



TRUST IN LEARNING (ACADEMIES)

DISCLOSURE AND BARRING SERVICE POLICY AND PROCEDURES

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1. Policy Scope and Statement

This policy applies to all school staff and volunteers, regardless of their grade, position, hours worked per week or length of contract.

The safety of children and young people is paramount and the Academy Trust and its Schools are fully committed to safeguarding and promoting the welfare of children and young people and to the rigorous implementation of Disclosure and Barring Service (DBS) procedures and arrangements. This is achieved by providing a clear policy and set of procedures that are open to all users and is available on the Trust and School websites.

2. Definitions

DBS	The Disclosure and Barring Service (DBS), was established under the Protection of Freedoms Act 2012. It is a Non-Departmental Public Body sponsored by the Home Office and became operational on 1 December 2012. The DBS was created after the Criminal Records Bureau and the Independent Safeguarding Authority merged.
DBS children's barred list	The DBS children's barred list is a list of people barred from working with children (replacing List 99, the POCA list and disqualification orders).
Portability	Portability refers to the re-use of a DBS check, obtained for a position in one organisation and later used for another position in another organisation.
DBS Update Service	For an annual subscription, applicants can have their DBS Disclosure kept up-to-date and take it with them from role to role, within the same workforce, where the same type and level of check is required.
Regulated activity	This is what defines the eligibility for an 'Enhanced check for regulated activity' and relates to specific roles. All school staff are in regulated activity as a school is defined as a 'specified place' and therefore meets the eligibility requirement.
Enhanced check for regulated activity	This checks for spent and unspent convictions, cautions, reprimands, final warnings, 'approved' information from local police records and a check of the DBS children's and or adults' barred lists where requested.
Enhanced DBS check	This is the same as an Enhanced check for regulated activity without a check of the barred lists.
Regular	Within this guidance 'regular' is defined as: four or more days in a 30 day period, or once a week or more often, or overnight (between 2am and 6am) where there is opportunity for face-to-face contact.
Registered body	A registered body is an organisation that has the right to ask the questions that are exempt under the Exceptions Order to the Rehabilitation of Offenders Act or can countersign on the behalf of another organisation who are themselves entitled to ask these questions. EPM is a registered body.

3. DBS Code of Practice

As an organisation using the Disclosure and Barring Service (DBS) to assess applicants' suitability for positions of trust, Trust in Learning Academies 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 DBS check on the basis of a conviction or other information revealed.

Organisations that wish to use DBS checks must comply with the DBS's code of practice, developed after a public consultation exercise with input from a range of organisations.

The code of practice is published under section 127 of the Police Act 1997. This is a constantly evolving document, which was last revised in April 2009. An up to date version is currently available to view on the DBS website.

It is intended to ensure - and to provide assurance to those applying for Standard and Enhanced DBS checks - that the information released will be used fairly.

The code also seeks to ensure that sensitive personal information is handled and stored appropriately and is kept for only as long as necessary.

Anybody who receives Standard or Enhanced DBS check information must abide by the code of practice, this includes:

- Registered Bodies.
- Registered Bodies offering an Umbrella service.
- Recruiters and others receiving the information.

4. What is a DBS check?

The DBS check searches an individual's details against criminal records and other sources, including the Police National Computer. The check may reveal convictions, cautions, reprimands and warnings.

The DBS check will either confirm that the individual doesn't have a criminal record, or it will list any relevant convictions, cautions, reprimands, warnings and, if applicable, whether the individual has been barred from working with children or vulnerable groups. The police can also include non-conviction information, for example, fixed penalties, that may be relevant.

A DBS check uses a range of different information sources, including the records of:

- The Police National Computer (PNC) and other data sources.
- The Independent Safeguarding Authority (where requested).

The Academy Trust considers that, whilst DBS checks are vital in the consideration of appropriately staffing posts with access to vulnerable people, they are just one in a range of pre-employment checks which must be carried out in order to assess the suitability of candidates. Other checks include thoroughly confirming identities, qualifications, taking up references and examining dates of employment histories on application forms. Ongoing monitoring and supervision is also vital alongside clear safeguarding policies and procedures.

