

Security Checks for Safeguarding Policy including Barring Lists, DBS Disclosure and other recruitment checking procedures

OWNED BY:		Head of Human Resources					
DATE OF LAST REVIEW		October 2019					
PLANNED NEXT REVIEW:		October 2020					
APPROVAL:		Senior Leadership Team					
APPLIES TO:	Staff	✓	Student	✓	Public	✓	

1. Introduction/Background

It is vital that colleges create a culture of safe recruitment and, as part of that, adopt recruitment procedures that help deter, reject or identify people who might abuse or cause harm to young people. This policy details the pre-employment checks that the college carries out as part of their recruitment process.

The processes, agencies and information sources that are involved in these checks regularly undergo change at national level and therefore this policy will be regularly reviewed every 12 months to ensure accuracy, good practice and legal compliance.

2. List 99 / DBS Checks

a) List 99

A List 99 check is undertaken for all new starters at the College (including volunteers) prior to any offer of employment or volunteering period being made to them.

List 99 informs the employer whether the individual is on a “barred list” and is therefore legally prevented from working or volunteering in establishments where he / she may come into contact with children or vulnerable adults.

If an individual is on the list, the college will not, under any circumstances, offer employment, or voluntary work.

The College also undertakes further occasional List 99 checks on existing staff to ensure that continued employment is safe and legal.

b) DBS Disclosures

This is a document containing information held by the police and government departments providing the means of applying the government's legislative and integrated system to protect children and vulnerable adults.

Disclosures are provided by the Disclosure & Barring Service (DBS) and they provide the means to check the background of job and volunteer applicants to ensure that they do not have a history that would make them unsuitable for posts.

Existing members of staff can also be checked.

It is College policy to apply for an enhanced disclosure for all new staff to the College to ensure that the widest and most comprehensive relevant information is available to the College on each individual.

Enhanced disclosures will be sought for all posts as it is considered that all staff can have contact with students (e.g. caretakers, cleaners, catering staff etc) not just those posts involving greater contact with children and vulnerable adults e.g. tutors, teaching positions, learning support staff etc.

DBS disclosures are returned only to the applicant who, as a condition of employment, must upon receipt immediately show the original to the Human Resources department who will take a copy of the disclosure and record the certificate number on the Single Central Database and HR System. Hard copies of disclosures will be destroyed no later than six months after they are received. Failure to show the DBS disclosure to Human Resources at the earliest opportunity may be regarded as gross misconduct and result in instant dismissal

3. DBS Checks – Staff, Agency Staff, Contractors and Governors

DBS checks will be carried out on all staff appointed, agency staff, contractors and Governors (including the Clerk to the Corporation) and also on volunteers working within the College. If a member of staff moves into a very different role, a further check may be performed.

For staff who will be employed by the College the College will pay the Disclosure fee.

In the case of agency staff, the College will require the agency to provide evidence that a current and recent Disclosure is held or is being sought for the person they are supplying to work for the College.

4. DBS Checks - Volunteers

Volunteers at the College will also be subject to the Disclosure checking procedure where appropriate and it is important that Human Resources are made aware of these individuals before they start work so that forms can be issued and completed. **The DBS do not charge for checks made on volunteers.**

DBS disclosures are returned only to the applicant who, as a condition of remaining a volunteer, must upon receipt immediately show the original to the Human Resources department who will take a copy of the disclosure and record the certificate number on the Single Central Database and HR System. Hard copies of disclosures will be destroyed no later than six months after they are received. Failure to show the DBS disclosure to Human Resources at the earliest opportunity may be regarded as gross misconduct and result in withdrawal from the College as a volunteer.

5. Information for Applicants

Applicants will be made aware of the Disclosure requirements for employment with the College during the application procedure.

The Rehabilitation of Offenders 1974 (Exceptions) Act specifies certain professions and categories of employment that are exempt from the Act. These include working with children and vulnerable adults and include work in Further Education establishments such as the College

Therefore those applying for all posts will be advised that all convictions (whether spent or unspent), cautions, reprimands and final warnings need to be disclosed. They will be advised that they also need to disclose other non-conviction information that has a bearing on their suitability for employment.

Job adverts, applicant information, job descriptions and employee specifications have references to safeguarding, vetting and List 99 / DBS checking, to ensure that potential starters are aware of the required processes prior to applying.

