

THE ROCHE SCHOOL
Disclosure and Barring Service (DBS) Policy

This policy which applies to the whole school is saved on the school shared system and upon request a copy (which can be made available in large print or other accessible format if required) may be obtained from the School Office.

Information Sharing Category	School Shared System (Public copy provided on request)
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Policy Statement

This school is committed to safeguarding and promoting the wellbeing of all children and expects our staff and volunteers to share this commitment. The safety of children and young people is paramount, and this school is committed to implementing the Disclosure and Barring (DBS) procedures and arrangements. The Roche School and those concerned with recruiting its staff will comply with the DBS Code of Practice guidance regarding the correct handling, use, storage, retention and disposal of Certificates.

The DBS (formerly the Criminal Records Bureau Agency) was set up by the Home Office to improve access to criminal record checks for employment related purposes and to help organisations make safe recruitment decisions; this applies to all staff with access to children under 18 years of age, vulnerable adults or other positions of trust that fall within the Rehabilitation Offenders Act 1974. The DBS and the Independent Safeguarding Authority (ISA) both became part of the DBS in December 2012.

The DBS Code of Practice requires the school to have a written policy and procedure on the recruitment of people with a criminal record¹ and to ensure anyone applying for a job at school receives a copy. The Roche School is committed to the principle of equal opportunities and, subject to the overriding consideration of protecting children, we will endeavour to prevent unfair discrimination against those with a criminal record.

Procedure

There are two different levels of Certificate:

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1. **Standard Certificates** contain details of all convictions² on record (including spent convictions³) plus details of any cautions, reprimands or warnings. Information obtained on the government lists is of people considered unsuitable to work, or gain access to sensitive information relating to children/young people.
2. **Enhanced Certificates** involve an extra level of check with local police force records in addition to checks with the Police National Computer and the government department lists held by the Department for Children, Schools and Families and Department of Health, where appropriate. The government's safer recruitment initiative stipulates that all staff in an educational establishment must have an enhanced Certificate.

Recruitment of Staff

Job applicants will be asked to state any convictions on their application form. Those invited to attend an interview will be advised in writing that relevant criminal convictions will be discussed at the interview in order to assess job-related risks. Applicants are encouraged to submit written details, dates and any other relevant information, in confidence, to the Deputy Head teacher, who will ensure the security of this sensitive information.

Applicants invited to attend an interview will be asked to complete a DBS form and required to bring the relevant ID with them to be verified by the interviewing officers. The School will apply for a DBS Certificate only for applicants who are made a conditional offer. The information obtained will be used to help establish whether that person has a background that might make him/her unsuitable for the job or voluntary position in question. The School will not apply to the DBS for a Certificate without the knowledge and consent of the person concerned. The forms of unsuccessful applications will be destroyed after a period of six months.

In the case of a DBS not arriving before a job start date, the School will accept a DBS certificate already obtained if they are from the borough of Wandsworth within 2 years and outside the borough within one year. However, no candidate is allowed in regulated activity without a DBS.

If a DBS Certificate reveals any convictions, the person concerned will be invited to attend an interview with the Deputy Head to discuss the conviction(s) and circumstances. Having a criminal record will not necessarily bar applicants from working at the School. This will depend on the nature, circumstances and background of the offence, and the time elapsed since the offence. However, failure to reveal information directly relevant to the position sought could lead to the withdrawal of any offer of employment.

Existing Staff

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If the school has concerns about the suitability of an existing staff member to work with children, or a person moves to work in regulated activity and for their previous work they were not checked, then the school should carry out all relevant checks as if the person was a new member of staff.

Check on Staff Recruited from Abroad

All new employees where persons have lived outside the UK are subject to additional checks in accordance with Immigration, Asylum and Nationality Act 2006.

In addition, applicants who have lived/travelled abroad for more than 3 months will need to obtain a police check from the relevant Country. The school's policy is to obtain checks for people who have lived/travelled abroad for more than 3 months in the last 5 years.

Section 128 checks

A section 128 check identifies people who are subject to a section 128 direction.