There are currently three types of Disclosure:

- Enhanced checks with children's and/or adults' barred list check(s)
- Enhanced DBS check
- Standard

Currently, it is expected that the level that applies for roles within Trust in Learning Academy Schools will fall into the following categories. For further guidance on the appropriate level of check, please read the procedures section of this document.

4.1. Enhanced checks with children's and/or adults' barred list check(s) – Regulated Activity

The enhanced check for regulated activity is the highest level of criminal record check and is available for those working in regulated activity with children or vulnerable groups.

This checks for spent and unspent convictions, cautions, reprimands, final warnings, 'approved' information from local police records and a check of the DBS children's and or adults' barred lists where requested.

Approved information is non-conviction information provided by the police from their local records. The Chief Police Officer in each force will decide what, if any, information to provide.

4.2. Enhanced DBS Check

This is the same as an Enhanced check for regulated activity without a check of the barred lists.

5. DBS Children's Barred List

The DBS children's barred list is a list of people barred from working with children (replacing List 99, the POCA list and disqualification orders).

All school staff and 'regular' unsupervised volunteers must be checked on the DBS children's barred list before they start work. The DBS children's barred list is checked as part of an Enhanced check for regulated activity and also checked by EPM DBS Department prior to sending the DBS application to DBS. This is to ensure that all potential employees are not on the DBS children's barred list.

The DBS children's barred list should only be checked as part of the normal recruitment process and be checked alongside an Enhanced check for regulated activity. It should not be used as a standalone check unless the Enhanced check for regulated activity remains outstanding at the time the individual begins work.

If an individual is required to be checked on the DBS children's barred list then a member of staff from the school who is an 'Authorised Verifier' should do the following:

- Check the applicant's ID e.g. passport or driving licence and confirm the applicant's surname, previous surnames (where possible) and date of birth.
- Add the potential new employee's details on to the Single Central Record.

It is Academy Trusts policy to only provide a check of the DBS children's barred list for Trust or school staff, not for people who are coming to the school through an external agency.

6. Deciding whether you need an Enhanced check for regulated activity

All school staff are in regulated activity as a school is defined as a 'specified place' and therefore meets the eligibility requirement for an Enhanced check for regulated activity.

It is the responsibility of the Headteacher or other person who has delegated responsibility to decide the level of check required for each individual post. The decision will be made prior to advertisement for employee posts or prior to the engagement of new employees.

7. DBS Update Service

[Disclosure & Update Service – Update Service Employer Guide Aug 2015](#)

Employers must be able to say 'yes' to the following questions before they carry out a status check. If you answer 'no' to any question you cannot carry out a status check:

- do you have the applicant's permission?
- are you legally entitled to the same level of DBS certificate - standard or enhanced?
- if you are legally entitled to a barred list check does the DBS certificate contain the one you require i.e. children's list, adults' list, both or none?
- does the DBS certificate contain information which you are legally entitled to see, such as Barred List checks?
- is the DBS certificate for the right workforce – child, adult, both or other? This will be indicated in the 'Position Applied For' section and will show which workforce has been used to determine the relevancy of any locally held police information.
 - child workforce: any position that involves working/volunteering with children.
 - adults workforce: any position that involves working/volunteering with adults.
 - child and adults workforce: any position that involves working/volunteering with children and adults.
 - other workforce: any position that does not involve working/volunteering with children or adults e.g. security guard.

8. Re-vetting existing staff

It is the Academy Trust policy that all school staff and long term volunteers that are required to have an Enhanced check for regulated activity (or an Enhanced DBS check) will have an annual check completed via the DBS Update Service. If the online status check reveals a change in the disclosure status then a re-check will be required. If an employee fails to comply with this policy, the Headteacher will be notified and this may result in disciplinary proceedings.

The Trust has allowed for a 3-year cycle of Full DBS checks plus the employee application to the update service to allow for all existing employees to comply with the procedural part of this policy.

9. Recruitment of Ex-Offenders

We are committed to the fair treatment of staff, potential staff and users of services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

The Academy Trust actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.

A DBS check 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 DBS check is required all application forms, job adverts and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.

