

# DBS and Vetting

## DBS and vetting policy: document provenance

<b>Approver</b>	School and college trust leaders
<b>Date of approval</b>	2 July 2025
<b>Policy owner</b>	School and College Trust Leader with responsibility for people
<b>Policy authors</b>	Head of HR Centre of Excellence
<b>Version</b>	1.0
<b>Date of next review</b>	Two years after approval
<b>Summary of changes in this review</b>	<ul style="list-style-type: none"><li>• Significant changes to process to recognise the introduction of our business services model</li><li>• Changes to naming conventions for senior leaders</li></ul>
<b>Related policies and documents</b>	<ul style="list-style-type: none"><li>• Safer recruitment policy</li><li>• Keeping children safe in education</li><li>• Education Act 2000</li><li>• School staffing (England) (Amendment) (No2) Regulations 2006</li></ul>

Unless there are legislative or regulatory changes in the interim, the policy will be reviewed as per the review cycle. Should no substantive change be required at this point, the policy will move to the next review cycle.



## Contents

Section		Page
1.0	Policy statement	4
2.0	Scope and purpose	4
3.0	The legislation	4
4.0	The role of our trust board and school and college trust leaders	4
5.0	The role of principals and functional leads	4
6.0	The role of our trust HR team	5
7.0	Activities before / after school	5
8.0	Disclosure and Barring Service checks – on appointment	5
9.0	Disclosure and Barring Service checks – existing staff	6
10.0	Checks on staff from overseas	7
11.0	Disclosure portability	7
12.0	Posts subject to criminal records checks	7
13.0	Posts not subject to criminal records checks	8
14.0	Agency supply staff and third-party staff	9
15.0	Recruitment	10
16.0	Commencing appointment pending disclosure	11
17.0	Retention of information	11
18.0	Record keeping of recruitment and vetting checks – Single Central Record	12
19.0	Review	12
<b>Appendix 1</b>	<b>Adverse DBS disclosure checklist</b>	<b>13</b>
<b>Appendix 2</b>	<b>Risk assessment – DBS disclosure not received before starting</b>	<b>15</b>



## 1. Policy statement

Our trust is committed to protecting children and young people by ensuring the highest integrity of those appointed. It does this partly through a series of vetting checks on appointment to a role with our trust. Our trust is also committed to eliminating discrimination and to equal treatment in the employment of ex-offenders (see Safer Recruitment and Selection Policy), but this is subject to our overriding duty to protect children and young people.

## 2. Scope and purpose

- 2.1. This policy aims to ensure a robust approach to safeguarding where we never assume that 'it can never happen here' (see Child Protection Safeguarding Policy). It applies to everyone working at all levels and grades in our trust, including trustees, school trust leaders, local academy ambassadors, principals, senior leaders, employees, trainees, part-time and fixed-term employees, casual workers (collectively referred to as employees in this policy for ease, regardless of the actual nature of their engagement with our trust), and volunteers.
- 2.2. The principles of the policy will also be applied to agency staff, self-employed individuals engaged by our trust, individuals employed by any contractors / sub-contractors (where the contract agreement specifies the requirement for a DBS check) and appropriate staff in organisations that are providing long term work placements for children and young people. In such cases, organisations are required to either adopt this policy or produce their own policy, which aligns with the general principles of this policy.
- 2.3. Where a contractor relies on their policy, our HR centre of excellence is required to confirm that the contractor's policy meets at least the standards of this policy. We also check the credentials of all consultants and contractors who, unless they can provide evidence that suitable checks have been undertaken by their employer, will never be allowed access to children without supervision.

## 3. The legislation

- 3.1. The duties imposed by section 175 of the Education Act 2002 make explicit the responsibility of our trust for safeguarding and promoting the welfare of children as part of fulfilling the duty of care towards our students.
- 3.2. The requirements, under the School Staffing (England) (Amendment) (No 2) Regulations 2006, are that for each academy in our trust, we must:
  - have a 'single central record' detailing a range of pre-employment checks carried out on their staff.
  - ensure that for overseas applicants, or applicants who have spent a significant period of time overseas prior to appointment, sufficient checks are made in the countries they were residing in to establish suitability to work with children and young people.
  - satisfy ourselves that supply staff and third-party contractors have undergone the necessary checks to assess their suitability for the post.
  - For employees who work in childcare provision or are directly concerned with managing such provision, the academy will ensure the appropriate checks are carried out to confirm the individuals are not disqualified under the Childcare (Disqualification) Regulations 2018.