People with a section 128 direction can't:

- Hold a management position in an academy, free school or independent school (as an employee)
- Be an academy or free school trustee or member
- Be a governor on any academy or free school board that has delegated responsibilities
- Be a governor or member of the proprietor body of an independent school
- Sit on the governing board of a maintained school

The school checks as a minimum (but may do a section 128 check on more employees)

- Headteacher
- Teaching positions on the senior leadership team

In primary education although a teacher may be a co-ordinator of a subject and referred to as Head of that subject this is not considered equivalent to Heads of Departments in Secondary schools who would require a section 128.

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Visitors to the School

The Roche School cannot undertake barred list or enhanced DBS checks on all visitors, for example MPs or relatives on sports day. The Headmistress and Deputy Head teacher will use their professional judgment about escorting and supervising visitors.

Supply Staff

At The Roche School we ensure that the supply staff are booked through our preferred Agency. The supply agency provides prior written confirmation that the relevant checks have been completed and then these are checked against the supply teacher upon their arrival at the school Reception.

Regular Clubs Staff and regular Peripatetic Staff

Staff who are self employed but work on the premises either as a club instructor or an individual teacher e.g Music or SEN must have a DBS certificate. The school will accept DBS certificates received from other jobs for such individuals if they are within 2 years of receiving it and if it relates to the employment area that the individual is working within the school. The school may also choose to arrange a further DBS check on the individual.

Catering Staff

The catering staff at the Roche School are employed by Harrison's Catering company. All employees of Harrison's are DBS checked for schools. All permanent employees who work in the school will be recorded on the Single Central Register and their DBS checked and recorded by the office. For temporary Harrison's staff due to sickness or absence of regular employees, the temporary staff member must sign in with the office and present their DBS which is recorded. The head chef will ensure all temporary catering staff remain with permanent catering staff during the day and do not interact with the children other than when serving lunch.

Letter of Assurance and outside company staff.

Companies who regularly send employees for work in the school such as Harrison's Catering, Company based clubs providers and Let Me Play who currently provide the school's after school care are required to complete a letter of assurance that all employees that are sent to school have been

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recruited following safer recruitment procedures and had the appropriate DBS checks. Any company employees must show the office identification and their original DBS before working in regulated activity. Any company staff who do not provide a DBS will not be allowed to take part in regulated activity. A risk assessment will apply to them and they must remain on the premises with a member of staff or a fully DBS checked company employee at all times.

Existing Volunteers

The Roche School will not DBS check volunteers continuing the same position, unless there is cause for concern.

New Volunteers

New volunteers who regularly teach or look after children on an unsupervised basis are working in regulated activity; this school will obtain a barred list check in addition to an enhanced DBS check. If the volunteer is not in regulated activity the Headmistress or Deputy Head teacher should use their professional judgment and experience when deciding whether to require an enhanced DBS check. The Headmistress and Deputy Head teacher should consider:

- What the school community already knows about the volunteer, including formal and informal information from staff, parents and other volunteers
- If the volunteer has other employment or voluntary experience that is likely to produce suitable references
- Any other relevant information about the volunteer or the work they are likely to do.

Work Experience Students and Long-Term Training Placements

It is not necessary to obtain a DBS enhanced disclosure for pupils undertaking voluntary work or work experience. However, it is best practice to ensure that all visitors sign in and out, and are escorted while on the premises by a member of staff.

Visitors and Volunteers who do not need DBS Checks

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- People visiting the Headmistress, Deputy Head teacher or other member of staff or who only have brief, supervised contact with children;
- Visitors or contractors who carry out emergency repairs or service equipment, and who will not be left unsupervised on the premises;
- Volunteers who accompany staff and children on one-off outings or trips that do not involve overnight stays or who help at one-off events, such as sports day, school fayres or open days;
- People on site before or after the school day, when children are not present;
- Secondary school age children on work experience placements.

When a DBS certificate does not arrive in time for an employee's start date

When a DBS certificate does not arrive in time for an employee's start date, either because of delays in processing by the authority or for other reasons, a risk assessment will be completed and actions put in place to mitigate risk for example ensuring the new employee is not alone with children. If the employee has an existing DBS, this will be accepted temporarily and factored in to the risk assessment.

Renewal of DBS Certificates

The DBS Certificate does not recommend a specific renewal interval for DBS checks. However, following Wandsworth Council advice, the School takes a selection of 10% of the workforce each year and carries out DBS checks.

