

June 2015



Leeds Jewish Free School

DBS Policy

June 2015

Review Date: June 2017

Contents

- 1.0 Policy Statement
- 2.0 Disclosure and Barring Service Update
- 3.0 Newly Appointed Staff
- 4.0 Existing Staff
- 5.0 Checks on Individuals who have Lived or Worked Abroad
- 6.0 Contractors
- 7.0 Visitors
- 8.0 Supply Staff
- 9.0 Existing Volunteers
- 10.0 New Volunteers
- 11.0 Governors
- 12.0 Work experience students and long-term training placements
- 13.0 Specialist external instructors
- 14.0 Visitors and volunteers who do not need DBS checks
- 15.0 Additional checks on new applicants
- 16.0 School Record Keeping of Recruitment and Vetting Checks
- 17.0 LJFS Enhanced DBS Procedure
- 18.0 Approval by Governing Body

1.0 Policy Statement

Leeds Jewish Free School (LJFS) is committed to the fair treatment of its staff and pupils and no individual will be unjustifiably discriminated against on the basis of race, colour, nationality, ethnic origin, gender, sexual orientation, marital or parental status, age, disability, political or religious or socio-economic class.

As an organisation using the Disclosure and Barring Service, LJFS will comply fully with the DBS Code of Practice.

This policy is to be read in conjunction with the school's Safer Recruitment Policy.

2.0 Disclosure and Barring Service Update

From 28 May 2012, the Disclosure and Barring Service (DBS), formerly known as the Criminal Records Bureau (CRB) introduced new identity (ID) checking guidelines. These new guidelines will apply to all applications for a DBS check.

This enhancement has been introduced so that the DBS's identity checking process is strengthened to improve public protection. In particular, the changes will make it more difficult for individuals to conceal previous criminal records by changing their name. These changes are part of an on-going improvement process that will enable easier detection of undeclared changes of name in the future.

With effect from 1 December 2012 the Criminal Record Bureau (CRB) merged with the Independent Safeguarding Authority (ISA) to become the Disclosure and Barring Service (DBS). Following a review the Government has announced the following changes:

- A large reduction in the number of positions requiring checks to just those who work most closely and regularly with children and vulnerable adults.
- Portability of criminal record checks between jobs to cut down on bureaucracy.
- An end to a requirement for those working or volunteering with vulnerable groups to register with the Vetting and Barring Scheme and to be continuously monitored by the Independent Safeguarding Authority.
- Stopping employers who knowingly request criminal record checks on individuals who are not entitled to them.

There is no official expiry date for a DBS check. Each DBS check carries the date on which it was printed. DBS checks continue to cover staff until the school carries out a new check.

From June 2013, applicants and employers can use the DBS Update Service to keep a certificate up-to-date or to carry out checks on a potential employee's certificate. The photocopying of any DBS disclosure is strictly forbidden.

3.0 Newly Appointed Staff

The Department for Education regulations for schools contain a statutory duty that schools must obtain a barred list check with an enhanced DBS check for newly appointed staff. The DBS check is only for staff who, within the three months before their appointment, have not worked in:

- A school in England in a post which brought them into regular contact with children or any post they were appointed to since 12 May 2006; or
- An FE college in England in a position which involved the provision of education and regularly caring for, training, supervising or being in sole charge of children or young people under the age of 18.

A school or FE college must NOT request a barred list check on a worker who is not in regulated activity as such a check would be unlawful.

At LJFS, staff from the appointed Education Provider will have completed a DBS check and details will be provided for the LJFS Single Central Register. This is a contractual obligation of the Education Provider.

4.0 Existing Staff

If a school or FE college has concerns about the suitability of an existing staff member to work with children, or a person moves to work in regulated activity and for their previous work they were not checked, then the school or FE college should carry out all relevant checks as if the person was a new member of staff.

5.0 Checks on Individuals who have Lived or Worked Abroad

Newly appointed staff who have lived or worked abroad must first undergo the same check as for all other staff in schools or FE colleges. In addition schools and colleges must make such further checks as they consider appropriate due to the person having lived outside the United Kingdom and take extra care when taking up references.

6.0 Contractors

Schools and FE colleges should have arrangements in place with contractors to make sure that for any of the contractor's staff working regularly in the premises with the opportunity for contact with children, the contractor has obtained a barred list check and an enhanced DBS check. For contractor's staff who do not work regularly at the school but may have contact, it is up to headteachers and principals to use their professional judgement to decide whether to request a DBS check and how far to supervise these workers. Generally, contractors who have not been checked by their employers should be supervised.

7.0 Visitors

School and FE colleges cannot undertake barred list or enhanced DBS checks on visitors e.g. MPs or relatives on sports day. Headteachers and principals should

June 2015

use their professional judgement about escorting and supervising visitors.

8.0 Supply Staff

Schools must ensure that the supply agency provides written confirmation that the relevant checks have been completed.

9.0 Existing Volunteers

Schools do not need to DBS check volunteers continuing in the same position, unless the school or college has cause for concern – they should not request a barred list check or an enhanced DBS check because they should already have been checked.