10. DBS Disclosure: 'Portability'

The Academy Trust accepts portability (please see Definitions) of DBS Disclosures obtained from another registered body where the workforce is the same as that described for academies. This is conditional on the DBS disclosure having been obtained within a

- 3 year period before the date of employment to the Academy Trust/School
- And for the individual to have had continuous employment between the Academy Trust post and the previous post, (with a break in service of no more than 3 months).

The Academy Trust accepts the use of the update service where the workforce is the same.

If an 'unclear' disclosure is presented, then it will be necessary for the employee concerned to show their own copy to their Headteacher who should discuss the content with their School HR Manager/Partner in order to make a recruitment decision. If the employee cannot produce a copy of their own disclosure, then the individual must complete a new DBS Disclosure with the Academy Trust/School.

Please note that if the employee is moving from a volunteer role to a paid role the employee must complete a new DBS check.

11. Overseas check policy

If, within the last 5 years, the applicant/volunteer has continuously resided outside the UK in one or more countries for 12 months or more (excluding holiday periods) since the age of 18, then they must provide those full address details including the period of time lived at those addresses.

The applicant should then obtain a police check from the relevant country/countries for the time specified in that location.

Once the overseas police check has been verified and there is no 'information' that prevents the applicant from starting work, then upon receipt of a satisfactory DBS Enhanced Disclosure, the applicant is deemed ok to work.

If 'information' is shown on the overseas police check, please see [What if an employee has an 'unclear' Disclosure?](#)

The Headteacher of the applicant has the discretion to allow an individual to begin work pending receipt of the overseas criminal records information, as it can take months in some cases, providing the individual has a clear DBS Enhanced Disclosure.

For agency staff it is recommended that the Headteacher speaks to the agency to ascertain what their procedures are and pursues an overseas check at their own discretion.

It is strongly advised that for long-term agency staff overseas police checks are sought.

12. Employees committing an offence during employment

It is the employee's responsibility to disclose any criminal convictions, cautions, reprimands or warnings that they incur during their employment with the school, to their Headteacher. The

Headteacher will then make a decision on the appropriate steps to follow based on the type of conviction, caution, reprimand or warning the employee received and the role of the employee. The Headteacher/Designated Manager must then record details of the disclosure and inform the employee of the potential outcomes of the disclosure. The Headteacher/Designated Manager should seek advice from the Academy Trust/School HR provider about the decision they made and the reason they made it.

If the employee fails to inform their Headteacher of any criminal convictions, cautions, reprimands or warnings that they incur during their employment with the school this could lead to disciplinary action being taken against them and may even result in dismissal.

Having a criminal record will not necessarily bar someone from working with the school; this will depend on the nature of the position and the circumstances and background of the offences.

The Safeguarding Vulnerable Groups 2006 Act sets a legal duty for the Schools to refer information to the DBS if we dismiss or remove a member of staff/volunteer from working with children and/or adults (in what is legally defined as Regulated Activity) because they meet the referral criteria. The Academy Trust and its Schools have a duty to refer information to the DBS as both a Regulated Activity Provider.

13. Authorised Verifiers

The Headteacher of the school must nominate and provide adequate training for a member or members of staff to check the ID Documents of those people completing a DBS application form. The Academy Trust and Individual Schools Single Central Records should be updated with a list of authorised verifiers.

Verifiers should review Disclosure & Barring Service guidance on [ID checking](#).

14. Record keeping

All schools will be required to establish and accurately maintain administrative systems and processes to meet the requirements of current legislation including Data Protection Act, Disclosure and Barring Service regulations and OFSTED requirements.

15. Summary of roles and responsibilities

15.1. Trust in Learning Academies Board

- Seek appropriate advice and recommendations when making changes to this policy.
- Agree a cycle of monitoring and review of the effectiveness of this policy.
- Approve and communicate changes to this policy to all Trust employees via the Executive Group.