6. Prohibition Checks

Teacher prohibition orders prevent a person from carrying out teaching work in schools, sixth form colleges and academies. The college will not appoint any teacher who is prohibited from teaching. These checks will be carried out using the Teacher Services system.

7. Employment History and Reference Checks

The College will always ask for written information about previous employment history and check that information is not contradictory or incomplete. References should be sought on all short-listed candidates, including internal candidates so any issues or concerns can be taken up ahead of interview. Referees should be contacted for clarification purposes, if a reference appears vague.

8. Proof of Identity for DBS Despatch

The College is required to make checks on the identity of the person for whom the Disclosure is being obtained before the form is submitted to the DBS.

In general, identity is checked against a variety of original documents as prescribed and amended for time to time by the DBS. Identification checking guidelines can be found on the gov.uk website.

9. Counter Signatories and Registered Body Status

The College has been approved by the DBS as a Registered Body.

All applications for Disclosure have to be countersigned by individuals within the College who have been registered personally with the DBS.

The Lead Counter-signatory, who is the main contact with the DBS, is currently the Head of Human Resources

10. Starting at the College prior to DBS Clearance

Some staff or volunteers may start at the College prior to a return of an acceptable DBS disclosure. In this event, they will be subject to “supervision” arrangements and restrictions to ensure that contact alone with children and / or vulnerable adults is prevented.

All staff and volunteers must be checked against the barring lists prior to starting with the College but unless they have also been cleared by a DBS disclosure, they will be subject to appropriate supervision determined by a “Risk Assessment”. This should be completed by the senior recruiting line manager and countersigned by the Head of Safeguarding or the Head of Human Resources.

11. Procedure in the event of a record or other information being revealed

If a disclosure reveals safeguarding concerns, these will be considered confidentially by the Head of Human Resources (Lead Counter-signatory) and the Head of Safeguarding

If a disclosure is not related to a safeguarding issue but relates to other issues re suitability of employment, the Head of Human Resources will liaise with the relevant members of senior management if appropriate

If the College judges that the information provided renders the individual unsuitable for employment or as a volunteer, the offer of employment or current employment will be withdrawn.

If the information provided by the applicant/employee does not agree with the factual record revealed via the Disclosure process, the Head of Human Resources (or another representative from Human Resources, with the Head of Safeguarding) will discuss the discrepancy with the individual to ascertain the reasons for this. This conversation should be documented and signed by the employee and the Head of Human Resources or Head of Safeguarding and held should be held on the employee’s file.

12. Single Centralised Record (SCR)

Guidance on 'Safeguarding Children and Safer Recruitment in Education' came into force on 1 January 2007, backed by new staffing regulations.

These regulations include requirements about the keeping of single central records on the pre-employment checks made on staff, agency, contractors and volunteers, including List 99, Prohibition and DBS checks as necessary; OFSTED inspectors will expect to be able to see this.

In line with this latest legislation and guidance, the College maintains a Single Centralised Record of the checks and disclosures carried out on all staff, volunteers, agency staff, Governors and contractors.

This is retained in electronic form within the Human Resources Department and stored securely with access restricted to members of the Human Resources Department and the senior post holder within the College.

Information kept on the record includes details of names, addresses, identity checks, DBS checks, List 99 checks, date of birth, date of start, job title, level of DBS check, right to work in UK etc.

13. Update Service

All members of staff are encouraged to join the DBS Update Service at the point an application for a new DBS check is made; this will enable future status checks to be carried out to confirm that no new information has been added to the certificate since its issue. This also allows portability of a certificate across employers.

14. Other Relevant Policies

All policies are held on the staff intranet and this policy should be read in conjunction with the:

- Recruitment Policy and Procedures
- Criminal Record Disclosure and Employment of Ex-Offenders Policy
- Any other safeguarding policies

15. Data Protection

When managing an employee's personal data information will be collected in accordance with the College's data protection policy. Data collected is held securely and accessed by, and disclosed to, individuals only for the purposes of information relating to this policy. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the College's data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under the College's disciplinary procedure.

16. Equality

As with all College Policies and Procedures due care has been taken to ensure that this policy is appropriate to all employees regardless of sex, age, race, marital status, maternity, ethnicity, disability, gender identity, sexual orientation or religion/faith.

The policy will be applied fairly and consistently whilst upholding the College's commitment to providing equality to all.