## 4. The role of our trust board and school and college trust leaders

- 4.1. Our trust board is accountable for ensuring we have effective policies and procedures in place in keeping with this guidance. School and college trust leaders are responsible for monitoring the academies / teams they are responsible for to ensure compliance with them.
- 4.2. The school and college trust leader responsible for business services is accountable to our trust accounting officer and the trust board for the efficient and accurate administration of the pre-employment checks described in this document.
- 4.3. School and college trust leaders are responsible for ensuring that new principals and functional leads who report to them do not attend for work in our trust without the appropriate level of vetting having been undertaken.

## 5. The role of principals and functional leads

- 5.1. In each academy, the principal is responsible for ensuring that the policies and procedures adopted by the trust are fully implemented and followed by all staff. Functional leads have the same responsibility for their teams.
- 5.2. Both are responsible for ensuring a process is in place that means no one is permitted to work / attend their academy (principals) or in their teams (functional leads) without our trust HR service delivery team having confirmed the appropriate level of check is in place.



## 6. The role of our trust HR team

- 6.1. Our trust HR service delivery team is responsible for undertaking the appropriate DBS and vetting checks on new starters and for arranging further checks when appropriate.
- 6.2. Our trust HR centre of excellence is responsible for advising principals, functional leads, and school trust leaders on any adverse information that arises during the DBS and vetting process; in practice this may be delegated in part to our HR service delivery team.

## 7. Activities before / after school

- 7.1. Where services or activities are provided directly under the supervision or management of academy staff, our trust arrangements for safeguarding and child protection apply, so staff and volunteers should be vetted in line with this document.
- 7.2. Where services or activities are provided separately by another body, each academy should seek assurance that the body concerned has appropriate policies and procedures for safeguarding children (child protection and safeguarding). Evidence of these arrangements should be obtained from the body providing the provision and stored in an easily accessible place should it be needed for audit or inspection purposes; where necessary, advice from our HR centre of excellence should be sought.

## 8. Disclosure and Barring Service checks – on appointment

- 8.1. The Disclosure and Barring Service (DBS) acts as a 'one-stop-shop' for organisations to check police records and the 'barred list' (formally known as List 99). Our trust HR service delivery team is responsible for:
  - ensuring that our trust has access to an appropriate service to undertake DBS checks,
  - ensuring that DBS checks are undertaken in a timely way, in accordance with this policy
  - ensuring that the outcome of the check is recorded appropriately on the single central record
  - The appropriate individuals are informed of the outcome promptly.
- 8.2. Our trust will carry out a DBS check for all new appointments, in line with the table below:

Who	Definition	Type of check
<b>Employees who will engage in regulated activity</b>	As an educational institution that exclusively or mainly provides full-time education to children, Dixons Academies Trust is an institution specified in the relevant legislation. Activity carried out under our aegis will, therefore, be regulated activity relating to children if it meets the definition in the relevant legislation, including that it is carried out frequently (e.g. once a week or more, or on more than 3 days in any period of 30 days).	Enhanced DBS check with children's barred list check.
<b>Employees who will not engage in regulated activity but will routinely require unsupervised access to academies while students are present</b>	<b>Note:</b> Personal care of a child, including help with eating, toileting, washing, bathing, or dressing, is always regulated irrespective of frequency	Enhanced DBS check with children's barred list check.
<b>Employees who will not engage in regulated activity and will not routinely require unsupervised access to academies while students are present</b>	Employees who work in buildings that do not have students present and do not have to routinely travel through academy buildings to get to their place of work.  Employees in this category may visit academies to work with other members of staff, but this should be an infrequent requirement (i.e. less than once a week and on no more than 3 days in any 30-day period)	Enhanced DBS check only
<b>Volunteers operating unsupervised in academies while students are present</b>	As employees who engage in regulated activity.	Enhanced DBS check with children's barred list check.
<b>Volunteers will always be supervised when students are present</b>	Where an individual is a volunteer (e.g. carrying out an activity that is unpaid), they will not be engaging in regulated activity if they are being supervised <sup>1</sup> by someone who is in a regulated activity, and that supervision is ongoing (i.e. regular and day to day).	Enhanced DBS check only

<sup>1</sup> Supervision includes reasonable efforts in all circumstances to ensure the protection of children (this may take into account, for example, the age, number, and vulnerability of the children the individual is working with and whether other individuals are involved in helping to look after the same children).



