that temporary staff and volunteers are made aware of the school's arrangements for Child Protection and their responsibilities.

1.3.6 The Governing Body remedies any deficiencies or weaknesses brought to its attention without delay.

1.3.7 Has procedures for dealing with allegations of abuse against staff/volunteers.

1.3.8 A member of the Governing Body (usually the Chair) is nominated to be responsible for liaising with the Trust/partner agencies in the event of allegations of abuse being made against the Headteacher.

1.4 Nominated Governor

1.4.1 A Nominated Governor for child protection will be nominated from the Governing Body

1.4.2 S/he is responsible for liaising with the Headteacher / Designated Senior Person over all matters regarding child protection issues. The role is strategic rather than operational – S/he will not be involved in concerns about individual pupils.

1.4.3 The nominated governor should liaise with the Headteacher and Designated Senior Person to produce an annual report for governors.

1.5 Designated Person

1.5.1 The main role of the Designated Person(s) is to refer cases of suspected abuse or allegations to the local child protection agencies as appropriate and in accordance with Local Children's Safeguarding Board (LCSB) procedures. The Designated Senior Person will ensure that there is always cover for the Designated Person(s) role and that arrangements for cover are communicated clearly to all staff.

Date created: 03/01/2013 Date reviewed: 02/12/2014	Created by: M. Sweeney Reviewed by: M. Beard	Review period: Annual
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1.5.2 The Designated Senior Person will have a working knowledge of how Integrated Children's Service operates; have received training on how to identify child abuse and local referral protocol and how to contribute effectively to a child protection conference.

1.5.3 Act as a source of advice and support within the school and coordinate action regarding referrals regarding both children and allegations against staff.

1.5.4 Should liaise with the relevant agencies and record all contacts.

1.5.5 Ensure that staff have relevant training in child protection, including induction training, enabling them to identify and report any concerns.

1.5.6 Ensure staff and volunteers have access to and understand their role in the child protection procedures, particularly part-time staff, peripatetic staff, qualified staff, newly appointed staff, before/after school care staff and volunteers and gap year students.

1.5.7 Ensure that when a student moves to another school, that a copy of the student's confidential pupil welfare / child protection file is transferred to the new school as soon as possible and is transferred separately from the main pupil file as it contains sensitive personal data.

1.5.8 Ensure that the PSCA's 'Safeguarding and Promoting Student Welfare Policy' is reviewed and updated annually.

1.6 Suggested Audience for this policy: All staff

1.7 Related policies

1.7.1 This policy is part of a suite of policies which should also be referred to:

- Anti-bullying policy
- Behaviour & Attendance policy
- Educational Visits Guidelines
- Equal opportunities for students
- Staff Recruitment

This policy should be read in conjunction with information about the Disclosure and Barring Service – which is attached as Appendix 2.

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

2. Responding to allegations/causes for concern: Pupils at risk of harm

2.1 Staff and volunteers should make themselves available to listen and demonstrate to the student that what they are saying is being taken seriously and without criticism.

2.2 Staff and volunteers must be aware that the way in which they talk to a student can have an effect on the validity of evidence which can be brought in any subsequent criminal proceedings. Staff and volunteers should therefore respond to students disclosing concerns or allegations of abuse (including allegations about a member of staff) in a supportive, calm manner and avoid asking detailed questions.

2.3 In responding to students, staff should note carefully any external signs of possible injury or neglect but should not undress the student or examine clothed parts of the student's body in an attempt to determine the nature of any such injuries/ neglect.

2.4 If a student confides in a member of staff or volunteer and requests that the information is kept secret, staff/volunteers **must not make promises about confidentiality**. Staff must tell the student sensitively that they have a responsibility to tell the Designated Person so that the student can be helped to stay safe and feel better. It is important for all students that they are reassured that the matter will **only be disclosed to people who need to know**.

2.5 PSCA will work with the student and with parents/carers to ensure that the student receives proper advice, support and protection.

2.6 All incidents about concerns in relation to significant harm must be brought immediately and well before the end of the same school day, to the attention of the Designated Person for Child Protection in the PSCA. If a member of staff is working outside normal PSCA hours a member of the Senior Leadership Team must be informed and appropriate arrangements made for contacting them in case of an emergency. All of the Senior Leadership Team should have contact details for the Designated Person(s).

3. Recording

3.1 All records will be kept by the Designated Senior Person in a secure cabinet, separate from the main pupil file. All records must

- Be written within 48 hours, signed and dated in black ink
- Clearly distinguish between fact, observation, allegation and opinion
- Contain name(s), date, the event, any action taken
- Record what was said and any action taken in cases of suspected abuse or when the student is placed on a child protection register

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

- Be marked confidential.

3.2 In the event of a student moving to another school, a copy of any information which will assist the new school in promoting the pupil's welfare should be sent to the Headteacher of that school. In the case of relevant medical records, copies of these should be sent to the receiving school. All such records should be marked 'Strictly Confidential.'