15.2. Employee/volunteer

- All new employees and 'regular' unsupervised volunteers must complete an Enhanced check for regulated activity.
- Regularly maintain an application to the update service and reclaim the service charge through each school's expenses claim procedure.
- It is the employee's/volunteer's responsibility to show their Disclosure certificate to the Headteacher or Business/HR Manager as soon as they receive it.
- All employees 'regular' unsupervised volunteers must complete a new Enhanced check for regulated activity every three years.
- All 'regular' volunteers who are supervised by a paid member of staff in regulated activity and Governors who do not work at the school on a 'regular' basis should complete an Enhanced DBS check every three years.
- It is the employee's/volunteer's responsibility to disclose any criminal convictions, cautions, reprimands or warnings that they incur during their employment with the school to their Headteacher.
- To subscribe to the "update service" annually within the timeframe required by the DBS service to ensure continuation of subscription.

15.3. Designated Academy Trust Director/Manager or Headteacher

- It is the Headteacher's responsibility to ensure that the employee/volunteer complies with the responsibilities expected of them.
- The Headteacher of the employee/volunteer has the discretion to allow an individual to begin work pending receipt of the overseas criminal records information, providing the individual has a clear Enhanced Disclosure.
- The Headteacher of the school must nominate a member or members of staff to be an authorised verifier to check the ID Documents of those people completing a DBS application form.
- It is the Headteacher's responsibility to ensure that the record keeping guidelines regarding DBS Disclosures are adhered to.

15.4. Business/HR Manager

- It is the or Business/HR Manager's responsibility to discuss with the School/Trust HR Partner the contents of an employee's/volunteer's 'unclear' disclosure. The Headteacher will then make a decision on the appropriate steps to follow based on the type of conviction, caution, reprimand or warning the employee received and the role of the employee.

15.5. Authorised verifier

- The authorised verifier is responsible for checking documents and completing the DBS online application before submitting to the DBS service provider.
- The authorised verifier is responsible for keeping themselves informed of what is expected of them in this role and the current guidance being offered to them by the DBS.

