



Principal: Ms K Laurie NPQSL  
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## **DBS Checking Policy**

This policy sets out the approach to criminal background checks within Hillsgrove Primary School. As an organisation using the Disclosure and Barring Service (DBS), which was formerly the Criminal Records Bureau (CRB) service, to assess applicants' suitability for position of trust, Hillsgrove School complies fully with the DBS Code of Practice. For applicants who are offered employment or volunteer in casual capacity, a criminal record check from the DBS will be undertaken.

### **DBS Checks and Levels of Disclosure**

The Protection of Freedoms Act 2012 has resulted in a differentiation between those posts which can legally have an Enhanced DBS check and those posts which can also legally be checked against the Children or Adult Barred Lists (an Enhanced check for Regulated Activity). The definition of regulated activity has been changed from 10 September 2012.

### **Roles and Responsibilities**

The Safer Recruiting Team must be satisfied from the outcome of any DBS check that there are no disclosures that would mean that the applicant is unsuitable for the role for which they have applied before the appointment can be confirmed.

### **Update Service**

The online **Update service** (launched 17 June 2013) allows individuals, if subscribed to it (on payment of an annual fee) to apply for a criminal record check once and then if they need a similar sort of check again, to reuse their existing certificate with the employer checking online to see if it is still up to date. This is called a Status Check.

### **Use of disclosure information**

A disclosure is only requested for the successful candidate following the selection process. Rechecks for existing employees who are subject to a DBS clearance should currently be done every three years.

If a disclosure reveals information about spent or unspent convictions, a decision must then be made by the Designated Person Team as to whether it is appropriate for the person to be appointed.





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## Security and Confidentiality

Disclosure information should be treated with the utmost confidentiality and kept in a secure place, such that access to disclosure information is restricted to only those individuals who have a requirement to see it in the course of their duties.

## Retention

Disclosures should be retained by the Trust for a maximum of 6 months after a recruitment decision has been made. Disclosures must be destroyed by secure means e.g. shredding. Exceptionally, a document can be kept longer, but only after consultation with the DBS.

## Contractors

Where we employ contractors or commission a service for roles where a DBS check or a DBS with barred list check is required, we must make sure safeguards are in place for the relevant checking of contracted staff and see documentary evidence of DBS clearance when contractors are recruited, prior to the start of work.

## Disputes

If an employee believes that the information provided in a DBS check is inaccurate or incorrect, then it is the responsibility of the individual to raise this with the DBS. Hillsgrove Primary School will base any decision on the information provided by the DBS and this decision will be final.

Principal K.Laurie

Agreed: June 2022

Next Review Date: January 2025





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## Appendix 1 – Regulated Activity relating to Children

### What is the definition of young people / children?

A person who is under the age of 18.

### What is regulated activity in relation to children?

Regulated activity relating to children is defined as work that a barred person must not do. It is as follows:

#### Category 1:

- Teaching, training, instructing, caring for or supervising children in an unsupervised capacity;
- Providing advice/guidance on well-being to children in an unsupervised capacity;
- Driving a vehicle for children only in an unsupervised capacity;
- Work for a limited range of establishments (specified places) with opportunity for contact.
- It is work that is done on a 'regular' basis i.e. one or more times a week or on 4 or more days in a 30-day period.

#### Category 2:

- Relevant personal care e.g. washing or dressing a child; or healthcare by or supervised by a professional, even if done only once
- Registered childminding
- Foster carers.

### A DBS check is not required in respect of the activities in categories 1 and 2 if the person undertaking these activities:

- is supervised at a reasonable level (refer to guidance on supervision).
- is providing treatment or therapy (instead of 'health care').
- Is a supervised volunteer – supervised at a reasonable level
- Is carrying out occasional or temporary services e.g. window cleaners.
- Is an office holder e.g. governors

### General exceptions:

Regulated activity relating to children does not include:

- Family arrangements, and personal, non-commercial arrangements.
- Activity by a person in a group assisting or acting on behalf of, or under direction of, another person engaging in regulated activity in relation to children.





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