- 8.3. Our trust HR service delivery team is responsible for making arrangements for an online provider of DBS disclosures and for checking the provider portal for the outcome of disclosure requests. There are two possible outcomes, each with a different set of actions required:

**Certificate contains no information.**

- 8.3.1. This means that the DBS Disclosure contains no adverse information. Our trust HR service delivery team will record the certificate number and date of the check on the SCR and, when all of the other pre-employment checks are complete, inform the principal or functional lead that the individual can commence work.
- 8.3.2. A line manager must not allow an individual to start work without being told by our trust HR service delivery team that all the required checks are in place, other than in accordance with section 16 below.
- 8.3.3. The line manager will ensure they have seen the original paper version of the DBS certificate before the first day of employment or as soon as reasonably practicable. They will confirm to our HR service delivery team that they have viewed this

**Please wait to view the applicant's certificate**

- 8.3.4. This means that a disclosure contains adverse information, and our trust HR service delivery team will inform the principal/functional lead that they need to ask the application to produce the certificate and undertake a suitable risk assessment (Appendix 1) in deciding whether it is appropriate for the employee or volunteer to commence work in our trust. This must happen before day one of employment, wherever possible.
- 8.3.5. Our HR centre of excellence can support the production of the relevant risk assessment. When completed, it should be forwarded to our trust HR Service Delivery Manager for countersignature with a copy of the adverse disclosure. Once the risk assessment has been countersigned, the copy of the adverse disclosure must be securely destroyed and must, at all times, be stored and handled in line with our trust data protection policy. The risk assessment should be stored in the individual's personal file.
- 8.4. Occasionally, as a result of processing errors or the need to filter no longer relevant convictions (in keeping with the Rehabilitation of Offenders Act 1974 (Exceptions) order 1975 (Amendment) (England and Wales) Order 2020), the DBS will issue a manual certificate, as this is issued outside of the online process our DBS partner's portal will show as though the DBS is still processing. The applicant should be asked to produce their certificate and the relevant action taken, in keeping with the actions above, for disclosures which do / do not contain adverse information.
- 8.5. Should any individual refuse to produce a DBS disclosure when requested, then any offer of employment should be withdrawn, or the probationary period ended, on that basis; if the individual is an employee outside of their contractual probationary period, then an assessment should be undertaken on whether disciplinary action is warranted.

## **9. Disclosure and barring service checks – existing staff**

- 9.1. Our trust is not required to routinely 're-check' individuals by obtaining periodic repeat DBS disclosures. A new check will be carried out, however, in the following circumstances:
- The level of contact with children or young people has increased significantly from their time of appointment
  - They are appointed to a senior leadership post (principal, vice principal, functional lead, school and college trust leader or member of our trust board), and they have not been subject to an enhanced DBS check in the three months before the appointment
  - They are appointed to a Designated Safeguarding Lead post, and they have not been subject to an enhanced DBS check in the three months before the appointment
  - Concerns about their suitability to work with children or young people are raised.
- 9.2. Employees and volunteers are required to declare any cautions, convictions or reprimands (including judgements or investigations pending) that they receive during their employment. The relevance of such disclosures will be considered. Employees and volunteers must be trained on their duty to disclose relevant offences and / or relationships and associations, both within and outside of the workplace (including online), which may have implications for the safeguarding of children in the academy. Failure to disclose a change could be grounds for action under the disciplinary procedure (see Disciplinary Procedure).





- 9.3. Where an individual discloses to a line manager that a new disclosure is likely to contain new / additional adverse information, this should be reported to the principal for academy staff, functional lead for business services staff and the relevant school and college trust leader for principles and functional leads. The leader, in discussion with our HR centre of excellence, should then:
- Make a decision on what action is necessary, including requesting a new DBS disclosure if appropriate.
  - Make a decision on whether it is appropriate to suspend the individual pending the outcome of the new disclosure. A suspension checklist should always be completed to document the reasons for suspending / not suspending. For all staff except school and college trust leaders, this must be countersigned by our trust head of HR centre of excellence; for school and college trust leaders, our accounting officer should countersign.
- 9.4. Where a new DBS disclosure is requested and obtained, refusal to produce the certificate could be considered gross misconduct under the disciplinary procedure; advice should be sought from our HR centre of excellence.

## 10. Checks on staff from overseas

- 10.1. We welcome the diversity that comes from employing individuals from a range of backgrounds and nationalities. When appointing a non-British national to a post, our trust HR service delivery team will ensure that they confirm each individual's right to work in the UK. This information should be included on the single central record. This would typically be through the provision of a 'share code' by the prospective employee, which will enable the use of the UK government's online checking system.
- 10.2. DBS checks will not generally show offences committed by individuals whilst living abroad (except in the case of service personnel and their families). Therefore, in addition to an enhanced DBS (with a barred list check as appropriate), additional checks, such as obtaining certificates of good conduct from relevant embassies or police forces, are necessary. The level of information contained in these certificates varies from country to country: some are complete extracts from the criminal record, and others are partial. Extra care should, therefore, be taken in ensuring that references are taken up and that other background checks are conducted.
- 10.3. Further guidance on overseas appointments Further information about the criminal record information which may be obtained from overseas police forces and countries is available from the DBS at [www.homeoffice.gov.uk/agencies-public-bodies/dbs](http://www.homeoffice.gov.uk/agencies-public-bodies/dbs).

