



Clandon CE Primary School

**Roots to grow... wings to fly**

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# DBS Policy

Date adopted by governors: Spring 2020

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**STATUS: STATUTORY**

**REVIEW: ANNUALLY**

**COMMITTEE: SAFEGUARDING**

# DBS POLICY

Reviewed: Spring 2020	Next Review: Spring 2021	Committee: Safeguarding	Status: Statutory
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## Contents

1. Introduction.....	3
2. New staff.....	3
3. Existing staff .....	4
4. Agency and third-party staff .....	4
5. Contractors .....	4
6. Trainee/student teachers .....	5
7. Volunteers .....	5
8. Governors.....	5
9. Staff working in alternative provision settings.....	5
10. Adults who supervise pupils on work experience .....	5
11. Pupils staying with host families .....	6
Appendix 1: DBS and Barred List Reference Table .....	7

# 1. Introduction

Our school is committed to safeguarding and promoting the welfare of children and expects all its staff and volunteers to share this commitment. Accordingly, this policy complies with the current DfE guidance document, "Keeping Children Safe in Education" (KCSIE).

DBS checks in education are designed to prevent unsuitable candidates from entering the workforce and having access to children. This policy outlines the procedures our school follows in order to safeguard our pupils.

We will record all information on the checks carried out in the school's single central record (SCR). Copies of these checks, where appropriate, will be held in individuals' personnel files. We follow requirements and best practice in retaining copies of these checks, as set out below.

## 2. New staff

When appointing new staff, we will:

- Verify their identity
- Obtain (via the applicant) an enhanced Disclosure and Barring Service (DBS) certificate, including barred list information for those who will be engaging in regulated activity (see definition below). We will not keep a copy of this for longer than 6 months
- Obtain a separate barred list check if they will start work in regulated activity before the DBS certificate is available
- Verify their mental and physical fitness to carry out their work responsibilities
- Verify their right to work in the UK. We will keep a copy of this verification for the duration of the member of staff's employment and for 2 years afterwards
- Verify their professional qualifications, as appropriate
- Ensure they are not subject to a prohibition order if they are employed to be a teacher
- Carry out further additional checks, as appropriate, on candidates who have lived or worked outside of the UK, including (where relevant) any teacher sanctions or restrictions imposed by a European Economic Area professional regulating authority, and criminal records checks or their equivalent
- We will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we take a decision that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment on the individual's personnel file. This will include our evaluation of any risks and control measures put in place, and any advice sought.
- We will ask for written information about previous employment history and check that information is not contradictory or incomplete.
- We will seek references on all short-listed candidates, including internal candidates, before interview. We will scrutinise these and resolve any concerns before confirming appointments. The references requested will ask specific questions about the suitability of the applicant to work with children.
- Please refer to the school's Safer Recruitment Policy for further guidance.

**Regulated activity** means a person who will be:

- Responsible, on a regular basis in a school or college, for teaching, training, instructing, caring for or supervising children; or
- Carrying out paid, or unsupervised unpaid, work regularly in a school or college where that work provides an opportunity for contact with children; or
- Engaging in intimate or personal care or overnight activity, even if this happens only once and regardless of whether they are supervised or not.

### 3. Existing staff

If we have concerns about an existing member of staff's suitability to work with children, we will carry out all the relevant checks as if the individual was a new member of staff. We will also do this if an individual moves from a post that is not regulated activity to one that is.

We will refer to the DBS anyone who has harmed, or poses a risk of harm, to a child or vulnerable adult where:

- We believe the individual has engaged in relevant conduct; or
- The individual has received a caution or conviction for a relevant offence, or there is reason to believe the individual has committed a listed relevant offence, under the [Safeguarding Vulnerable Groups Act 2006 \(Prescribed Criteria and Miscellaneous Provisions\) Regulations 2009](#); or
- The 'harm test' is satisfied in respect of the individual (i.e. they may harm a child or vulnerable adult or put them at risk of harm); and
- The individual has been removed from working in regulated activity (paid or unpaid) or would have been removed if they had not left.

### 4. Agency and third-party staff

We will obtain written notification from any agency or third-party organisation that it has carried out the necessary safer recruitment checks that we would otherwise perform. We will also check that the person presenting themselves for work is the same person on whom the checks have been made.

### 5. Contractors

We will ensure that any contractor, or any employee of the contractor, who is to work at the school has had the appropriate level of DBS check (this includes contractors who are provided through a PFI or similar contract). This will be:

- An enhanced DBS check with barred list information for contractors engaging in regulated activity
- An enhanced DBS check, not including barred list information, for all other contractors who are not in regulated activity but whose work provides them with an opportunity for regular contact with children

We will obtain the DBS check for self-employed contractors. We will not keep copies of such checks for longer than 6 months.

Contractors who have not had any checks will not be allowed to work unsupervised or engage in regulated activity under any circumstances.

We will check the identity of all contractors and their staff on arrival at the school.

For self-employed contractors such as music teachers or sports coaches, we will ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

## 6. Trainee/student teachers

Where applicants for initial teacher training are salaried by us, we will ensure that all necessary checks are carried out.

Where trainee teachers are fee-funded, we will obtain written confirmation from the training provider that necessary checks have been carried out and that the trainee has been judged by the provider to be suitable to work with children.

In both cases, this includes checks to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006.