10.0 New Volunteers

Volunteers who regularly teach or look after children on an unsupervised basis are working in regulated activity; the school should obtain a barred list check and an enhanced DBS check.

If the volunteer is not in regulated activity the headteacher should undertake a risk assessment and use their professional judgement and experience when deciding whether to require an enhanced DBS check. The headteacher should consider:

- What the school community already knows about the volunteer, including formal and informal information from staff, parents and other volunteers and;
- if the volunteer has other employment or voluntary experience that is likely to produce suitable references;
- any other relevant information about the volunteer or the work they are likely to do.

11.0 Governors

It is not a statutory requirement for all governors to have an enhanced DBS check.

However, anyone working as a governor of a maintained school or FE college, which involves regular work in the presence of, or care for, children, or training, supervising or being in sole charge of children must have an enhanced DBS check. In addition, any governor giving cause for concern should also be asked to obtain an enhanced DBS check.

All others should be asked to sign a declaration confirming their suitability to fulfil the role.

At LJFS, it is expected that all appointed Governors will at some point work closely with the school and therefore it is the policy of the Trust that all Governors will have an enhanced DBS check.

12.0 Work experience students and long-term training placements

It is not necessary to obtain a DBS enhanced disclosure for secondary pupils undertaking voluntary work or work experience in other schools.

However, it is good practice to ensure that visitors sign in and out, and are escorted while on the premises by a member of staff or appropriately vetted volunteer.

Students who are required to work with children as a necessary part of a training course, e.g. student teachers, nursery nurses, etc, will need to apply for a disclosure when they are accepted onto the course.

13.0 Specialist external instructors

Where a school arranges for an external specialist or instructor to come into school and have unsupervised or regular contact with children, the school should ask him or her to apply for an enhanced DBS disclosure. Relevant LA support teams, e.g. Educational Psychologists, Behaviour Support and the Music Support all have enhanced DBS disclosures.

A disclosure is not necessary for visitors "who have brief contact with children with a member of staff present", for example, if they give a talk or run a workshop.

14.0 Visitors and volunteers who do not need DBS checks

- people visiting the headteacher or other staff or who only have brief, supervised contact with children;
- visitors or contractors who carry out emergency repairs or service equipment, and who will not be left unsupervised on the premises;
- volunteers who accompany staff and children on one-off outings or trips that do not involve overnight stays or who help at one-off events, such as a sports day, school fete or open day;
- people on site before or after the school day, when children are not present; e.g. school cleaners;
- secondary school-age children on work experience placements.

15.0 Additional checks on new applicants

The following checks are also necessary for new appointees. Some will apply only to paid employees. The checks are:

- identity checks;
- qualifications checks where relevant; e.g. qualified teacher status, registration with the National College for Teaching and Leadership (National College) and medical fitness requirements;

- checks to confirm the applicant's right to work in the UK;
- further checks that are recommended if an individual has lived outside the UK, because a DBS disclosure may not be sufficient to determine if he/she is suitable to work with children professional and character reference checks;
- checks on previous employment history.

All checks must be complete before an individual starts work, with the exception of a DBS check. It is preferable for an enhanced DBS check to have been completed before employment commences. In certain circumstances, a person may start work while an application is being processed; providing they are appropriately supervised and all other checks have been completed. This decision is at the discretion of the headteacher or principal and the Trust. In these circumstances the headteacher will be required to complete a risk assessment which will be scrutinised by the Trust prior to the individual commencing employment.

16.0 School Record Keeping of Recruitment and Vetting Checks

LJFS will be required to maintain a single central record. This is a legal requirement in the recruitment and vetting process for all schools.

The single central record includes:

- all staff who are employed to work at the school;
- all staff who are employed as supply staff to the school, whether employed directly by the school or Trust or through an agency.

The single central record should show whether or not the following checks have taken place:

- identity checks;
- a check was made to establish that the person is not barred from regulated activity relating to children;
- qualification checks for any qualifications legally required for the job;
- checks on an individual's right to work in the United Kingdom;
- DBS enhanced disclosure;
- overseas records check (where appropriate).

The record must show the date on which each check as completed or the relevant certificate obtained. It should also show who carried out the check.

17.0 LJFS Enhanced DBS Procedure

LJFS uses the Leeds City Council DBS application process. On offer of appointment, enhanced DBS forms must be issued by school staff directly to the successful applicant.

Once the successful applicant has completed the initial application, ID checks must be carried out by one of the following LJFS representatives:

June 2015

- The Executive Headteacher;
- The Administration Manager of the school to which the applicant is appointed (if delegated authority is given by the Headteacher);
- The Chair of Governors.

In the case of the Executive Headteacher's own Enhanced DBS Disclosures, the Chair of Governors will complete ID checks.

18.0 Approval by the Governing Body

This policy has been formally approved and adopted by the school and will be reviewed on an annual basis or as and when updated legislation and/or guidance is issued.

Signed: Digitally by Cllr. Dan Cohen
(Chair of Governing Body)

Date: 25/06/15

Review date: June 2017