## 11. Disclosure portability

### Portability between organisations

- 11.1. The 'DBS Update Service' allows applicants to show that their DBS disclosure is up to date and to take it with them from role to role, providing the same type and level of check required. Applicants or volunteers should be asked if they have subscribed to this service; if they have, they should provide our trust HR service delivery team with the original disclosure, which can then be verified through an online portal. Our trust HR service delivery team will confirm, by viewing the original disclosure and not a copy, that the level of check was correct and that the child's barred list was checked if required. If the applicant is unable to produce their original disclosure and / or the level of check and barred list check is not as we require, then our trust must undertake its own new check.
- 11.2. If the online check indicates that there have been changes since the disclosure was issued, our trust should undertake its own new check. There is a cost to registering for the update service, which individuals should fund.
- 11.3. If there have been no changes, a copy of the result should be printed and kept in the individual's file, along with the original disclosure number and the date that the update service was checked. The original disclosure number and the date the update service check was completed should be recorded on the SCR.

### Moving jobs within our trust

- 11.4. A new check is not required when an employee already working within the trust is being considered for another position within our trust, and the level of checking is the same. This is subject to the exceptions in 9.1.

## 12. Posts subject to criminal record checks

### Employees

- 12.1. All individuals will be subject to an enhanced DBS check on appointment to a post with our trust; where the individual is going to be involved in regulated activity, there will also be a check against the barred list. Individuals involved in the management of a school, whether in a teaching post or not, will also undergo a check to ensure they have not been prohibited from participating in the management of an independent school, in line with section 128 of the Education and Skills Act 1008 (a 'Section 128 check'). 8.2 will help determine whether a check of the child's barred list is required.



### **Designated Safeguarding Lead**

- 12.2. Any individual, including an existing member of staff, taking up this post will be subject to an enhanced DBS check. The only exception is existing employees within the Trust who have been subject to a DBS check, with a child-barred list check, in the previous three months.

### **Local Academy Ambassadors**

- 12.3. All local academy ambassadors will be subject to an enhanced DBS certificate without a barred list check as part of the appointment process for governors. An enhanced DBS certificate with a barred list check will be requested if a local academy ambassador is engaging in regulated activity. Ambassadors will also undergo a Section 128 check.

### **School exchange host families**

- 12.4. In line with 'Keeping Children Safe in Education', all host families in the UK should be DBS checked; where the host family home is outside of the UK, an equivalent level of checking should be undertaken; principals are responsible for ensuring this happens. All exchanges will involve planning and communication with the partner school and their families regarding expectations, boundaries, and methods students can use to contact a member of staff. When staying with a host family abroad, we also advise that all students carry a mobile phone and contact numbers and have a special 'code-word' that they could send by text in case of an emergency. Academies should request specialist advice from our Trust HR team in the event students are to be accommodated with host families during an exchange.

### **Alternative provision**

- 12.5. On occasion, our academies utilise alternative education providers; when this happens, we remain responsible for ensuring that the provider is a safe environment for our students.
- 12.6. Principals are required to ensure that providers are appropriate and must obtain a letter of assurance confirming that employees of the provider, and any subcontractors it may use, have:
- been recruited in keeping with the safer recruitment provisions set out in KCSIE
  - had appropriate checks made with the Disclosure and Barring Service
  - had a check undertaken to ensure they are not prohibited from teaching by the Teaching Regulation Agency (where appropriate)
  - had appropriate referencing and work history checks, at least to the standard set out in our trust's Safer Recruitment policy.
- 12.7. Details of the alternative provision and the checks undertaken should be uploaded to the contractor section of the relevant academy SCR.
- 12.8. Principals retain responsibility for the safeguarding of our students placed with alternative providers, and any providers we use must agree to inform us about any changes which may impact the risk assessment made for each student on referral (e.g. changes in staffing that impact who works directly with the student), so that any additional checks can be made as required. Principals who require support should speak with our trust's director of SEND and safeguarding in the first instance.

### **People employed by a third party**

- 12.9. Where a third party provides extended services, there should be clear lines of accountability and responsibility for carrying out recruitment and vetting checks. All individuals should be subject to enhanced disclosures (with a child barred list check if appropriate) and other vetting checks in line with the organisation's safer recruitment policy. Academies obtaining their childcare through private or voluntary sectors should use Ofsted approved providers.