3.3 All records may be used in criminal proceedings.

3.4 A template form for recording concerns accompanies this document (**Appendix 1**)

4. When is it appropriate to refer to Social Services?

4.1 Any decision to call Social Services will be made by the Designated Person(s) in discussion with the Headteacher. Any member of staff concerned about a student's welfare should consult the Designated Person immediately and well before the end of the school day, if at all possible. It is not the responsibility of the school to investigate suspected or alleged abuse; this is the role of the Police and Social Services. No referral to social services is required if it is felt that the student's needs can be adequately met within the education service, unless the student already has a social worker, is subject of a court order or is registered on the Child Protection Register.

4.2 Consultation with Social Services is appropriate when action is required to meet the needs of individual students outside of the education services or when the student's needs are unclear. The permission of the student and their parents/carers should normally be obtained **unless** to do so would place the student at risk of harm from them.

4.3 Concerns about student welfare can be complex and may be cause anxiety. It is possible to discuss concerns with Social Services without necessarily identifying the student. This can help to establish whether or not a referral to Social Services would be appropriate in complex situations. In addition, advice can be sought from other local statutory agencies. This advice can also be sought without revealing the student's identity and can help the Designated Person decide whether or not to make a formal referral and if so, how to approach gaining the consent of parents/carers and the student concerned, as appropriate to their age and understanding.

4.4 The decision to make a referral which could activate a child protection investigation and the issue of gaining parental consent are serious decisions and require careful judgement. These decisions need to be taken in consultation with the local child protection agencies. The Designated Senior Person or Headteacher will liaise with the relevant agencies.

5. Making a referral to Social Services

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

5.1 The final decision for making a referral to Social Services will be made by the Headteacher and the Designated Senior Person.

5.2 The Headteacher or Designated Senior Person will contact Social Services and agree with the recipient of the referral, what exactly the student and parents will be told, by whom and when. This will be in liaison with Social Services and possibly the Police.

5.3 Any staff member who needs to know should also be informed of any subsequent results that might affect the student's progress or emotional stability in school but not any specific details of the case.

6. Historical Abuse

6.1 Reports of abuse, which happened in the past, still need to be reported in accordance with PSCA procedures. A student reporting 'historical abuse' will benefit from family support and may need specific therapeutic or professional help. In addition, Child Protection Agencies will need to consider whether or not to conduct a child protection investigation, as a crime may have been committed and other children with whom the alleged abuser is (or has been) living or working with may have been abused or be at risk of significant harm.

7. Allegations against staff and volunteers

7.1 **All** allegations or concerns raised about misconduct or child abuse by staff must be reported to the Headteacher, unless the Headteacher is the person about whom the allegation is being made (see Responding to allegations about the Headteacher).

7.2 Allegations or concerns about a member of staff using physical punishment or restraint other than permitted by law should also be considered under the PSCA's Disciplinary Procedures.

8. Considering the substance of an allegation

8.1 The person to whom the student has first disclosed the allegation should complete a **Safeguarding Concern Form (Appendix 1)**, which should then be countersigned by the Headteacher or Designated Senior Person.

8.2 Immediately an allegation made against a member of staff is reported to the Headteacher he/she will consider whether or not there is sufficient substance in the allegation to warrant an investigation and:

- Decide how the substance of the allegation will be explored
- Liaise with the child protection agencies as necessary.

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

8.3 The Headteacher **will not** speak with the member of staff who is the subject of the allegation at this point.

8.4 Action will be taken promptly by the Headteacher and in such a way that it does not prejudice any subsequent investigation by the Social Services or Police. There will be no interference with the evidence.

9. Communicating with students about their concerns

9.1 When speaking to the student making the allegation, the Headteacher may decide to do so along with another suitable teacher who he/she believes the student would be comfortable with and not feel intimidated by. In order to avoid any interference with evidence, the accompanying teacher must act in the capacity of an observer and not discuss the allegation with the student. There is no need to involve parents at this stage.

9.2 The Headteacher will have due regard for the student's individual needs in terms of their gender, age, racial, cultural, religious background, disability or any special needs or characteristics when planning and conducting her/his conversation with the student.

9.3 Students who report that they have been abused by a member of staff will be listened to and heard. The Headteacher will approach the meeting with the student with an open and inquiring mind, taking care to avoid making assumptions about the student (e.g. allowing previous knowledge about the student's behaviour to affect their capacity to objectively establish whether there is any substance to the allegation). The Headteacher will avoid minimising the student's account or offering any alternative explanation for the student's account.

9.4 Details of the meeting will be recorded immediately afterwards.

10. Considering the substance of the allegation: Next Steps

10.1 The Headteacher will then consider, in consultation with the Child Protection Agencies, whether the allegation:

- Is a child protection concern and needs further investigation by the Child Protection Agencies
- Amounts to unprofessional practice,
or is
- Demonstrably false.

