



Holy Cross

CATHOLIC HIGH SCHOOL

DBS Policy

Statement of Intent

At Holy Cross Catholic High School, we are committed to the welfare of our staff, students and visitors. Ensuring the safety of our school 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 replaced Criminal Record and Background (CRB) checks in 2012. DBS checks enable the School 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 the School 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.

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 School.
- 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 the School 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 the appropriate departments and other members of staff.
- The Headteacher will designate the Business Manager to be responsible for the day-to-day implementation of the DBS Policy. This person will also be the designated contact with the Local Authority and the DBS service where necessary.

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

The School is committed to ensuring it meets all requirements pertaining to safeguarding and background checks as prescribed in the following (the list is not exhaustive and other guidance, legislation and regulations may form part of the School's Policy):

- The DBS Code of Practice
- The Safeguarding Children and Safer Recruitment in Education DfE guidance
- The Data Protection Act 1998
- The Freedom of Information Act 2000
- The Education Act 2002

School Procedures

Potential staff members

- All employment at Holy Cross Catholic High School is subject to a satisfactory DBS check.
- All advertisements for positions at the School 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.
- 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

- The School 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 the School. Supply teacher agencies are required to confirm that supplied staff members have relevant, clear and current enhanced DBS checks for regulated activity.

Governors

- The School requires enhanced DBS checks for regulated activity to be conducted in respect of governors. This requirement is waived for governors who only attend the minimum of three meetings a year and who have no unsupervised contact with pupils.

Visitors

- Visitors to the School 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.

Existing Checks

Routine 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.

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 the School's 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.

The recruitment of ex-offenders

Under the Protection of Children Act 1999 and the Criminal Justice and Courts Service Act 2000, the School 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.

The School 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. The CES Model Rehabilitation of Offenders Act 1974 – Disclosure Form is available on the school website.

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.

Reviewed Annually

Appendix A – Record of Recruitment Decision

All positive disclosures relevant to child protection, regardless of the seriousness of the offence(s) or other matter revealed, are subject to objective assessment. All sections of this form must be completed and retained on file.

Personal Details		
Date:		
Applicant's name:		
Position applied for:		
Assessment		
Does the applicant meet all the essential criteria for the role, including skills, knowledge and ability?	Yes	No
Is the nature of the offence(s) directly related to the role?	Yes	No
When did the offence(s) occur?	Less than 2 years ago	More than 2 years ago
Is there a pattern of related offences?	Yes	No
Is there a pattern of unrelated offences?	Yes	No
Is the context still relevant today?	Yes	No
Was the offence(s) committed at work?	Yes	No
What level of independence will the role entail?	Close supervision	Minimal supervision
Does the applicant show a determination not to re-offend?	Yes	No
Did the applicant reveal the offence(s)?	Yes	No
What response was given when questioned about the offence(s)?	Yes	No
Have two references been received?	Yes	No
What information did the referees provide on the candidates' suitability?	Yes	No

Does the applicant constitute a risk?	Yes	No
Recommendation		
Name:		
<p>Declaration: I understand the Holy Cross Catholic High School Policy on the Recruitment of Ex- offenders and, having considered all relevant information, I believe the applicant does/does not* constitute a risk to children for the following reasons:</p> 		
<p>Therefore, the applicant should/should not* be offered this role.</p> <p>*Delete as appropriate.</p>		
Signed:	School Business Manager	
Date:		
<p>If proposing to appoint a person convicted of a high-risk offence, the Headteacher and Chair of Governors must countersign below.</p>		
Signed:	Headteacher	
Date:		
Signed:	Chair of Governors	