Prohibition Order

Prohibition Order means that a person concerned is not allowed to undertake unsupervised teaching work in schools. Where an individual is prohibited, their name and details will appear on the Prohibited List. A Prohibition Order is a lifetime ban.

As part of the Safeguarding Checks, and in addition to the DBS Certificate, a check will be undertaken of all applications against the Prohibited List.

Storage and Access

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DBS Certificate information will be kept in a locked cabinet with access strictly limited to those who are entitled to see it as part of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

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

Retention

Once a recruitment (or other relevant) decision has been made, we retain DBS Certificate information generally for a period of up to six months. This is to allow time to consider and resolve any disputes or complaints. If, in exceptional circumstances, it is considered necessary to keep the information for longer, we will consult the DBS, taking data protection and human rights issues into consideration.

Disposal

Once the retention period has elapsed, any Certificate information will be destroyed by secure means i.e. by shredding, pulping or burning. We will not keep a copy of the Certificate or record its contents. We may, however, 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 it was requested, the unique reference number of the Certificate and the details of the recruitment decision taken.

Referral to DBS

We have a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm to a child or vulnerable adult; where the harm test is satisfied in respect of that individual; where the individual has received a caution or conviction for a relevant offence, or if there is reason to believe that individual has committed a listed relevant offence; and that individual has been removed from working in regulated activity, or would have been removed had they not left. The DBS will consider whether to bar the person. Referrals will be made as soon as possible after the resignation or removal of an individual.

APPENDIX ONE

Frequently Asked Questions

1. How long does it take to receive my DBS Certificate?

On average, the process can take 3-4 weeks (but may take longer if you have lived at various addresses).

2. What do I receive from the DBS?

You will receive a certificate from the DBS stating whether or not you have a police record and, where appropriate, will confirm that your details have been checked against the list of those banned from working with vulnerable adults or children. In order for the School to verify the DBS Certificate you must contact the Deputy Head teacher for them to take a copy.

3. Is my DBS Certificate portable?

Yes, if you register with the DBS Update Service. Further details can be found at <https://www.gov.uk/dbs-update-service>

4. What happens if I have a previous conviction?

Having a criminal record will not necessarily stop you from working at The Roche School. This will depend on the nature of your work, the circumstances and background of the offence(s) and the time elapsed.

5. What happens if I have a criminal conviction during employment?

It is important, if you have a criminal conviction that you disclose this information either to the Headmistress or the Deputy Head teacher as soon as possible. You will be asked to attend an interview to explain the background and circumstances regarding the conviction. Failure to reveal information directly relevant to your role may lead to disciplinary action.

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6. Who will know about my criminal record?

If a criminal record is revealed through a DBS check, the Headmistress and Deputy Head teacher will know the details of the convictions, and any agencies with which the School is obliged to share that information (i.e. if you have applied to work with children when banned from doing so).

7. The information on my certificate is wrong – what can I do?

If you think that any information on your Certificate is wrong, please contact the DBS Certificate Dispute line on 0300 0200190 who will advise on their dispute procedures.

8. Can I refuse to apply for a Certificate?

It is compulsory to check your details against the list of people banned from working with children. The Roche School is obliged to insist on a DBS Certificate from applicants and members of staff.

9. How long are Certificates valid?

A Certificate carries no period of validity. The information it contains reflects the position at the date of issue. The closer the date, the more reliance can be placed on its content. The Roche School follows the borough of Wandsworth Council advice and selects 10% of the workforce each year and carries out DBS checks.

10. Do all parent helpers and volunteers need to obtain a Certificate?

This depends on the level of contact and regulated activity or the possibility that helpers may be alone with or have some responsibility for pupils. The School will use its discretion about whether or not it is needed.

11. Do teachers from overseas need to be checked?

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Yes. Overseas teachers will be treated the same as any new employee. In addition any member of staff that has lived/worked abroad will need to obtain the relevant police check from the country they lived/worked in before they commence employment.

12. How long does a teacher newly arrived from overseas need to live in the country before a Check is carried out?

If the teacher has lived in this country previously, a Check against the Barred List⁴ can be done immediately. Those who have not lived here previously should contact their embassy to seek a letter of good conduct and a police check from the Country.