## 7. Volunteers

We will:

- Never leave an unchecked volunteer unsupervised or allow them to work in regulated activity
- Obtain an enhanced DBS check with barred list information for all volunteers who are new to working in regulated activity
- Carry out a risk assessment when deciding whether to seek an enhanced DBS check without barred list information for any volunteers not engaging in regulated activity. We will retain a record of this risk assessment
- Ensure that appropriate checks are carried out to ensure that individuals are not disqualified under the 2018 Childcare Disqualification Regulations and Childcare Act 2006. Where we decide that an individual falls outside of the scope of these regulations and we do not carry out such checks, we will retain a record of our assessment. This will include our evaluation of any risks and control measures put in place, and any advice sought.

Please refer to our Volunteer Policy and Code of Conduct for further guidance.

## 8. Governors

All governors will have an enhanced DBS check without barred list information.

They will have an enhanced DBS check with barred list information if working in regulated activity. All governors will also have a section 128 check (as a section 128 direction disqualifies an individual from being a maintained school governor)

## 9. Staff working in alternative provision settings

Where we place a pupil with an alternative provision provider, we obtain written confirmation from the provider that they have carried out the appropriate safeguarding checks on individuals working there that we would otherwise perform.

## 10. Adults who supervise pupils on work experience

When organising work experience, we will ensure that policies and procedures are in place to protect children from harm.

We will also consider whether it is necessary for barred list checks to be carried out on the individuals who supervise a pupil under 16 on work experience. This will depend on the specific circumstances of the work experience, including the nature of the supervision, the frequency of the activity being supervised, and whether the work is regulated activity.

## **11. Pupils staying with host families**

Where the school makes arrangements for pupils to be provided with care and accommodation by a host family to which they are not related (for example, during a foreign exchange visit), we will request enhanced DBS checks with barred list information on those people.

Where the school is organising such hosting arrangements overseas and host families cannot be checked in the same way, we will work with our partner schools abroad to ensure that similar assurances are undertaken prior to the visit.

# Appendix 1

## DBS and Barred List Reference Table

JOB ROLE	ENHANCED DBS CHECK	BARRED LIST CHECK*	NOTES
<b>New school staff</b>	Yes	If in regulated activity*	New school staff need an enhanced DBS check. This will need to include barred list information if they're engaging in regulated activity. Most staff in schools work in regulated activity, as they work regularly in a position that provides an opportunity for contact with children.
<b>Existing staff</b>	No, unless: <ul style="list-style-type: none"> <li>You have concerns about their suitability to work with children</li> <li>The person moves from a role that isn't regulated activity into one that is regulated activity</li> </ul>	No, unless: <ul style="list-style-type: none"> <li>You have concerns about their suitability to work with children</li> <li>The person moves from a role that isn't regulated activity into one that is regulated activity</li> </ul>	DBS checks don't expire, and there's no requirement to renew them regularly.
<b>Appointees from another school/college</b>	No, unless there's been a break in employment of more than 3 months	If in regulated activity*	You don't have to obtain new enhanced DBS checks for appointees who've worked in a similar position without a break in service of more than 3 months, but you can if you wish. Either way, a new barred list check must always be obtained where staff will be working in regulated activity.
<b>Agency/supply staff</b>	Yes (to be completed by the agency/third-party organisation)	If in regulated activity* (to be completed by the agency/third-party organisation)	You must obtain written notification from the organisation that employs the staff member that the necessary checks have been carried out.

JOB ROLE	ENHANCED DBS CHECK	BARRED LIST CHECK*	NOTES
<b>Contractors</b>	Yes, if in regulated activity* Yes, if they have the opportunity for contact with children during their work	If in regulated activity*	Where a contractor is engaging in regulated activity, an enhanced DBS check with barred list information will be required. Where a contractor has the opportunity for contact with children during their work, but isn't in regulated activity, they'll need an enhanced DBS check without barred list information. If the contractor is self-employed, you'll need to apply for the DBS check. If they're employed by someone else, you should get written confirmation of checks from the employer.
<b>Governors</b>	Yes	If in regulated activity*	Maintained school governors, academy members, trustees and local governors all require enhanced DBS checks. They'll only need barred list checks if also engaging in regulated activity – governance is not itself a regulated activity. The chair of trustees must have a DBS check countersigned by the secretary of state.
<b>Trainee teachers (salaried)</b>	Yes	If in regulated activity*	For trainee teachers who are salaried by the school, the school is responsible for carrying out the necessary checks.
<b>Trainee teachers (fee-funded)</b>	Yes (to be completed by initial teacher training provider)	If in regulated activity* (to be completed by initial teacher training provider)	Where trainee teachers are fee-funded, it's the responsibility of the initial teacher training provider to carry out the necessary checks. You should obtain written confirmation from the provider that the checks have been carried out and the trainee has been judged by the provider to be suitable to work with children.

JOB ROLE	ENHANCED DBS CHECK	BARRED LIST CHECK*	NOTES
<b>Volunteers</b>	Yes, if in regulated activity* Yes, if not in regulated activity but you think it's necessary	If in regulated activity*	There's no requirement to conduct an enhanced DBS check on supervised volunteers, but you can ask for one (without barred list information) if you wish – do a risk assessment and use this and your professional judgement to decide if it's necessary. If volunteers will be in regulated activity, you <b>must</b> get an enhanced DBS check with barred list information.
<b>Visitors</b>	No	No	You don't have the power to conduct DBS checks on visitors, or ask to see existing certificates.

**Source:** [Keeping Children Safe in Education, GOV.UK – DfE](#)

\* Barred list checks can only be carried out on those who are engaging in regulated activity. The definition of 'regulated activity' includes where individuals:

- Are responsible, on a regular basis, for teaching, training, instructing, caring for or supervising children; or
- Carry out paid, or unsupervised unpaid, work regularly where that work provides an opportunity for contact with children; or
- Engage in intimate or personal care or overnight activity, even if this happens only once