



Bradford Central PRU

DBS Policy

Policy agreed by Staff on:	21 March 2018
Ratified by full Management Committee:	21 March 2018
Review Date:	Spring 2019
Agreed Frequency of Review:	Annually
Allocated Group / Person to Review:	MC can delegate to committee or individual member or HT
Signed by Chair:	
Signed by Headteacher:	

Statement of intent

At Bradford Central PRU we are committed to the welfare of our pupils, staff and visitors. Ensuring the safety of the Bradford Central PRU community is of paramount importance to us and this policy reflects our dedication to creating a safe environment where pupils are cared for appropriately and safeguarded from harm.

Disclosure and Barring Service (DBS) checks enable Bradford Central PRU to ascertain an individual's suitability to work with children and in an educational environment.

This policy has been created to inform staff, pupils and parents of the measures taken by Bradford Central PRU to ensure all employees and pupils are safe and cared for.

In addition, it outlines our commitment to meeting legislative requirements, DfE standards, data protection responsibilities and Ofsted guidance as outlined in the Policy.

1. Organisation

Duties of the Governing Body

The Governing Body, in consultation with the Headteacher, will:

- Ensure familiarity with requirements of the appropriate legislation and codes of practice.
- Create and monitor a management structure responsible for safeguarding pupils and ensuring the correct use of DBS checks in the Bradford Central PRU.
- Periodically assess the effectiveness of the Policy and ensure any necessary changes are made.

Duties of the Headteacher

- The Headteacher has the general responsibility for the day-to-day implementation of the DBS Policy throughout Bradford Central PRU but may delegate these responsibilities to some extent.
- The Headteacher will take all reasonably practicable steps to ensure the DBS Policy is implemented through the Heads of Centre and other members of staff.
- The Headteacher will take on the role of Child Protection Officer to be responsible for the day-to-day implementation of the DBS Policy. They will also be the designated contact with the Local Authority and the DBS service where necessary.

Duties of Supervisory Staff

Administrative staff will take a keen interest in the Bradford Central PRU DBS Policy and assist in ensuring all staff, students and visitors comply with its requirements.

Duties of all members of staff

All staff will familiarise themselves with the DBS Policy and aspects of their work related to safeguarding.

Legislative requirements

Bradford Central PRU is committed ensuring it meets all requirements pertaining to safeguarding and background checks as prescribed in the following:

- The DBS Code of Practice.
- Equality Act 2010
- Equality Act 2006
- Work and Families Act 2006
- EU Directive 2000/78/EC on Equal Treatment in Employment and Occupation
- The Maternity and Parental Leave Regulations 1999
- The Data Protection Act 1998

Procedures

Potential staff members

All employment at Bradford Central PRU is subject to a satisfactory DBS check.

All advertisements for positions at Bradford Central PRU include the requirement of a DBS check.

- All job application forms sent to candidates contain a requirement to admit any criminal convictions, warnings or cautions.
- All candidates invited to interview are required to provide evidence of identity and address.
- Successful applicants are required to complete a DBS application as soon as practicable after the interview process.
- Applicants for teaching and education support positions are required to produce original certificates of qualifications.
- An enhanced DBS check is required for all successful job applicants who are: teachers, education support staff, ICT and administrative staff, maintenance and cleaning staff who will be taking part in regulated activity. An enhanced check includes a check on local police records. Where these records contain additional information that may be relevant to the post, the Chief Officer of police may release information for inclusion in an enhanced check.
- These enhanced DBS checks will be received via a secure online portal to protect all parties.
- DBS certificates are sent directly to the applicant's home address.
- In a very small number of circumstances, this additional information may be sent under separate cover to the counter signatory and will not be revealed to the applicant.
- Written references are always requested in support of applicants and these are always followed up by contact with the previous employer.

Supply staff

- Bradford Central PRU requires enhanced DBS checks to be carried out in respect of supply teachers, instructors and other education support professionals. Supply teachers must bring proof of identity on their first day of work at Bradford Central PRU. Supply teacher agencies are required to confirm that supplied staff members have relevant, clear and current enhanced DBS checks for regulated activity.

Management Committee

- Bradford Central PRU requires enhanced DBS checks for regulated activity to be conducted in respect of governance.

Visitors

- Visitors to Bradford Central PRU are not permitted unsupervised access to pupils and therefore DBS checks are not required.

Applicants with recent overseas residence

- This includes all applicants, whether British nationals or not, with recent periods of overseas work or residence.
- The School Business Manager is responsible for ensuring all applicants with a record of overseas work have work permits if required.
- Police clearance to work with pupils is also required from their home country.
- These checks are in addition to the enhanced DBS checks required for all applicants.

2. Existing checks

- Routine DBS re-checks are not required under Ofsted guidance. Ofsted guides that routine checks for staff go beyond legal requirements, represent poor use of resources and are considered excessive.
- To support safeguarding, BCPRU requires all staff and Management Committee members to complete an annual criminal record self-disclosure declaration form to inform of any changes criminal convictions.

3. Positive Disclosures

- All positive disclosures, regardless of the seriousness of the offence/conviction/charge, are subject to an objective assessment.
- The School Business Manager will consider the magnitude of any DBS disclosures.
- **Major disclosures** will be discussed with the Headteacher, who will be asked for clearance for the candidate to be rejected.
- **Serious disclosures**, those that do not pose a risk to students, will also be discussed with the Headteacher. The School Business Manager will endeavour to ascertain the relevant facts from the individual and to bring the matter to a conclusion. The candidate will be sent a rejection or acceptance letter, in keeping with Bradford Central PRU procedures.
- **Minor disclosures** will be dealt with in a discussion between the candidate and the relevant department head. The School Business Manager will recommend whether to reject or accept the applicant.
- The following considerations will be taken in relation to positive DBS disclosures:
 - The relevance of the disclosure in relation to the position applied for.
 - The nature of the offence or other matters revealed.
 - The length of time since the offence or other matters occurred.
 - Whether there is a pattern of offending behaviour.

- Whether the candidate's circumstances have changed since the offending behaviour or other matters occurred.
- Any extenuating circumstances surrounding the offence and explanations offered.
- In exceptional circumstances, if an offer is made following a positive disclosure, an employment risk assessment may be completed.
- A record of all recruitment decisions following positive DBS disclosures will be kept by the School Business Manager using the form provided in Appendix A.
- Depending on the circumstances of each case, the chair of governors may be asked to countersign the form.

4. The recruitment of ex-offenders

- Under the Protection of Children Act 1999 and the Criminal Justice and Courts Service Act 2000, the School/Academy cannot employ persons who may have regular contact with children who are:
 - Included on the barred list (a list maintained by the Secretary of State for Health of people judged to be unsuitable to work with children).
 - Subject to a disqualifying order made on being convicted or charged with the following offences against children: murder, manslaughter, rape, other serious sexual offences, grievous bodily harm and/or other serious acts of violence.
- Bradford Central PRU also consider it high risk to employ persons, who may have regular contact with pupils, if they have been convicted of or charged with any of the offences above or serious drug related offences.
- Bradford Central PRU is required to send each applicant its Policy on the Recruitment of Ex-offenders (Appendix B).

5. Record keeping

- Disclosure information is kept securely in lockable cabinets with strictly controlled access.
- Only those entitled to see this information as part of their duties are permitted access.
- In addition, disclosure information will only be passed to authorised personnel who require it in the course of their duties, in accordance with section 124 of The Police Act 1997. **It is a criminal offence to pass this information to anyone who is not entitled to receive it.**
- A record will be kept of all those to whom disclosure information has been revealed.
- Disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's consent has been given.