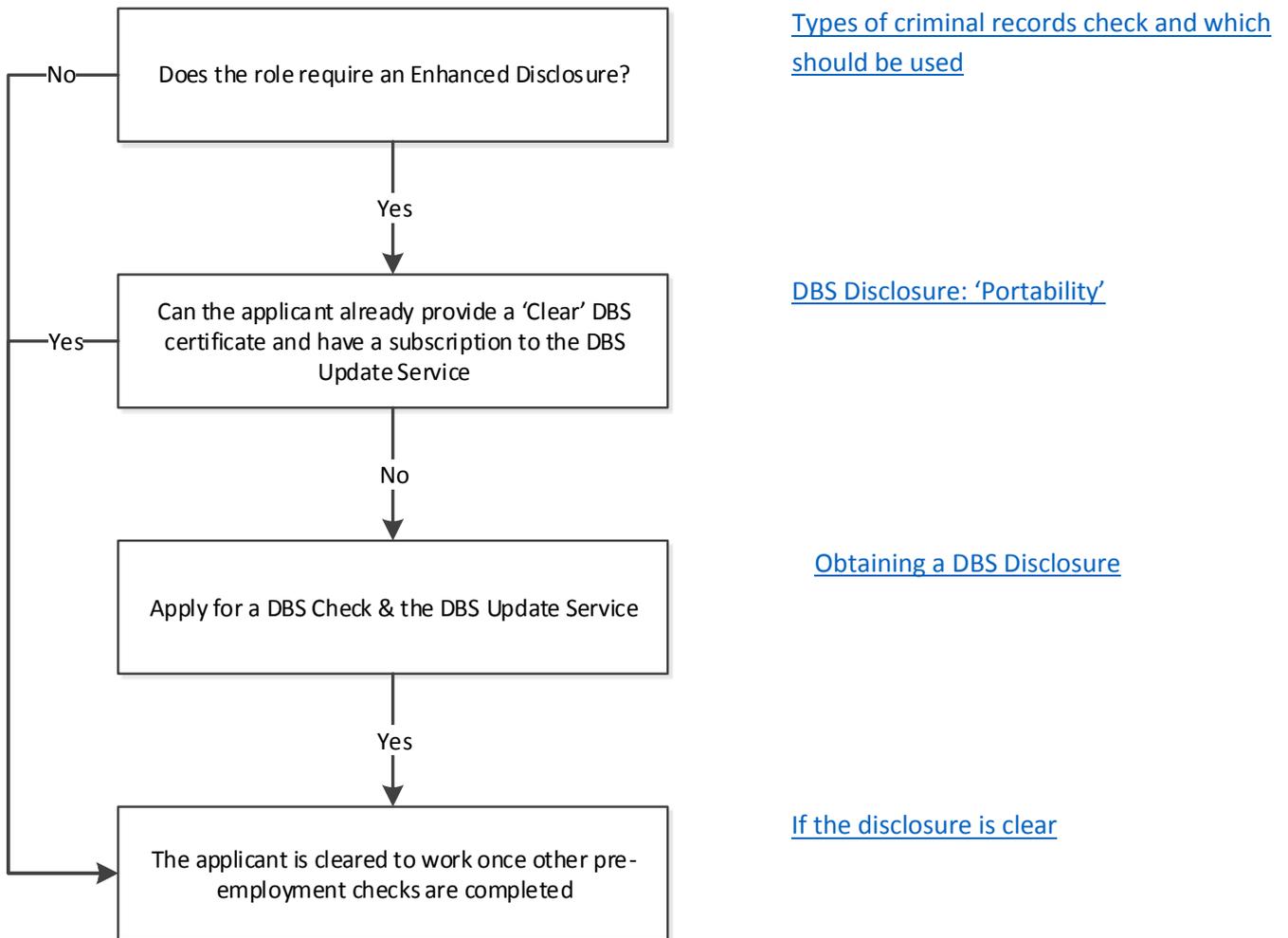


TRUST IN LEARNING (ACADEMIES)

DISCLOSURE AND BARRING SERVICE PROCEDURES

1. Deciding whether a DBS check is required

The flowchart below directs you to the relevant sections in this policy that will help you decide what you need to do:



Types of criminal records check and which should be used

There are 3 types of check. The employer or organisation running the check should provide the applicant with more information about the level of check required. DBS check applicants must be 16 or over. An employer can only apply for a check if the job or role is eligible for one. They must tell the applicant why they're being checked and where they can get independent advice.

The time it takes to process a DBS check depends on:

- the level of check
- if the details given for the check are correct
- what police forces need to be involved in the check

There are 3 types of checks available. Currently, it is expected that the level that applies for roles within Trust in Learning Academy Schools will fall into **Enhanced with List** checks category.

Check Type	What is included in the check
Standard	This checks for spent and unspent convictions, cautions, reprimands and final warnings.
Enhanced	This includes the same as the standard check plus any additional information held by local police that's reasonably considered relevant to the role being applied for.
Enhanced with list checks	This is like the enhanced check, but includes a check of the DBS barred lists.

An employer can only ask for a barred list check for [specific roles](#). It's a criminal offence to ask for a check for any other roles.

Volunteers

Checks for eligible volunteers are free of charge. This includes anyone who spends time helping people and is:

- not being paid (apart from for travel and other approved out of pocket expenses)
- not only looking after a close relative

The following table should be used as a guide to the some of the types of roles in a school setting that may or may not require a DBS check. Further guidance and advice can be sought from the Frequently Asked Questions section or an HR adviser as to whether a post meets the requirements for check being requested.

Enhanced checks with children's and/or adults' barred list check(s)	No Check Required
All staff employed by the Academy Trust	Visitors who have meetings with staff at individual schools
All unsupervised regular volunteers	Volunteers who are accompanying staff and children on one off trips
Staff/ Volunteers running after/ before school clubs	Governors/PTA members who are not working regularly with children.
Peripatetic Staff	Pupils on work experience.
Governors who attend / work at the school regularly	Contractors (if working in an area of school where they a) not alone with children, b) unsupervised

2. Obtaining A DBS Disclosure

The following steps provide a summary of the key DBS Disclosure process steps:

1. The Academy Trust/School asks the individual if they are subscribed to the DBS update service. If they do, please follow the guidance for using the DBS update service. If not, the school will provide details of documents required to complete a DBS Online Application. If the individual is a new applicant and has spent time or is from overseas, then they may need to provide Overseas Criminal Record information/clearance at the same time.
2. An authorised verifier at the school checks the relevant original identification and supporting documents to confirm the individual's identity.
3. The authorised verifier and the individual being checked completes the online application.
4. The DBS service provides team check the online application and countersign it. Where applicable the applicant also obtains a criminal record check from the relevant overseas country.
5. The Disclosure and Barring Service complete checks and sends the Disclosure Certificate to the individual.
6. The DBS service provider notify the school once the DBS has been received.
7. The individual presents their Disclosure Certificate to the Headteacher or Business/HR Manager along with their original identification documents.