## **13. Posts not subject to criminal records checks**

- 13.1. It is not necessary to obtain a DBS check for:

- Staff appointed before 2002 who have continuity of service and who have not previously been DBS checked unless moving roles into posts with closer contact with children or where there are concerns about suitability to work with children. The exception to this is workers from overseas.
- public sector staff such as psychologists, nurses and dentists (because their own organisations will have checked them). However, the school should carefully check the identity of such staff on arrival to ensure impostors do not gain access to children.
- visitors who have business with the principal or other staff who have brief contact with children with a member of staff present.
- Visitors or contractors who come on-site only to carry out emergency repairs or service equipment and who would not be expected to be left unsupervised on academy premises.





- Secondary students on Key Stage 4 work experience in other schools or nursery classes.
- Secondary students undertaking work in another academy as part of voluntary service, citizenship or vocational studies.
- Key Stage 5 students in connection with a short career or subject placement. In these cases, the academy placing the student should ensure that the student is suitable for the placement in question.
- People who are on site before or after academy hours and when children are not present, e.g. local groups hiring premises for community or leisure activities, contract cleaners, etc.

## 14. Agency, third party and contractor staff

### Requirement to be vetted

- 14.1. It is common to have staff members supplied through an agency, working for third-party partners or our contractors and suppliers in our academies. As a requirement, these individuals must be recruited and vetted in accordance with the safer recruitment provisions outlined in KCSIE. Responsibility for undertaking these checks rests with the relevant employer. While there is no requirement to provide evidence of the individual checks undertaken, the employer must provide a letter of assurance with respect to any individual they send to work in an academy.
- 14.2. It is a requirement of engaging with our trust that agencies and contractors agree to meet, or exceed, the standards set out in our DBS and vetting, safer recruitment and safeguarding policies in respect of any employees who may engage in the course of their relationship with our trust.
- 14.3. For agency and third-party partners, this letter of assurance should be unique to each individual and stored in the individual's record on the relevant SCR. For employees of contractors, the letter of assurance can cover multiple individuals and should be stored with the contractor's information on the relevant SCR.
- 14.4. Employers must confirm that the level of checking meets the requirements set out in our safer recruitment and DBS and vetting policies for a similar role at our trust. Unless this minimum standard is met, or a risk assessment endorsed by our trust's HR service delivery manager or head of HR centre of excellence is completed, an individual should not be allowed unescorted access to our academies while students are present.

### Adverse information

- 14.5. Where an employer is aware of adverse information in relation to an individual, they propose to send the individual to work in one of our academies (e.g. adverse information on a DBS certificate), then they are required to inform us before the person attends one of our sites. The academy, or the relevant functional lead, is then responsible for undertaking a suitable risk assessment (Appendix 1) and using this to determine whether it is appropriate for the worker to commence work. Our trust HR centre of excellence can support the production of this risk assessment, and a member of our Trust HR Centre of Excellence must countersign it.

### Identity checking

- 14.6. Individual workers must be asked to provide proof of identity when they arrive at an academy to work; this will confirm that the individual arriving at the academy is the same person for whom the agency, third party, or contractor has undertaken checks. There is no requirement to see evidence of the individual's original DBS disclosure.

### Portability of disclosures for agency and third party staff

- 14.7. A disclosure may be passed from:
  - agency to agency
  - between Local Authorities and agencies, and
  - between academies and agencies
  - if the subject gives written consent.
- 14.8. Regulations under the Police Act 1997 also authorise passing disclosure information from agencies to academies where the subject's suitability for work at a trust is under consideration. If, exceptionally, the DBS check refers to the existence of information in addition to that printed on the face of the disclosure, a supply agency cannot pass this information on to an academy. In this instance, we must obtain a new disclosure before any work commences.

### Contractors and sub-contractors

- 14.9. Contracted staff who come into regular contact with children, such as cleaning, caretaking and kitchen staff, must be checked by the contractor in the same way as Trust employees, including having an enhanced DBS with barred list check, and such requirements form part of the contract. A copy of the contractor's assurance letter must be uploaded to the single central record. The contractor is also responsible for ensuring that any sub-contractors follow the same procedures.



14.10. Students should not be permitted in areas where builders are working for health and safety reasons, so these workers should have no contact with children. However, academies should ensure arrangements are in place with contractors, via the contract where possible, to ensure that any of the contractors' staff that come into contact with children undergo appropriate checks, including an enhanced disclosure with the letter of assurance being recorded on the single central record.