11. Demonstrably False

11.1 Only if the allegation were trivial or demonstrably false would a further investigation not be warranted. In these circumstances the Headteacher will consider:

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

11.1.1 Whether the student might have been abused by someone else

11.1.2 Whether to inform the member of staff of the allegation and that no further action will be taken

11.1.3 The student's need for informal guidance or support

11.1.4 Whether to inform the child's parents of the allegation made and the outcome

11.1.5 Whether or not to prepare a report concluding that reasons why the allegation is without foundation.

12. Unprofessional Practice

12.1 In the case of unprofessional practice, the Headteacher will then need to establish whether or not this requires disciplinary action, performance management and/ or support and guidance for the staff member or volunteer, against whom the allegation has been made.

12.2 In order to do this, the Headteacher will need to consult with the Child Protection Agencies to ensure that the Headteacher's actions will not prejudice any child protection and/ or criminal investigation, whilst also ensuring that the staff member or volunteer's need for a quick and fair response to any allegation made against them is properly upheld.

13. Child Protection Concern

13.1 The Headteacher will need to agree an outline communication plan with the strategy team (i.e. a joint meeting of Police and Social Services, who may involve other professionals relevant to the individual case at this stage of the child protection process). The strategy team will decide on when and what will be discussed with the student who has made the allegation, the student's parents, as well as the member of staff or volunteer against whom the allegation has been made.

13.2 The Headteacher will also need to identify a small group of staff (including the Designated Person) and agree with the Strategy Team how much information should be shared with this core group, the wider staff and the PSCA community (including parents/carers) and possibly the media.

13.3 The communication plan is likely to need to respond to developments during the course of the investigation process and will always need to be undertaken in consultation with the Strategy Team.

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

13.4 The Headteacher will keep the PSCA Governing Body informed at each stage of these developments. This should not cause any delay in following local (i.e. LCSB) child protection procedures.

13.5 Irrespective of action by Social Services or the Police, PSCA will follow the appropriate disciplinary procedure and decide whether the member of staff should be suspended or removed from work with students, pending investigation.

14. Suspension of Staff and Alternatives to Suspension

14.1 The decision to suspend is the responsibility of the Headteacher. Suspending a member of staff is always a serious decision to aid the investigation process. It is not in itself a disciplinary action.

14.2 Consideration can be given to the staff member remaining in school. **In all situations, the welfare needs of the student making the allegation and other pupils will be the paramount consideration.** However, there is also a duty of care to staff, and therefore when considering suspension it is important to have regard to:

- The nature of the allegation
- The assessment of the presenting risk
- The context in which the allegation occurred
- The individual's contact with students
- Any other relevant information
- Alternatives to suspension.

14.3 Suspension should be considered if the following grounds apply:

- A student or students would be at risk
- The allegation is so serious that summary dismissal for gross misconduct is possible
- It is necessary to allow any investigation to continue unimpeded

14.4 The disciplinary process and a criminal investigation have different objectives and should not be confused. A police and/ or child protection investigation takes priority over internal disciplinary investigation by a school; the police/ child protection investigator will be able to advise what, if any, internal disciplinary action can be taken pending the outcome of the police/ child protection investigation.

14.5 The Headteacher will also need to carefully balance the needs of other staff and indeed the care and protection of the staff member against whom the allegation has been made.

14.6 Alternatives to suspension include:

- Leave of absence

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

- Undertaking different duties which do not involve direct contact with the individual student or students (this will rarely be possible in school)
- Providing a classroom assistant or other colleague to be present throughout contact time

14.7 The rationale for whatever decision is reached should be recorded and kept secure .

15. Communication

15.1 In the event of a staff member being suspended the Headteacher will need to agree the communication plan as regards keeping in touch with a suspended member of staff during the course of the investigation and any subsequent period before the staff member returns to work in the school. It is particularly important to ensure that a clear statement is prepared for use by the PSCA Trust Board, the PSCA and the Governors in the event of questions from the press and that parents/carers receive a sensitive and consistent response to their questions.

16. Disciplinary and Grievance Procedure

16.1 Staff members who feel that they have been treated unfairly in relation to suspension of any disciplinary action should use the PSCA Disciplinary Procedure. Staff who have any other complaint in relation to an allegation and/ or investigation under these Procedures should use the PSCA Grievance Procedures.

17. Allegations against the Headteacher

17.1 A PSCA member of staff receiving an allegation of abuse or physical punishment or the use of restraint (other than that permitted in law), against the Headteacher should report this to the Designated Senior Person.

