NORBRECK PRIMARY ACADEMY – HUMAN RESOURCES Disclosure & Barring Service (DBS) Information Pack	Norbreck Primary Academy

CONTENTS

1. **Advisory Notes to Applicants**
2. **Policy Statement on the Recruitment of Ex-offenders**
3. **Policy Statement on the Secure Storage, Handling, Use, Retention and Disposal of DBS checks and Disclosure Information**
4. **Safeguarding Children Policy Statement**

1. Advisory Notes to Applicants

The position for which you are applying involves working with children, young people, vulnerable adults or is a position of trust. The amendments to the Exceptions Order 1975 (2013) provide that certain spent convictions and cautions are 'protected' and are not subject to disclosure to employers, and cannot be taken into account. Guidance on the filtering of these cautions and convictions can be found below and further information can be found on the Disclosure and Barring Service website (www.gov.uk/dbs).

You are required to declare within your application, any convictions, cautions, reprimands or final warnings which would not be filtered in line with the guidance. This means you must declare the following:

- Cautions given less than 6 years ago (where individual over 18 at the time of caution)
- Cautions given less than 2 years ago (where individual under 18 at the time of caution)
- Where the individual has more than one conviction all convictions will be included on the certificate (no conviction will be filtered)
- Convictions that resulted in a custodial sentence (regardless of whether served)
- Convictions given less than 11 years ago (where individual over 18 at the time of conviction)
- Convictions given less than 5.5 years ago (where individual under 18 at the time of conviction)
- Cautions and convictions relating to an offence from a list agreed by Parliament. This list includes a range of offences which are serious and which relate to sexual offending, violent offending and/or safeguarding. A list of offences which will never be filtered has been derived from the legislation and is available here: www.gov.uk/government/publications/dbs-list-of-offences-that-will-never-be-filtered-from-a-criminal-record-check

Any failure to disclose the appropriate information could result in dismissal or disciplinary action by the organisation. The information you provide will be treated in confidence.

If successful in being appointed to the post, you will be required to apply for a DBS check (previously known as CRB check) from the Disclosure and Barring Service. Guidance on how to do this will be provided following appointment. Failure to comply with the request to apply for a DBS check could result in your conditional offer of appointment being withdrawn.

A DBS check will reveal any convictions, cautions, reprimands or final warnings that are not subject to 'filtering' as listed above.

Information provided by you or the Disclosure & Barring Service will be dealt with in a confidential manner in accordance with the DBS's Code of Practice. You may view the Code of Practice on the DBS website at www.gov.uk/dbs or alternatively a copy is available on request.

Having a criminal record will not necessarily bar you from working with us. This will depend on the nature of the position and the circumstances and background of your offences.

If you require any further information or advice regarding the disclosure process please contact the Human Resources Team.

2. Policy Statement on the Recruitment of Ex-offenders

As an organisation using the Disclosure & Barring Service (DBS) to assess applicants' suitability for positions of trust, Blackpool Council 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.

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

We have a written policy on the recruitment of ex-offenders, which is available to all applicants upon request.

We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome 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.

We ensure that all those in Blackpool Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure 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, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

We make every subject of a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request.

We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment. In order to do this, you may be required to attend a meeting with the Blackpool Council's DBS Safeguard Panel.

3. Policy Statement on the Secure Storage, Handling, Use, Retention and Disposal of DBS checks and Disclosure Information

General principles

As an organisation using the (DBS) service to help assess the suitability of applicants for positions of trust, Blackpool Council complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Certificates and Certificate information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

Storage and access

Certificate information is 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.

Handling

In accordance with section 124 of the Police Act 1997, Certificate information is only passed to those who are authorised to receive it in the course of their duties. It is a criminal offence to pass this information to anyone who is not entitled to receive it.
To note: those Registered Care Homes which are inspected by the Care Quality Commission (CQC), those organisations which are inspected by Ofsted and those establishments which are inspected by the Care and Social Services Inspectorate for Wales (CSSIW) may retain the Certificate until the next inspection. Once the inspection has taken place the Certificate should be destroyed in accordance with the DBS Code of Practice.

Usage

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

Retention

Once a recruitment (or other relevant) decision has been made, we do not keep Certificate 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. If, in very exceptional circumstances, it is considered necessary to keep Certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any Certificate information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Certificate information will not be kept in any unsecure receptacle (e.g. waste bin or confidential waste sack). We will not keep any photocopy or other image of the Certificate or any copy or representation of the contents of a Certificate. However, notwithstanding the above, we may keep a record of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, the unique reference number of the Certificate and the details of the recruitment decision taken.

4. Safeguarding Children Policy Statement

All those who come into contact with children and families in their everyday work, including practitioners who do not have a specific role in relation to safeguarding children, have a duty to safeguard and promote the welfare of children.

You are likely to be involved in two main ways:

- You may have concerns about a child, and refer those concerns to children's social care or the police. School staff (both teaching and non-teaching) should be aware of the local procedures to be followed for reporting concerns about a particular child. This will normally be via the school's designated senior member of staff or their nominated deputy or if neither are available, another senior member of the school's staff. In emergencies however, contact the police direct.

- From the point that concerns are raised about a child and are referred to a statutory agency that can take action to safeguard and promote the welfare of the child through an initial assessment of the child's situation and what happens after that.

Everyone working with children and families should be familiar with and follow your organisation's procedures and protocols for promoting and safeguarding the welfare of children in your area, and know who to contact in your organisation to express concerns about a child's welfare.

Remember that an allegation of child abuse or neglect may lead to a criminal investigation, so don't do anything that may jeopardise a police investigation, such as asking a child leading questions or attempting to investigate the allegations of abuse.

If you are responsible for making referrals, know who to contact in police, health, education, school and children's social care to express concerns about a child's welfare.