14.11. The checks we require contractors to undertake are:

Level	Students present?	Regularity of attendance	DBS disclosure	Child barred list check	Standard for other checks	SCR entry
<b>One</b>	Only works on days children are not present in the academy	Not applicable	Not required	Not required	Employers own	Not required; signs in as visitor (red lanyard)
<b>Two</b>	Children in the academy but the contractor working in an entirely segregated area / site	Not applicable	Not required	Not required	Employees own	Not required; signs in as visitor (red lanyard)
<b>Three</b>	Children in the academy, working in areas with potential for student contact	Irregular (<four times a month)	Not required	Not required	Employees own	Not required; signs in as visitor (red lanyard)
		Regular (>three times a month)	Enhanced	Not required	Meets standard in this policy	Yes, Contractor L3
<b>Four</b>	Likely to be in unsupervised contact with students	Not applicable	Enhanced	Required	Meets standard in this policy	Yes, Contractor L4

#### **Work experience students placed in academies.**

14.12. Work experience students placed in academies within our trust are not required to obtain clearance from the DBS because it is not expected that they will, at any time, be left unsupervised whilst working with children. Additionally, since the introduction of The Protection of Freedoms Act 2012, it is not possible to obtain an enhanced check or barred list check for anyone under the age of 16. Suitable checks should be carried out on workplaces before placing children in work experience.

#### **Teaching trainees or graduates placed in academies**

14.13. Students (on placement) or teaching graduate trainees placed in academies within our trust should have an enhanced DBS with a barred list check. This will be undertaken by the initial teacher training provider so that disclosures are received prior to the trainee commencing their academy-based training. The details of this check should be recorded on our SCR, including a copy of the letter of assurance.

#### **Volunteers**

14.14. The principal (or designated senior leader) should make a decision on whether the volunteer should be considered supervised or unsupervised, and an appropriate DBS check (with barred list check if appropriate), in line with 8.2 above, should be made before the volunteer starts volunteering at the academy.

#### **Self-employed individuals undertaking work in academies**

14.15. The DBS recommends that self-employed persons be subject to an enhanced disclosure (paid for by the individual) before commencing a role in circumstances where they are likely to have unsupervised access to children (e.g. music tutors). Regular vetting checks, such as identity checking, should also be conducted. Academies can obtain DBS checks for self-employed people who will be working on the premises as long as the disclosure is intended to be used to consider their suitability for undertaking a particular role. Self-employed individuals are not able to obtain their own personal checks via the DBS and would usually do so through an organisation established for this purpose.

## **15. Recruitment**

15.1. DBS checking is a key element in the safer recruitment process but is only one aspect of ensuring that an applicant is the right person for the job role, which involves being in a position of trust (see Safer Recruitment and Policy).



## 16. Commencing appointment pending disclosure

- 16.1. Safeguarding the children and young people who attend our academies should be our primary consideration when undertaking pre-employment checks on new starters, and because it can be difficult to supervise a person for long periods effectively, we should not usually start a new employee without all of our vetting checks having been completed. It will only be possible in exceptional circumstances and where the principal and our HR service delivery manager agree it is necessary.
- 16.2. Where a principal wishes to start someone before the DBS has been received, they must contact our HR service delivery team, who will support them with the risk assessment process, resulting in an agreed-upon decision. The risk assessment form is included in Appendix 2.
- 16.3. As a minimum, the following requirements must be met:
- The individual has completed the criminal records disclosure on the risk assessment form (Appendix 2)
  - a risk assessment is carried out (see Appendix 2)
  - the individual can be appropriately supervised at all times
  - There are no gaps in employment that have not been explained / evidenced
  - In the case of teaching staff, their most recent employment was in a state school
  - The individual's most recent DBS can be provided, and there is supporting evidence from the last employer (with no gap in service) that no safeguarding concerns have been raised.
  - In no circumstances should an individual with no DBS from their last employer and the ability to gain specific reassurance regarding suitability be allowed to start without a trust DBS
  - All other checks, including checking information that is held under Section 142 of the Education Act 2002 (the Children's Barred List), have been completed
  - The disclosure application is submitted before the individual commences work.