17.2 The Designated Senior Person must report this immediately to the Chair of the Governing Body. In the absence of the Designated Senior Person, the staff member must report immediately to the Chair of the Governing Body. The Chair should obtain details of the allegation, in writing, signed by the person who received the allegation, not the student who is subject of the allegation. The account of the allegations should be countersigned and dated by the Designated Senior Person.

17.3 The procedures above relating to allegations against staff will then be led by the Chair of the Governing Body replacing the role of the Headteacher.

18. Work Experience

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

18.1 Students will be informed about the correct procedures to use by the relevant staff prior to their placement and be given the opportunity to discuss how to identify and respond to situations that may give rise to concern in the work place.

18.2 Students must contact the Designated Senior Person if they have concerns. The Designated Senior Person, in discussion with the Headteacher, will decide whether or not to take the concerns further.

19. Staff Recruitment

19.1 Safe Recruitment and Selection - PSCA will pay full regard to Safeguarding Children and Safer Recruitment in Education. Safe recruitment practice includes scrutinising applicants, verifying identity and academic or vocational qualifications, obtaining professional and character references, checking previous employment history and ensuring that a candidate has the health and physical capacity for the job. It also includes undertaking interviews and, where appropriate, undertaking to check List 99 (or the equivalent list of barred people when new arrangements are made) POCA and Enhanced DBS checks (***see Safeguarding and Student Welfare Policy***)

19.2 All recruitment materials will include reference to the school's commitment to safeguarding and promoting the welfare of pupils. PSCA staff, who will be the Headteacher and one Governor, will be identified to participate in NCSL Safe Recruitment training (www.ncsl.org.uk). One of the above will be involved in all staff / volunteer appointments.

20. Safe Practice

20.1 All staff and volunteers work within the guidance of '***Working Together to Safeguard Children***' (***A guide to inter-agency working to safeguard and promote the welfare of children March 2013***)

21. Staff support

21.1 We recognise the stressful and traumatic nature of child protection work. Support is available for any member of staff who requests it.

22. Staff Training

22.1 The Designated Senior Person/Designated Person(s) will attend a recognised refresher training for Designated Child Protection Persons at least every two years.

22.2 The school will aim to ensure all staff receive induction and updated CPD appropriate to their roles and responsibilities, especially staff new to the school.

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

22.3 All staff will access refresher Safeguarding and Child Protection training at least every three years.

22.4 The Headteacher will attend the Designated Person's training every two years.

22.5 Governors, including the Nominated Governor, will aim to have attended specific training on their role, updated at least every three years.

22.6 Training completed will be recorded by PSCA; a print out of the PSCA's training history can be obtained from info@schoolofcreativearts.co.uk

23. Governing Body Approval and Review Date

23.1 This policy and procedure will be reviewed annually and/or when there are changes in legislation.

APPENDIX 1

SAFEGUARDING CONCERN FORM

Date created: 03/01/2013 Date reviewed: 02/12/2014	Created by: M. Sweeney Reviewed by: M. Beard	Review period: Annual
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Safeguarding Concern Form

Use this form to record any concern about a pupil's welfare and pass it *in person* to the Designated Person (or Deputy Designated Person) for Safeguarding & Child Protection.

*If you suspect the student may be suffering abuse or neglect, or you have received a disclosure of abuse from a student, or you have heard about an allegation of abuse, **you must complete this form and hand it to the Designated Person (or Deputy Designated Person) without delay.***

Student's full name:

Class:

Class teacher/form tutor:

Name of person completing this form:

Why are you concerned about this student?

What have you observed and when? *(please complete and attach a skin map to record physical injuries/marks if appropriate)*

What have you heard and when?

What have you been told and when?

Have you spoken to the student? Yes / No

What did they say? (*use the student's own words*)

Have you spoken to anyone else about your concern? Yes / No

Who?

Is this the first time you have been concerned about this student?

Are the parents/carers aware of your concern? Yes / No

Further details:

Date of this record:

Time of record:

Signature:

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	

APPENDIX 2

Disclosure & Barring Service

On February 11 2011 the Coalition Government published the findings of its Review into the Vetting and Barring Scheme.

A key recommendation that was implemented in June 2013 was the merging of the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) to form a streamlined new body providing a proportionate barring and criminal records checking service; the **Disclosure & Barring Service (DBS)**:

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

Key requirements that transferred from the existing process to the DBS included:

- *A person who is barred from working with children or vulnerable adults will be breaking the law if they work or volunteer, or try to work or volunteer with those groups*
- *An organisation which knowingly employs someone who is barred to work with those groups will also be breaking the law*

*If your organisation works with children or vulnerable adults and you dismiss or remove a member of staff or a volunteer because they have harmed a child or vulnerable adult, or you would have done so if they had not left, **you must inform the Disclosure & Barring Service***

Date created: 03/01/2013	Created by: M. Sweeney	Review period: Annual
Date reviewed: 02/12/2014	Reviewed by: M. Beard	