

**Plymouth
School of
Creative Arts**

make
discover
perform

Disclosure & Barring Service (DBS) Policy

Date created: July 2018	Reviewed by: HR Lead/Staff Performance & Welfare Governor
Reviewed: n/a	Next Review Due: July 2019

DBS Procedures	2
Criminal Records and DBS Referrals	4
Handling of DBS Certificate Information	5
Section 128 checks	6
Single Central Record	6

Date created: July 2018	Reviewed by: HR Lead/Staff Performance & Welfare Governor
Reviewed: n/a	Next Review Due: July 2019

1. DBS Procedures

Summary:

PSCA uses the Disclosure & Barring Service (DBS) checks as part of a range of safeguarding measures to assess the suitability of preferred candidates, volunteers, contractors and agency staff. PSCA obtains and makes decisions based on information provided on DBS disclosure certificates in accordance with data protection legislation, the DBS Code of Practice, the Rehabilitation of Offenders Act, the Police Act and the regulations of the Department for Education (DfE).

- 1.1 An enhanced DBS disclosure is required for all new appointments for those who may have unsupervised access to children, young people or vulnerable groups in accordance with the legislative provisions, which provide eligibility criteria for relevant positions or employment. Individuals will be asked to declare any convictions, cautions or reprimands that may have been incurred.
- 1.2 We correctly apply the right level of check and request the appropriate barring list information in accordance with the legislative provisions (the ROA 1974 (Exceptions) Order 1975 and the Police Act 1997).
- 1.3 No unsupervised direct work with children, young people or vulnerable groups will take place prior to a DBS check being completed.
- 1.4 All applicants attending an interview will be advised that a DBS check will be required, asking for the relevant ID to be brought to the interview. At the interview the ID will be checked. The person checking the ID will take copies, and certify that they are copies of the original documentation.
- 1.5 Following the successful appointment, HR will provide the successful applicant with the login details from our DBS provider, Devon County Council.
- 1.6 The ID will subsequently be verified by HR to enable the DBS check to be completed.

Date created: July 2018	Reviewed by: HR Lead/Staff Performance & Welfare Governor
Reviewed: n/a	Next Review Due: July 2019

- 1.7 Those employees who have an existing registration with the DBS Online Update Service, and who have been categorised as requiring an enhanced check for working with children/vulnerable adults, will be requested to give consent for PSCA to check their DBS status, prior to employment commencing.
- 1.8 Employees, who join the organisation with an existing DBS certificate less than 3 years old, will be accepted. A DBS Application will still be submitted by the organisation, and no lone working will take place until PSCA has received DBS clearance.
- 1.9 Existing employees whose DBS certificate is due to expire, will be informed by HR eight weeks in advance of their existing DBS expiry. Notification will be sent to the individual worker and Line Manager. This will provide sufficient time for the DBS process to be completed and signed off before the expiry date.
- 1.10 For the DBS process to complete, HR must sight the original DBS certificate. If the DBS process is not completed before the existing DBS certificate expires, the individual will not be allowed to work with children and young people and disciplinary action will be taken in line with PSCA's Disciplinary Policy (unless exceptional circumstances are given, such as delays at the DBS).
- 1.11 PSCA will encourage staff, volunteers and Governors to register with the DBS Online Update Service. This will enable an online DBS check to be carried out once the existing DBS Certificate has expired.

2. Criminal Records and DBS Referrals

- 2.1 If the DBS disclosure reveals something about a person's history that is of concern, this will be fully investigated in compliance with current data protection legislation and, if appropriate, procedures found in PSCA's Safer Recruitment Policy (under 'Employment of people with Criminal Records') will be adhered to.
- 2.2 PSCA will refer an individual to DBS if they have been removed from regulated activity. This includes when the individual has

Date created: July 2018	Reviewed by: HR Lead/Staff Performance & Welfare Governor
Reviewed: n/a	Next Review Due: July 2019

resigned, retired or is made redundant or transferred to another non-regulated position.

- 2.3 PSCA recognises that it has a duty to refer cases to the DBS and the importance of making prompt referrals.

3. Handling of DBS Certificate Information

- 3.1 As an organisation using the DBS checking service to help assess the suitability of applicants for positions of trust, PSCA complies fully with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

- 3.2 It also complies fully with its obligations under current data protection legislation and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

- 3.3 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.

- 3.4 In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

- 3.5 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.

- 3.6 Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.

If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so.

Date created: July 2018	Reviewed by: HR Lead/Staff Performance & Welfare Governor
Reviewed: n/a	Next Review Due: July 2019

Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

- 3.7 Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of 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, the unique reference number of the certificates and the details of the recruitment decision taken.

4. Section 128 checks

- 4.1 In accordance with the Department of Education (DfE)'s statutory safeguarding guidance, PSCA will carry out Section 128 checks on Governors, Headteacher and staff who hold a management role within the school. These will include members of the Strategic Leadership Team and Phase Leaders.
- 4.2 PSCA will carry out the regular Section 128 checks via the NCTL Secure Access portal.

5. Single Central Record

- 5.1 In accordance with the Department of Education (DfE)'s statutory safeguarding guidance, PSCA will carry and maintain a Single Central Record (SCR). The SCR will include identify checks, barred list checks, enhanced DBS checks, prohibition from teaching checks, Section 128 checks, checks of professional qualifications, right to work in the UK checks. The SCR must also record whether the check has been carried out and the date on which each check was carried out, or the certificate obtained.

Date created: July 2018	Reviewed by: HR Lead/Staff Performance & Welfare Governor
Reviewed: n/a	Next Review Due: July 2019

Date	Purpose of changes made	By
July 2018	New policy setting out the requirements of PSCA on undertaking DBS checks.	Fern O'Neill - in consultation with Jeff Stratton (Staff Performance & Welfare Folio Holder)
19/9/18	Approved by Governing Body	

Date created: July 2018	Reviewed by: HR Lead/Staff Performance & Welfare Governor
Reviewed: n/a	Next Review Due: July 2019