

## **Disclosure and Barring Service Policy**

**Updated: February 2016**

**Next revision date: February 2016**

### **1. Objectives**

- 1.1. To ensure that the protection of children and young people who are involved in activities, training, events and placements organised by Develop is of the highest priority and appropriate actions are taken to safeguard them.
- 1.2. To ensure that all employed staff, volunteers, consultants who have access to children or young people aged between 0 and 18 years (or vulnerable young adults over the age of 19) obtain a Disclosure and Barring Service (DBS) and as of July 2010 are registered with ISA. This does not include work experience students who are placed in a school or early years setting as they are pre-16 and do not have unsupervised access to the children they are working with.

### **2. Scope**

- 2.1. To cover all activities carried out by Develop

### **3. Key Principles**

- 3.1. Develop complies with the Rehabilitation of Offenders Exceptions Order 1974 and Part v of the Police Act 1997.
- 3.2. Develop believes it is their duty as an organisation to ensure the protection of all children and young people involved in activities, events, training and placements it organises.
- 3.3. Develop organises a wide range of activities that involve the recruitment of individuals in a paid, training or voluntary capacity. These personnel include:
  - a. Out of School Hours Learning Activity Providers, including Summer College, First University and Frontiers Club staff.
  - b. Training Providers.
  - c. Early years settings staff.
  - d. STEM activity providers.
  - e. Extended Work Experience Providers.
  - f. Apprenticeship staff.
- 3.4. These roles involve personnel working with children and young people. In some instances, the activities will involve staff, learners or volunteers

- working with children and young people in a group situation, but some may work with them in a one-to-one situation.
- 3.5. It is the responsibility of Develop, its partners, such as schools and Develop's sub contractors, to ensure that adults working with children without a Disclosure are not given unsupervised access at any time.
  - 3.6. A range of strategies will be employed to protect all children and young people involved.
  - 3.7. As an organisation using the DBS service to assess applicants' suitability for positions of trust, Develop complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.
  - 3.8. A Disclosure is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a Disclosure is required, all application forms and job specifications will contain a statement that a Disclosure will be requested in the event of the individual being offered the position and formal offer of such position will be subject to satisfactory DBS.
  - 3.9. Where a Disclosure is to form part of the recruitment process, Develop encourages all applicants called for interview to provide details of their criminal record at the commencement of the application process. Wherever possible this should be done in person, but where it is not possible Develop requests that this information is sent under separate, confidential cover, to the CEO. Develop guarantees that this information will only be seen by those who need to see it as part of the recruitment process. The applicant will need to be seen in person before the application can be processed and their documentation will be returned to them at this point.
  - 3.10. At the commencement of the recruitment process Develop makes every individual subject to a DBS or ISA check aware of the existence of the DBS Code of Practice and makes a copy available on request to the Disclosure applicant.
  - 3.11. At the commencement of the recruitment process Develop sends every individual subject to a DBS a copy of the guidance note, "How does an employer decide whether a person's criminal record is relevant?"
  - 3.12. Develop states clearly on its application form and at interview, where applicable, that the job applied for is exempted and ex offenders will have to disclose information about spent as well as unspent convictions.

#### **4. Correct Handling, Use, Storage, Retention and Disposal of Disclosures and Disclosure Information.**

- 4.1. As an organisation using the DBS/ISA Disclosure service to help assess the suitability of applicants for positions of trust, Develop complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining with the safe handling, use, storage, retention and disposal of Disclosure information.
- 4.2. Disclosure information must be 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.
- 4.3. In accordance with section 124 of the Police Act 1997, disclosure information is only passed to those who are authorised to receive it in the course of their duties.
- 4.4. Develop maintains a database of all individuals for whom Disclosures or Disclosure information has been obtained. It is a criminal offence to pass this information to anyone who is not entitled to receive it.
- 4.5. Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.
- 4.6. Once a recruitment (or other relevant) decision has been made, Develop does not keep Disclosure 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. Throughout this time, the conditions regarding the safe storage and strictly controlled access in 4.2 and 4.3 will prevail.
- 4.7. Once the retention period has elapsed, Develop will ensure that any Disclosure information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure information will only be kept in the same conditions as described in 4.2 and 4.3 above and not in a waste bin or unsecured waste sack.
- 4.8. Develop will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, Develop will keep a copy of the front page of the DBS Application form, stored in a secure place until the Disclosure form is received at Develop.
- 4.9. Develop will keep a record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the position for which the

Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.

- 4.10. Develop will not act as an Umbrella Body (one which countersigns applications and receives Disclosure information on behalf of other employers or recruiting organisations). If, however, a partner organisation or sub contractor is carrying out duties on behalf of Develop or as part of a contract awarded to Develop, Develop will carry out DBS applications for those staff deemed to be part of the relevant programme and for whom a Disclosure is needed.

## **5. DBS Disclosure Privacy Statement**

- 5.1. Develop is fully committed to compliance with the Data Protection Act 1998. The following principles will apply when Develop handles and individuals personal information:
  - a. An individual's personal information is only processed with his/her knowledge.
  - b. Only information that Develop actually needs is collected and processed.
  - c. An individual's personal information is only seen by those who need it to do their jobs.
  - d. Personal information is retained only for as long as it is required.
  - e. Decisions affecting an individual are made on the basis of reliable and up to date information.
  - f. An individual's information is protected from unauthorised or accidental disclosure.
  - g. Inaccurate or misleading data will be corrected as soon as possible.
  - h. Procedures are in place for dealing promptly with any disputes.

These principles apply whether Develop holds an applicant's information on paper or in electronic form.

## **6. Access to the DBS Disclosure Policy**

- 6.1. Individuals are able to receive copies of Develop's DBS policy on request.

## **7. Staff Responsibility**

- 7.1. Chief Executive Officer, Senior Management Team and Senior Admin Assistant.
- 7.2. CEO has overall and final responsibility for all matters relating to the DBS Disclosure policy.

- 7.3. The day-to-day responsibility for the DBS policy is delegated to CEO who will ensure that:
- a. Adequate resources are made available to implement the policy
  - b. Adequate arrangements are made to bring this policy to the attention of all staff, learners, consultants and volunteers
  - c. The effectiveness of this policy and its arrangements is reviewed annually during the relevant meeting of the Strategy Group meeting (or more frequently if deemed necessary)

## **8. Monitoring and Evaluation**

- 8.1. Through an annual review of the DBS policy.

## **9. Supporting Documents**

- 9.1. This policy should be read in conjunction with all of the policies and procedures relating to Learning programmes offered by Develop:-
- o Child Protection Policy
  - o Code of Practice and Explanatory Guidance for registered person and other recipients of Disclosure Information, published by the DBS
  - o Equality & Diversity Policy
  - o Recruitment of Ex Offenders Policy
  - o Safeguarding Children and Safer Recruitment, published by the DfES 2006
  - o Volunteering Policy

Policy signed by CEO:  Date: 01/02/12