

# DBS (Disclosure and Barring Service) Disclosure Processing Procedure

This Policy applies to both staff and students

## 1. Introduction

Leeds Trinity University operates in accordance with laws currently in force regarding safeguarding of children and adults at risk. The University employs an external provider who is a registered body of the Disclosure & Barring Service (DBS) and works within the DBS Code of Practice in order to carry out appropriate police checks.

The following categories of student are required to obtain a satisfactory DBS disclosure certificate:

- All applicants recruited for Initial Teacher Training programmes;
- All applicants recruited for Nursing programmes;
- All applicants recruited for MA Social Work
- Registered students whose work placement hosts confirm it as a requirement (in which case the University pays the fee);
- Registered students undertaking extracurricular volunteering or as part of subject related research.

The institutional policy on the recruitment of ex-offenders is published on the University's website and is drawn to the attention of applicants and students as necessary. The DBS Code of Practice is available [here](#).

Staff (and students employed by the University) who have regular unsupervised contact with children, students under 18 or adults at risk would also undertake DBS disclosure checks processed by the Human Resources department.

## 2. Procedures for processing DBS Disclosures during the student admissions process

- 2.1 Applicants are advised of the requirement to satisfactorily pass an Enhanced DBS check both at the research stage and as part of the conditions of entry onto their programme of study.
- 2.2 Applicants are given the opportunity to Self Declare any cautions or convictions early in the application and before applying for a DBS certificate to applicants who may be worried about the potential impact of any cautions or convictions on suitability for the course to explore this. This is voluntary and a separate process to applying for an Enhanced DBS certificate which must still be completed.
- 2.3 Where applicants have subscribed to the DBS Update Service and the DBS checked the correct workforce(s), they are advised to bring their original DBS certificate to the University where the DBS status will be checked online by Admissions staff.
- 2.4 Where the DBS disclosure is current and valid, Admissions staff will update the applicant electronic record (clearance) to reflect that this entry requirement has been passed.
- 2.5 Where the DBS disclosure is identified as being 'no longer current', the applicant is required to apply for a new DBS check via our appointed external provider.
- 2.6 Where applicants do not have a current DBS certificate or have not subscribed to the DBS Update Service, or where they have a current DBS certificate which does not cover the correct workforce (child or adult), they will be required to apply for a DBS Enhanced Disclosure check through our external provider. Information regarding how to apply is sent to applicants via email.
- 2.7 Admissions staff will use the external providers portal to check the outcome of applications and will update the applicant record accordingly.
- 2.8 In those cases where disclosures are listed on the certificate or on the external provider portal, the applicant will be required to present the DBS certificate and may be asked to attend a University DBS panel to consider the disclosed information (see section 5 for DBS panel procedures). In those cases where the disclosure is deemed satisfactory, Admissions staff process as in point 2.3.
- 2.9 Admissions staff will communicate the subsequent DBS panel decision to the applicant. The outcome of the DBS panel will be recorded on the applicant record and retained in line with our retention periods.
- 2.10 Students on Nursing and Social Work programmes will be asked to make an annual declaration of continued good character.

### 3. Procedures for processing DBS Disclosures for work placements

- 3.1 Where a DBS Disclosure is required for placement in accordance with DBS guidelines, the placement team provide guidance on applying for a DBS check through our external provider and provide information on the DBS Update Service.
- 3.2 Where applicants have subscribed to the DBS Update Service, students may be required to take their original DBS certificate to the employer and/or provide permission for the employer to check the DBS status online.
- 3.3 The DBS fee is paid by the University for the first DBS required for placement. After that, students are expected to activate the DBS update service.
- 3.4 A placement will not start until the employer has had sight of the DBS Enhanced Disclosure Certificate. Placement staff issue guidelines and advice to students reminding them of their responsibility to apply for and hold a DBS Enhanced Disclosure Certificate (or give permission for the DBS status to be checked online) in advance of their placement.
- 3.5 In cases where the student or employer raises concern over disclosures on the certificate, the Professional Placements Manager alerts the Director of Student Services to convene a panel to consider the disclosure. The panel may interview the student and consult other colleagues as appropriate. The decision reached by the DBS panel will be recorded and logged securely.
- 3.6 In cases where disclosures are deemed unsuitable for the proposed placement, the Professional Placements Manager will communicate the decision to the student. The panel decision is final; the student will be supported to secure an alternative placement as appropriate. Registered students who are dissatisfied with this process should refer to the University Complaints Procedure.