If the Disclosure is clear:

The Headteacher or Business/HR Manager will update the Single Central Record with the DBS Number and date of application.

If there are convictions:

The Headteacher or Business/HR Manager will seek advice from a HR representative at EPM or Trust in Learning Academies. Details of the offences, etc. should not be given. The Headteacher or Business/HR Manager and the individual will meet to discuss and decide whether the person can be employed.

If yes, the School/Trust will send a letter confirming that the employee has a DBS check and the discrepancy has been discussed with the Headteacher. The school will update their Single Central Record.

Discussing Offences

Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment. All those in schools who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. The school also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, an open and measured discussion takes place on the subject of any offences or any other matter that might be relevant to the position.

All employees/volunteers who have an 'unclear' Disclosure will have their details passed to the appropriate School's Business/HR Team who will discuss the contents of the Disclosure with the Headteacher. The Headteacher and the applicant will then meet to discuss the details and the Headteacher will make a risk assessment to decide whether the person can be employed. The risk assessment should include:

- The seriousness of the offence and its relevance to the safety of others.
- The length of time since the offence occurred.
- Any relevant information offered by the applicant about the circumstances which led to the offence being committed.
- Whether the offence was a one-off or if there was a history of offending.
- Whether the applicant's circumstances have changed making it less likely they would reoffend.
- Whether the offence has since been decriminalised.
- The degree of remorse expressed by the applicant and their motivation to change.

Withdrawal of a Conditional Offer of Employment

The school will discuss any matter revealed in an Enhanced Disclosure with the person seeking the position before withdrawing a conditional offer of employment, if appropriate.

3. Authorised Verifiers

The Headteacher of the school must nominate a member or members of staff to check the ID Documents of those people completing a DBS application form. If the list of authorised verifiers changes at the school, then the Headteacher should update the Single Central Record. Applications for new verifiers on the EPM DBS portal should be made directly with them, each application will require the Headteachers signature.

The authorised verifier should:

- Check and validate the information entered/provided by the applicant on the EPM DBS Portal.
- Establish the true identity of the applicant, through the examination of a range of documents.
- Ensure the application form is fully completed and the information it contains is accurate. If there are any discrepancies in the information that the applicant has provided and/or the identity documents supplied and fraud is not suspected, please seek clarification from the applicant. Failure to do this may compromise the integrity of the DBS service.
- They should check that the DBS Online Application has been completed correctly before submitting the form to EPM DBS Portal.
- Authorised verifiers should keep themselves informed of what is expected of them in this role and the current guidance being offered to them which is located here.

Record keeping

The school needs to set up administrative systems to record pre-employment checks including DBS checks. Schools should not have a copy of anyone's DBS Disclosure. The school should not take a photocopy of the applicants Disclosure certificate or keep any record of convictions etc.

All staff records need to be securely stored under lock and key/stored electronically with access rights to only those that need it (e.g. Headteacher/Verifiers). There should be a consistent approach to recording evidence of receipt of a satisfactory DBS Disclosure.

The School maintains a record of all those to whom Disclosures or Disclosure information has been revealed and recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Note: All information discussed under the procedures of this DBS Policy must be treated with sensitivity and in strict confidence. Any breach of confidentiality may result in disciplinary action.

Responsibility for ensuring these processes are adhered to rests with the Headteacher.

Frequently Asked Questions

Who should have an Enhanced check for regulated activity?

All school staff are in regulated activity as a school is defined as a 'specified place' and therefore meets the eligibility requirement for an Enhanced check for regulated activity.

This section describes:

- Other roles require an Enhanced check for regulated activity.
- People not requiring an Enhanced check for regulated activity.

Volunteers

Unsupervised volunteers who work at the school on a 'regular' basis are defined as working in regulated activity and should complete an Enhanced check for regulated activity.