## 17. Retention of information

- 17.1. Information disclosed as part of a recruitment process via self-declaration, during the course of employment or as part of a DBS checking process will be treated as highly confidential. It is an offence for information in a disclosure to be passed to anyone who does not need it in the course of their duties (see GDPR Data Protection Policy).
- 17.2. Disclosure information will be managed in accordance with DBS guidance on the security and retention of disclosures and disclosure information (see [www.homeoffice.gov.uk/agencies-public-bodies/dbs](http://www.homeoffice.gov.uk/agencies-public-bodies/dbs)). The key provisions are:
- Disclosures will not be retained for periods longer than necessary (usually a maximum of 6 months from the date of the disclosure)
  - Disclosures will be destroyed by secure means at the end of any retention period
  - Our Trust will keep, where applicable, the letter / email from the DBS umbrella organisation confirming clearance of the individual
  - DBS disclosures must not be photocopied under any circumstances
- 17.3. Before a disclosure is destroyed, an entry needs to be made on the single central record detailing:
- the date the disclosure was obtained
  - Who obtained the disclosure
  - The unique reference number on the disclosure certificate
- 17.4. Our trust will also, if applicable, keep:
- a note of what other information was used to assess suitability
  - the letter(s) sent to the individual and the academy confirming clearance
- 17.5. In addition, where a disclosure reveals information about an individual, the record of a positive check will be completed and retained in the personnel file of that individual. This record will not detail information about actual offences disclosed. These measures accord with the requirements of both the DBS and the academy's single central record.



## 18. Record keeping of recruitment and vetting checks – Single Central Record

- 18.1. The Department for Education requires our trust and our academies to be able to demonstrate that they have robust and accurate records of all recruitment and vetting checks carried out. This information must be compiled into a single central record of completed checks within our trust.
- 18.2. People to be included on the central record include:
- All staff who are employed to work at each academy
  - All staff who are employed as supply staff in each academy, whether employed directly or through an agency
  - all others who have been chosen by academies in the Trust to work in regular contact with children (governors and some volunteers)
  - People brought in to provide additional teaching or instruction for students but who are not staff members, such as specialist sports coaches, music tutors or artists
  - All other individuals who are brought regularly into the academy and who have regular unsupervised contact with the children
- 18.3. The safer selection and recruitment policy details pre-employment vetting made in addition to the checks described in this policy. The single central record must indicate whether the following have been completed (details of the checks other than the DBS disclosure and barred list checks are contained within the Safer Recruitment and Selection Policy):
- identity checks
  - qualification checks for any qualifications legally required for the job, e.g. those posts where a person must have QTS or NPQH
  - Additionally, for those applying for teaching posts, registration check with the Teachers Regulation Agency where appropriate
  - checks of right to work in the United Kingdom
  - checks on information held under the Children's Barred List
  - Checks to ensure the individual is not disqualified under the Childcare (Disqualification) Regulations 2018
  - A check to ensure the individual is not subject to a Section 128 direction if they are taking up a management position in an academy or the trust
  - DBS enhanced check and number
  - Social Media check
  - Further overseas records checks where appropriate.
  - References
- 18.4. The information needs to be recorded on the single central record by our HR service delivery team. The record must show the date the check was completed or the relevant certificate obtained and should show who carried out the check.

## 19. Review

This policy has at its formation, been subject to consultation with recognised trade unions. Unless there are legislative or regulatory changes in the interim, this policy will be reviewed every two years; this will include consultation on any changes with recognised trade unions. Should no substantive change be required at this point, the policy will move to the next review cycle.



## Appendix 1

### Adverse DBS Disclosure Checklist

Name of individual		Post applied for	
Reviewing manager		Post	
Date of meeting with individual	Click or tap to enter a date.		

#### Introduction

The principal should use the checklist over the page, with support from our trust HR team, in making a decision on whether to employ / to continue to employ an individual where adverse information is disclosed on a DBS disclosure certificate. They should offer the individual the opportunity to meet to discuss the contents of the disclosure in order to give context and assist decision making.

Adverse information may be in the form of cautions, warnings or convictions, which may be spent or unspent. Enhanced disclosure checks will also show other police information which will be relevant and need to be considered. If an academy knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity.

#### Record of decision made

Overall assessment of risk	Choose an item.
Decision based on risk	Choose an item.
Comments	Click or tap here to enter text.
Control measures required	
Review required (if appropriate)	Click or tap to enter a date.
Signature of reviewing manager	
Date	Click or tap to enter a date.
Reviewing manager comments	Click or tap here to enter text.
Reviewing manager name and role	Click or tap here to enter text.
Reviewing manager signature	
Date	Click or tap to enter a date.



