



LEEDS
BECKETT
UNIVERSITY

Disclosure and Barring Service Policy and Procedure

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Policy Statement

Purpose and Core Principles

At Leeds Beckett University we are committed to providing a vibrant, ethical and sustainable working and learning environment that values equality and diversity. We aim to select people for employment on the basis of their skills, abilities, experience, knowledge and qualifications.

As highlighted in our Policy on Safeguarding Vulnerable Groups, despite being primarily concerned with the delivery of higher education to adults, the University engages on a regular basis with both children and vulnerable adults. The purpose of this policy and procedure is to set out the approach that the University will take when recruiting employees and volunteers to posts involving work with children and/or vulnerable adults, including our legal obligations.

Scope

This policy and procedure applies to employees, prospective employees and employee related volunteers only.

Responsibility

Human Resources has responsibility for ensuring that this policy and procedure is adhered to and will provide advice and guidance to managers, employees and prospective employees on its application.

Review

This policy and procedure will be monitored and reviewed every three years and/or amended in light of legislative changes and organisational requirements as appropriate.

Procedure

1. Disclosure of Criminal Convictions

- 1.1 It is Leeds Beckett University's policy to require applicants for all jobs to disclose any 'unspent' criminal convictions on their application forms. Under the Rehabilitation of Offenders Act (ROA) 1974 a person convicted of a criminal offence is not required to disclose details to prospective employers of any convictions which are deemed to be 'spent' under the Act (in general relating to sentences of under 2 ½ years in prison and where the person has not reoffended).
- 1.2 There are some exceptions to the general principle that spent convictions do not have to be declared. When assessing the suitability of a person for a position involving working with children and/or vulnerable adults or a position of trust, an employer is entitled to require a Disclosure and Barring Service (DBS) check prior to commencement of employment.
- 1.3 A child is anybody under the age of 18. An adult (a person aged 18 or over) is classed as vulnerable when they are receiving one of the following services: healthcare, relevant personal care, social care, assistance in relation to household matters by reason of age, illness or disability, assistance in the conduct of their own affairs or conveying (due to age, illness or disability).
- 1.4 The University's Policy on the Recruitment of Ex-offenders is available on the University jobs website.

2. Types of Disclosure and Barring Service (DBS) check

- 2.1 There are three types of criminal record check available – standard, enhanced and enhanced with barred list check. Generally at Leeds Beckett University, enhanced checks and enhanced with barred list checks will be used. An enhanced check includes spent and unspent convictions, cautions, reprimands, final warnings and any additional information held by local police considered relevant. An enhanced with barred list check is the same as an enhanced check, but also includes a check of the DBS barred list(s) of people who have been barred from working with children and/or vulnerable adults.

3. Posts at Leeds Beckett University which require a DBS Check

- 3.1 A list of posts at the University which are subject to an enhanced DBS check or an enhanced with barred list check is provided in Appendix 1. This is not an exhaustive list, but should assist in identifying posts for which a DBS check is required.

4. Offers of employment

- 4.1. An offer of employment for a post involving work with children and/or vulnerable adults will be conditional on satisfactory completion of a DBS check. Where the successful candidate refuses to agree to an application to the DBS or a DBS check is completed but the successful candidate refuses to allow the University to see the DBS certificate, the candidate will be treated as not having satisfactorily completed the DBS check.
- 4.2. For posts requiring a DBS check, no candidate will be permitted to commence employment with the University until the satisfactory completion of the DBS check.

- 4.3. Not all criminal convictions will be a bar to employment at the University. The results of a DBS check will be considered on an individual basis and the University will seek to discuss any matter revealed on a DBS certificate with the successful candidate before withdrawing a conditional offer of employment.

5. Process for DBS checks

- 5.1. Leeds Beckett University uses Atlantic Data to process DBS applications online. Once the DBS check has been carried out, the DBS will send the DBS certificate to the successful candidate. HR Services will contact successful candidates to arrange for the DBS certificate to be brought into the University, if required.
- 5.2. The DBS Update Service allows people to keep their DBS Certificate up-to-date and take it with them from role to role, within the same workforce (adult, child or child and adult), where the same type and level of check is required. Where the successful candidate is a member of the update service, the University may carry out a status check on the current DBS certificate instead of applying for a new DBS check, where it is appropriate to do so.
- 5.3. Where the successful candidate has a substantial period of overseas residence, the University may require a criminal records check or certificate of good conduct from the overseas country instead of, or in addition to, the DBS check.

6. Handling of Data

- 6.1 Leeds Beckett University is committed to ensuring that all information provided about an individual's criminal convictions, including any information released in disclosures, is used fairly and is stored and handled appropriately and in accordance with the provisions of the Data Protection Act 1998. The University complies with the DBS Code of Practice, including the correct handling and safekeeping of Disclosure and Barring Service (DBS) certificate information (Appendix 2).

7. Current Employees

- 7.1 DBS checks will normally only take place at the time of appointment, unless required more frequently by external organisations, or there are particular concerns, or an employee's role changes (see 7.2 below).
- 7.2 A DBS check may be appropriate in situations where employees' roles change or where projects or volunteering opportunities would involve them working with children or vulnerable adults. This should be considered at an early stage. Failure to comply with a request to submit for a criminal record check may disqualify an employee from the position/role.
- 7.3 Where a DBS check is required for a current employee, in general, that employee will not be permitted to work with children or vulnerable adults until the DBS check has been satisfactorily completed. In exceptional circumstances, and only if the situation is unavoidable, the employee may be permitted to commence in the new role which requires the DBS check whilst awaiting the outcome, provided the employee is always supervised by a University colleague who has been DBS checked to the same level as required by the new role. Further information about the necessary approvals and risk assessment in such circumstances is available in the University's [Policy on Safeguarding Vulnerable Groups](#) (Annex H).