A 'regular' volunteer who is supervised by a paid member of staff in regulated activity should complete an Enhanced DBS check. This means that when the DBS application form is completed the relevant section of the form (X64) should be crossed 'no'.

Supervision means day-to-day supervision as is reasonable in all the circumstances for the purpose of protecting any children concerned.

The Department for Education has produced statutory guidance on supervision to describe the considerations an organisation should make when determining whether or not an individual is supervised to a reasonable level for the role.

After school clubs/extended schools

An Enhanced check for regulated activity will apply to any employees or 'regular' volunteers involved in after school activities if there is contact with children. Responsibility for obtaining Disclosure will fall to the employing body which in most cases will be the school, but otherwise will fall to the committee that runs the club.

Peripatetic Staff

All staff employed centrally by the School/Trust and other teams, organisations and services who are working directly with children must have an Enhanced check for regulated activity.

Disclosures for agency staff

The Headteacher must be satisfied that agency workers have an Enhanced Disclosure and current, satisfactory references, by checking with the agency responsible for their employment.

Most agencies provide Employee DBS information prior to them starting work, where this is not the case those employed by the agency must bring a headed and signed letter from the agency confirming that the employee has a recent DBS for a similar role. The school will update its single central record accordingly and keep the letter on file.

If the DBS Disclosure is 'unclear', the agency should inform the Headteacher who will make the recruitment decision. The Headteacher may contact their HR Business Partner at Trust in Learning Academies/EPM for advice.

Once written confirmation of an agency worker's Enhanced Disclosure has been received, it will not be necessary to repeat this process every time that particular individual returns to work at the school, unless a period of three years has passed and a re-check is due.

Agencies supplying overseas teachers should give the school full details on clearance checks obtained.

Disclosures for consultants

It is the Headteacher's responsibility to ensure that all the consultants brought into the school have a valid DBS Enhanced Disclosure issued within the last three years and relevant to their role. The Consultant should be asked to produce his or her copy of the Enhanced Disclosure and the Headteacher should retain a signed letter on file from the Consultant which records the DBS Disclosure number and date of issue.

If the DBS Disclosure is 'unclear', the Headteacher will need to contact their HR Business Partner for advice regarding the information on the Disclosure.

If the Consultant does not have a valid Enhanced Disclosure, the Academy Trust/School will be able to process the DBS application. It is then at the Headteacher's discretion to invoice the Consultant. The Consultant should be made aware that School/Trust does not comply with portability requests from other registered bodies.

Governing Body Members

It is not a statutory requirement for Governors to be DBS checked, however it is School's policy and good practice for all Governors to have an Enhanced check for regulated activity if they work at the school on a 'regular' basis. If they do not work at the school on a 'regular' basis, then they should complete an Enhanced DBS check. This means that when the DBS application form is completed the relevant section of the form (X64) should be crossed 'no'. Governors do not need to have a separate Enhanced Disclosure for their role of Governor; as long as they have a Disclosure issued by the school or by another body for working in the child workforce and can provide the school will access to the DBS Update Service. If a School/Trust employee, who has a Disclosure (issued through the School/Trust) for working in the child workforce, is becoming a Governor, they will not need to complete another DBS check.

Visitors from Trust in Learning (Academies)

All staff at Trust in Learning (Academies) must have an Enhanced check for regulated activity. This is the responsibility of the Chief Executive of the Trust. Where clearance is pending (as it has not been possible to obtain clearance before appointment), the employee concerned will be required to wait for a valid Enhanced Disclosure before visiting any schools or other establishments where they are likely to have contact with children.

Trust in Learning (Academies) employees will not need to provide schools with their Enhanced Disclosure. The Academy Trust will update each school's single central record confirming that if their role requires it, all staff working within Trust in Learning (Academies) have a valid Enhanced Disclosure. When visiting schools, Trust Employees are required to bring their ID badges, as proof of employment.

