

Disclosure and Barring Service Checks

1. Purpose and content

The purpose of this appendix of the College Safeguarding Policy is to provide a clear set of guidelines regarding the College approach to Disclosure and Barring Service (DBS) checking within the statutory framework.

The College Safeguarding Policy has been developed in line with statutory guidance and the locally agreed inter-agency procedures put in place by the Stockton Local Safeguarding Children Board and the Teeswide Safeguarding Adults Board. The policy applies to all learners and all staff (including agency and hourly paid staff) irrespective of anyone's position or role in the College, together with Governors and any workers who are at the College on a voluntary/placement/other professional basis.

Please note that the term 'College' is used throughout this appendix, as a generic term that encompasses all organisations within the wider College group; namely Stockton Riverside College, Redcar & Cleveland College, NETA, Bede Sixth Form College, The Skills Academy and Tees Valley Catering. The term 'staff' is also used as a generic term that encompasses all groups of workers as outlined in the paragraph above.

2. DBS checks

DBS checks enable organisations to make safer recruitment decisions by identifying those who may be unsuitable for work with children and/or vulnerable adults. The College deems itself to be a 'specified place' in line with the Department for Education (DfE) September 2018 statutory guidance; 'Keeping children safe in education' and as such the appointment of all College staff is subject to a satisfactory enhanced DBS check.

The enhanced DBS check will include a check of the barred lists and will show all offences not filtered under the Rehabilitation of Offenders (ROA) Act 1974 (Exceptions) Order 1975 (as amended in 2013). A DBS check is necessary because all College staff have the opportunity, on a daily basis, for contact with children and it is impracticable to always fully supervise volunteers.

Learners who will be undertaking work with children and/or vulnerable adults as part of their course will also be subject to an enhanced DBS check. This check will be undertaken by the College for those on placement and will already have been undertaken by the employer for those with employed status in that particular organisation.

If the DBS disclosure certificate shows evidence that the individual is potentially a risk to children and/or vulnerable adults, the College reserves the right to withdraw any offer of employment/volunteering opportunity or an offer of a place on a course that requires the person to work with children and/or vulnerable adults. Decisions will be made in the light of the seriousness, date and circumstances relating to the offence/s. Minor offences of a non-safeguarding nature committed some time ago will be considered to have little or no bearing on whether the individual is suitable to work with children or vulnerable adults.

More serious offences (e.g. those involving sex, violence, terrorism or the supply of drugs) may give rise to a reasonable belief that the individual is a potential risk to children or vulnerable adults.

Please note it may also be determined a learner on early years provision is unable to continue on a course because they are unable to complete a mandatory placement element because they are disqualified from working in such a setting 'by association' under the Childcare (Disqualification) Regulations 2009 due to living in the same household as a disqualified person or living in a household in which a disqualified person is employed.

Where concerns are identified the College may look to gain more information from the individual before making a decision. Final decisions for staff will be by the Principal in consultation with the College Designated Lead for Safeguarding and the Director of Human Resources. Decisions for learners will be made by a safeguarding risk assessment panel. This is normally chaired by the Designated Lead for Safeguarding.

Further details for staff and volunteers are outlined in the Safer Recruitment section (Appendix L) and for learners in the Safeguarding Risk Assessment Panels section (Appendix K) of the Safeguarding policy.

3. External workers employed by other organisations

Workers employed by certain identified organisations are sometimes able to work unsupervised with College learners; usually in relation to welfare issues. These organisations include the NHS and children's social care services. Screening for this group is organised by the Student Services Manager and overseen by the Human Resources (HR) Department. Screening includes receipt of written confirmation from each employer that safer recruitment practices have been adhered to; including a satisfactory enhanced DBS check. An ID check must be completed on the first visit.

4. Single Central Record

The HR Department maintains a single central record of employment checks for staff appointed by the College. The reference number of a DBS certificate will be recorded on the record, together with the date it was seen and the initials of the member of HR who saw the

certificate. A record of learner DBS checks is maintained separately and overseen by the College Designated Lead for safeguarding.

5. Staff from outside the United Kingdom or who have worked abroad

Staff from overseas, or those who have spent a period of time (e.g. 3 months+) in the last 10 years overseas, may be subject to additional checks as considered appropriate. Such additional checks may include certificates of good conduct or checks of foreign police records. If these are unavailable (it is not possible to obtain these checks in every circumstance) the College will pursue other avenues such as additional references, so that safer recruitment is achieved.

The College reserves the right to vary these parameters in a given situation, e.g. where an applicant worked abroad for a limited period of time or over 10 years ago. In particular, where this work has been in certain settings (e.g. a children's home or hospital) the College may make such additional checks as it deems appropriate.

6. People who do not require a Disclosure and Barring Service Check

All visitors to the College must report to reception and sign in upon arrival and out upon leaving the premises. Visitors who are accompanied by a member of staff at all times are not required to have a DBS check. Other groups who do not require DBS checks include:

- People who are on site before or after normal College hours and when children are not present, e.g. local groups who hire premises for community or leisure activities
- Learners on placement in the College who are under the age of 16. This group is not eligible for a DBS check and must be fully supervised at all times

7. Work experience placements – employer DBS checks

DfE advice on post 16 study programme placements (March 2015) states that DBS checks are not required to be carried out by a learning provider on staff in the organisation providing work experience placements. The College is, however, committed to ensuring that all reasonable precautions have been taken to ensure learners under the age of 18 in placement are safe. For this reason, the following principles must be applied:

- The employer should not be a sole trader
- The employer should be able to provide supervision of an adequate nature to the learner on work experience. This would normally mean more than one member of staff was on hand at all times
- If there is a potential that an individual member of staff will be working closely with a learner under the age of 18 over an extended period of time, the employer should look to mitigate the risk, and if this is not possible the employer would need to comply with 'regulated activity' DBS requirements and carry out an enhanced DBS check

- Department for Education Advice on Work Experience Placements is available at https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/534922/Post_16_work_experience_guidance.pdf