8. Related Policies and Documentation

Policy on Safeguarding Vulnerable Groups

Policy Statement on the Recruitment of Ex-Offenders

Recruitment and Selection Policy and Procedure

Essential Guide to Recruitment and Selection

Code of Practice for Disclosure and Barring Service Registered Persons

<https://www.gov.uk/government/publications/dbs-code-of-practice>

Reviewed May 2020

Posts Identified as Requiring a DBS Check

For the majority of posts across our University it is likely that reference to the DBS is unnecessary. Following a thorough exploration of the duties of the post, and reference to DBS definitions, the list below identifies some posts which require a DBS Check, and the level of DBS check required. This is not an exhaustive list.

Posts Subject to Enhanced DBS checks

School	Posts	Level of DBS Check
All Schools	Personal Tutor (under 18 students)	Enhanced with barred list (child)
Carnegie School of Education	Lecturer posts in Early Years Lecturer posts in Teacher Education Link Tutor Pastoral and Quality Officer Academic Services Manager/Team Leader	Enhanced
Department of Languages	Lecturer in English Language Teaching	Enhanced with barred list (child)
Carnegie School of Sport	Lecturer posts in Sport and Exercise Psychology	Enhanced with barred list (child and adult)
	Director Carnegie Great Outdoors Outdoor Development Manager Operations Manager Programme Manager Project Officer (outdoor) Activity Instructor	Enhanced with barred list (child and adult)
	Senior Project Officer (Education)	Enhanced
All Health related schools	Research Pool Research Administrator	Enhanced with barred list (child)
Leeds School of Social Sciences	Lecturer posts (Speech & Language Therapy)	Enhanced with barred list (child and adult)
School of Clinical and Applied Sciences	Lecturer posts (Nutrition & Dietetics) Lecturer posts (Physiotherapy) Lecturer posts (Sports Therapy) Director/Senior Lecturer (Clinical Skills and Simulation)	Enhanced with barred list (child and adult)
	Lecturer posts (Occupational Therapy)	Enhanced with barred list (adult)

School	Posts	Level of DBS Check
School of Health and Community Studies	Quality Assurance Administrator (HSS)	Enhanced
	Research and Lecturer posts (Health Promotion) Lecturer posts (Community and Youth Work)	Enhanced with barred list (child and adult)
	Research and Lecturer posts (pain research) Lecturer/Professor posts (Social Work) Research Assistant (pain/dementia)	Enhanced with barred list (adult)
	Lecturer posts (Health Visiting) Lecturer/Professor posts (Playwork)	Enhanced with barred list (child)
	Lecturer posts (School Nursing)	Enhanced

Service	Post	Level of DBS Check
CARES	Security Operations Officer Security Supervisor Security Assistant Security Team Leader Residential Officer (Hall for under 18 students)	Enhanced with barred list (child)
Human Resources	(Senior) Occupational Health Adviser	Enhanced with barred list (adult)
Student Services – wellbeing practitioners	Wellbeing Practitioner (Mental Health) Senior Wellbeing Practitioner (Mental Health) Wellbeing Practitioner (Counselling) Senior Wellbeing Practitioner (Counselling) Head of Student Wellbeing Wellbeing Officer	Enhanced with barred list (adult)
Student Services – advisory/study assistant roles	Disability Advisor Specialist Mentor Study Skills Tutor Study Assistant Student Money Advisor Bursary and Scholarship Officer Access Adviser and Study Needs Assessor	Enhanced
Sport and Active Lifestyles	Sports Coach Sports Development Officer Swimming Instructor First Aid and Life Saving Training Manager	Enhanced with barred list (child)

Service	Post	Level of DBS Check
Sport and Active Lifestyles – volunteers	Unsupervised Volunteer Sports Coach	Enhanced with barred list (child)
	Supervised Volunteer Sports Coach	Enhanced
University Recruitment - International	(Senior) International Administrator (involved in summer camps for under 18 international students)	Enhanced with barred list (child)
University Recruitment	Student Ambassador Graduate Intern Widening Participation Projects Manager/Officer Collaborative Outreach Officer Widening Participation Research and Evaluation Manager Head of Access and Widening Participation	Enhanced with barred list (child)
University Recruitment – administration roles	Schools and Colleges Liaison Officer Widening Participation Administrator Collaborative Admin Officer Finance and Resources Administrator	Enhanced

Policy Statement on the Correct Handling and Safekeeping of DBS Certificate Information

Background

All individuals or organisations using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust and who are recipients of Disclosure information must comply fully with the DBS Code of Practice. Amongst other things, this obliges them to have a written policy on the correct handling and safekeeping of Disclosure information. The University's Policy on the Correct Handling and Safekeeping of DBS Certificate Information is provided below.

Policy Statement

General principles

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, Leeds Beckett University complies fully with the 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 should be 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. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

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 DBS certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure 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 certificates and the details of the recruitment decision taken.

Acting as an umbrella body

Before acting as an umbrella body (an umbrella body being a registered body which countersigns applications and receives certificate information on behalf of other employers or recruiting organisations), we will take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of certificate information in full compliance with the code of practice and in full accordance with this policy.

We will also ensure that any body or individual, at whose request applications for DBS certificates are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.