People not requiring an Enhanced check for regulated activity

Examples of people who do not need to apply include:

- Visitors who have business with the Headteacher or other staff or who have only brief contact with children with a teacher present.
- Volunteers or parents who are accompanying staff and children on one-off outings or trips that do not involve overnight stays, or who only help out at specific events, e.g. school fete. These people should not be asked to help children with their personal care e.g. toileting.
- PTA members who, for example, are staffing stalls at the summer fete would not need to be checked, unless they are to have 'regular' contact with children in another capacity.
- Secondary pupils on Key Stage 4 work experience in other schools, FE colleges or nursery classes; secondary pupils undertaking work in another school or FE college as part of voluntary service, citizenship or vocational studies; or Key Stage 5 or sixth form pupils in connection with a short careers or subject placement. In these cases, the school placing the pupil should ensure they are suitable for the placement in question. The host school is responsible for their supervision.
- People who are on site before or after school hours when children are not present, e.g. local groups who hire premises for community or leisure activities. (Note: if children are participating in the activity during the hire period, whether pupils of the school or not, then an Enhanced check for regulated activity will be required).

Building contractors/trades persons

A tradesperson attending the school on a one-off basis, for example, an electrician making repairs, does not need to be DBS checked as it is expected that they would not be allowed to walk around the school unaccompanied.

Building contractors may not need to be checked where the site area of works is clearly defined and segregated from general access, for health and safety reasons. Contractors visiting schools to carry out repairs, servicing or other short term work should be escorted to their working areas and appropriately monitored during their presence on site. They should be instructed not to encourage or enter into communication with pupils or students.

Generally, it will not be necessary, providing the above procedures are followed, to obtain Disclosure information from the DBS for operatives working on site.

There may be situations that fall outside the scope of the above and in these circumstances a risk assessment should be carried out to determine what measures may be appropriate. It may therefore be appropriate in certain circumstances to obtain Disclosure information for operatives. Headteachers should make a risk assessment and apply their professional judgement in deciding whether an Enhanced Disclosure is needed.

When is an applicant/employee deemed to be 'cleared'?

For those roles that require an Enhanced check for regulated activity (or a DBS Enhanced check), all newly appointed staff and volunteers should complete this prior to taking up post. Enhanced Disclosure certificates from other registered bodies will not be accepted unless the applicant is subscribed to the update service or meet the portability criteria.

When the employee's DBS certificate has been witnessed by the Headteacher/Business/HR team, that contains no information that may prevent the individual from taking up their appointment/or continuing in employment, can it be considered that an individual has 'DBS Clearance'.

For those roles that require an Enhanced Disclosure, where it is not possible to obtain clearance before appointment, the employee may be able to start work in exceptional circumstances where the delay will severely disrupt service delivery. In all cases, a satisfactory risk assessment must be completed by the Headteacher of the employee. The risk assessment form is obtained by contacting EPM.

What if an employee has an 'unclear' Disclosure?

When an Enhanced Disclosure is received by the School/Trust and it contains information about offences etc, this is referred to as being an 'unclear' Disclosure.

All employees/volunteers who have an 'unclear' Disclosure will have their details passed to the appropriate Business/HR Team who will discuss the contents of the Disclosure with the Headteacher. The Headteacher and the applicant will then meet to discuss the details and the Headteacher will make a risk assessment to decide whether the person can be employed. If yes, the School's Single Central Record will be updated with the employee details noting they have an Enhanced Disclosure and the discrepancy has been discussed with the Headteacher.

The ultimate decision as to whether the applicant can be recruited is to be made by the Headteacher. This

process also applies to employees/volunteers having a three yearly re-check.

Having a criminal record will not necessarily bar someone from working in the school; this will depend on the nature of the position and the circumstances and background of the offences.

Who pays for the DBS check?

The cost of DBS checks falls to the school. DBS Enhanced Disclosures for volunteers do not incur a charge from the DBS.

The definition of a volunteer is: "a person who is engaged in any activity which involves spending time, unpaid (except for travelling and other approved out-of-pocket expenses), doing something which aims to benefit someone (individuals or groups) other than or in addition to close relatives". Therefore, students, trainee Teachers, people on work placements/experience, etc. fall outside this definition and are required to pay a fee for a DBS check. Whilst the student or trainee may not be getting paid, they are undertaking the placement or work experience to benefit themselves in the completion of their course etc.