## 4. Procedures for processing DBS Disclosures for employment

- 4.1 There is a defined list of roles at the University which have been identified as requiring an Enhanced DBS certificate under the criteria for regulated activity. When such a role is advertised, the requirement for a satisfactory Enhanced DBS Disclosure is specified in the advertisement. Any new roles requiring a DBS would be agreed between the relevant Director of Service/Dean of Faculty and HR representative.
- 4.2 Once a conditional verbal offer of employment is made and accepted, the successful candidate is written to, confirming that their appointment is subject to an Enhanced Disclosure check and issued details of how the check is processed.
- 4.3 The HR department uses the online checking system First Advantage to process disclosure checks. This system requires the HR department to send the new employee (or existing employee in the case of an internal move) a link to the First Advantage system to start the process, but all subsequent stages are as defined by First Advantage processes (including the checking of appropriate identification). The DBS fee is paid by the University.
- 4.4 Once the check is complete the HR department is notified and record relevant information including the reference number and completion date.
- 4.5 Usually, employment will not commence until a satisfactory DBS Enhanced Disclosure Certificate has been received. The manager should assume that a satisfactory disclosure has not been received until explicitly advised by HR. Should it be agreed that employment can commence, their employment will remain subject to receipt of a DBS check, and they must not be deployed to undertake any regulated activity. i.e. the new member of staff cannot be left unsupervised with children/adults at risk until this is received.
- 4.6 If there is a disclosure identified on the certificate, the HR department would then communicate with the relevant Director of Service/Dean of Faculty to advise that they need to have a confidential conversation with the individual in relation to the disclosure, to determine whether a more formal panel would need to be convened to consider the disclosure in more detail. This will be determined in liaison with a senior representative of the HR team.
- 4.7 In all cases the outcome of the decision regarding the disclosure will be communicated to the individual. In cases where the severity and/or nature of the disclosure is deemed unsuitable for the proposed role, the panel Chair will communicate the decision verbally to the individual and follow up in writing.
- 4.8 Where applicants already have a Leeds Trinity DBS disclosure (i.e. Leeds Trinity registered students applying for employment with the University) they are required to take their original DBS disclosure to the HR department for checking and logging.
- 4.9 Where applicants have subscribed to the DBS Update Service, the HR department will obtain permission for the DBS status to be checked online. The individual will also be



required to present their original DBS disclosure for cross-checking. This information will also be logged on the HR system. If a disclosure is identified, the process described in point 6 & 7 will be invoked.

- 4.10 If the DBS disclosure is identified as being 'no longer current' i.e. more than 3 years old, the candidate/new employee is required to apply for a new DBS check/re-check and will be sent the link to the online First Advantage system to start the process.

## 5. The DBS Panel

- 5.1 A DBS panel is convened by the relevant department, i.e. Admissions, HR or Professional Placements and is made up of the following representatives:

	<b>HR</b>	<b>Admissions</b>	<b>Placements</b>
Panel Chair	Director of People and Culture	Director of Student and Academic Services	Director of Graduate Outcomes and Enterprise
Representative 1	Director of Service/Dean of Faculty	Head of Admissions or Admissions Manager	Professional Placements Manager
	<b>HR</b>	<b>Admissions</b>	<b>Placements</b>
Representative 2	Head of Service/School	Academic staff from appropriate subject area	Academic staff from appropriate subject area

- 5.2 The panel considers the documentation in relation to either an applicant's suitability for admission, a registered student's suitability for proposed placement or an applicant to become a member of staff.
- 5.3 In coming to a judgement, the DBS panel will consider only those offences which may be deemed relevant to the programme of study or job role. Consideration is given to the following factors:

### **The nature of the offence**

In general, convictions for sexual, violent or drug offences will be particularly strong contra-indications for working with the Child and Adult Workforce. Driving or drink offences, in the context of transporting pupils, are also relevant.

### **Date at which offence occurred**

Offences that took place many years in the past may often have less relevance than recent offences. However, convictions for serious violent or sexual offences or serious offences involving substance abuse are more likely to give cause for concern than, for instance, an isolated case of dishonesty committed when the applicant was young.



**The frequency of the offence**

A series of offences over a period of time is more likely to give cause for concern than an isolated minor conviction.

**Penalty for an offence**

A substantive penalty for an offence is more likely to give cause for concern than a caution.

**Regulatory requirements**

Guidance from any PSRBs relevant to the programme.

- 5.4 The date and decision reached by the DBS panel will be recorded on the applicant record for admissions or the SPL screen in the notes section for placements. In terms of employment, the decision is retained on the vacancy file or employee e-file.
- 5.5 For applicants to Nursing, ITT or Social Work programmes the DBS panel may discuss the individual case (anonymised) with placement providers to ensure that any decision is made in line with the appropriate Regulatory Body guidelines.

## 6. Pre course self declaration for applicants

Applicants to programmes requiring an Enhanced DBS check are encouraged to disclose any cautions or convictions at an early stage in order to explore the situation in depth, this process of self declaration should be helpful to applicants who may be worried about the potential impact of any cautions or convictions on suitability for the course.

## 7. In course or in employment disclosures

Where the university becomes aware that a student or staff member has a caution or conviction which has occurred after the initial DBS Disclosure, but whilst a student is still registered/staff member is still employed with the university, the student/staff member would then normally be required to complete a new DBS check as soon as is reasonably practicable, but no later than the start of the next academic year, to ensure that the information contained within is current and correct.

On completion of the DBS check, a DBS panel would take place as described in this procedure.

During the period of time where a new DBS application is being processed, and before a DBS Panel outcome, there can be impact on students which may include suspension of studies or removal from placement.