## Checklist

Question	Guidance	Answer	Comments
Is the individual on the barred list?	If yes, the appointment is automatically unlawful, and they must not be appointed to the role.	Choose an item.	Click or tap here to enter text.
Is the information disclosed relevant to the position to be held / held?	Consider the impact of the nature of the offence on the post	Choose an item.	Click or tap here to enter text.
How serious do you consider the offence/s to be?	Do you judge the offence to be a major, moderate or minor offence?	Choose an item.	Click or tap here to enter text.
When did the offence occur	Within the last year, last 3 years, 5 years, etc.  Has there been long enough since the offence to reach a conclusion on the likelihood of reoffending?	Click or tap here to enter text.	Click or tap here to enter text.
How old was the individual when the offence occurred?	Were they a child / adolescent at the time?  Is age / time of life likely to have impacted decision-making?	Click or tap here to enter text.	Click or tap here to enter text.
What is their age now?		Click or tap here to enter text.	Click or tap here to enter text.
What were the circumstances of the individual at the time of the offence, and what changes have occurred since the offence?	Consider the explanation and whether circumstances have changed – does this have an impact?	Click or tap here to enter text.	Click or tap here to enter text.
Is there a pattern to offending?	Are the offences repeated?  Frequent repetition of offences could indicate a higher chance of re-offending	Choose an item.	Click or tap here to enter text.
Does the role allow the possibility of re-offending?	Are there any parts of the role that, based on the conversation with the individual, would create a temptation / risk to re-offend?	Choose an item.	Click or tap here to enter text.
What supervision will the individual have / need?	Consider how their performance and conduct will be monitored.  Are there additional risks, or will additional supervision be needed?	Click or tap here to enter text.	Click or tap here to enter text.
Does the role involve responsibility for finance or management of other resources?	This will be relevant where the offence related to fraud or theft, for example	Choose an item.	Click or tap here to enter text.
Any other matters to consider?	Click or tap here to enter text.		





## Appendix two

### Risk Assessment – DBS disclosure not received before starting

<b>Name of individual</b>	Click or tap here to enter text.	<b>Post applied for</b>	Click or tap here to enter text.	
<b>Person completing Risk Assessment</b>	Click or tap here to enter text.	<b>Post</b>	Click or tap here to enter text.	
<b>Reasons for considering commencement of employment prior to receiving clearance:</b>	<b>Consequences (to service delivery) of waiting for clearance:</b>		<b>Level of access during 'waiting period' (include level of access on own with children)</b>	
Click or tap here to enter text.	Click or tap here to enter text.		Click or tap here to enter text.	
<b>Notes from discussion with most recent employer (did they have any concerns):</b>	<b>Pre-employment checklist:</b>		<b>Previous DBS clearance and positive disclosures:</b>	
	Has the employee left employment?	Choose an item.	Is a previous disclosure certificate available?	Choose an item.
<b>Supervision arrangements during the 'waiting period' and any other monitoring arrangements / control measures:</b>	Asylum and immigration check completed?	Choose an item.	If yes, have you seen it?	Choose an item.
	DBS application form completed?	Choose an item.	What is its date?	Click or tap to enter a date.
	Qualifications verified?	Choose an item.	Disclosure number	Click or tap here to enter text.
	List 99 / Bared list check completed?	Choose an item.	Which barred list was checked?	Click or tap here to enter text.
Click or tap here to enter text.	Two references satisfactorily obtained?	Choose an item.	Positive disclosure on previous DBS?	Choose an item.
	Satisfied with general background / employment history checks?	Choose an item.	If yes, is it relevant to post / risk of harm?	Choose an item.
	Declared convictions spent / unspent on app form?	Choose an item.	Comments: Click or tap here to enter text.	
	Declared convictions spent / unspent at interview?	Choose an item.		



## Prospective employee declaration

The information I have provided during this risk assessment is a true and accurate record. By signing, I am confirming that I have no reason to believe that any information other than that already provided will be disclosed on the disclosure certificate issued by the Criminal Records Bureau.

<b>Prospective employee name</b>	Choose an item.
<b>Post</b>	Choose an item.
<b>Signature of prospective employee</b>	
<b>Date</b>	Click or tap to enter a date.

## Assessment of risk

Following the assessment detailed overleaf, I have assessed the risk to be Choose an item.. I have sought the advice of a regional head of HR, and our agreed decision is:

- ☐ The prospective employee will not commence work prior to satisfactory clearances.
- ☐ The prospective employee may commence work with the identified control measures. I undertake to personally review the situation at intervals of no less than every two weeks.

## Principal

<b>Name</b>	Choose an item.
<b>Signature</b>	
<b>Date</b>	Click or tap to enter a date.

## Business Services Team Leader

<b>Name</b>	Choose an item.
<b>Signature</b>	
<b>Date</b>	Click or tap to enter a date.

## Reviews undertaken

Date	Details / Outcome of review	Next review due
Click or tap to enter a date.		Click or tap to enter a date.
Click or tap to enter a date.		Click or tap to enter a date.
Click or tap to enter a date.		Click or tap to enter a date.
Click or tap to enter a date.		Click or tap to enter a date.
Click or tap to enter a date.		Click or tap to enter a date.

