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Lanesend Primary School

Disclosure and Barring Service Checks Policy Statutory Policy

Signed: Date:
(Headteacher)

Signed: Date:
(Chair of Governors)

Review Date: September 2019 (Yearly)
Reviewed By: Full Governing Body

Lanesend Primary Disclosure and Barring Service Checks Policy

We believe this policy relates to the following legislation:

- Rehabilitation of Offenders Act 1974
- Data Protection Act (1998)
- Human Rights Act (1998)
- School Standards and Framework Act 1998
- Immigration, Asylum and Nationality Act 2006
- Safeguarding Vulnerable Groups Act 2006
- School Staffing (England) Regulations 2009
- Independent School Standards Regulations 2010
- Education (School Teachers) (Qualifications and Specified Work) (Miscellaneous Amendments) (England) Regulations 2012
- Protection of Freedoms Act 2012

The following documentation is also related to this policy:

- Conditions of Service for School Teachers in England and Wales (Burgundy Book) (Council of Local Education Authorities)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Working Together to Safeguard Children.

We have a statutory duty of care to safeguard the welfare of children and vulnerable adults and provide them with a safe learning environment. By undertaking checks via the Disclosure and Barring Service (DBS) for those people who are looking to work with children, we aim to prevent unsuitable people from working with children and vulnerable adults.

Our DBS provides the following checks namely:

Enhanced check with a Barred List check (child) and Enhanced check with a Barred List check (adult). Those people who are deemed unsuitable to work with children and vulnerable adults are placed on to either the Children's Barred List or Adults' Barred List.

A barred list check is also completed prior to employment.

We realise that the majority of school appointments are for personnel who will be responsible for the care and supervision of children on a regular basis (regulated activity) and as part of the process of safe recruitment all prospective employees will need to have an enhanced DBS check with barred list information. The level of check will be appropriate for the post or type of work undertaken. We have a mandatory duty to make checks for anyone who will be in regulated activity.

The checks that we carry out in school include:

- An Enhanced DBS
- Barred List
- NCTL Probation/Sanctions Check
- Declaration by Association

A DBS will be applied for as soon as an offer of employment has been given. In the majority of cases, the DBS has to be returned before employment begins. However, there are times when the Headteacher may agree to begin employment before a DBS check is returned if the member of staff is needed in school for either a new 1:1 child or because the safety of the children may be compromised by having insufficient staff members. This will be shared with the Chair of Governors at weekly meetings.

We are aware that we do not have the power to request DBS checks and barred list checks or ask to see DBS certificates for visitors, but we will ensure that all visitors that are not checked are escorted whilst on school premises.

We have 'a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.' (Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)).

We will consider any person with a criminal record equally with others applying for any vacant post at this school unless their DBS checks indicates that they present a risk to children. A risk assessment will be carried out and any criminal records are referred to the Chair of Governors for approval and the LADO will be contacted.

The school will plan for a three-month period if a staff member has declared a criminal record as the DBS will take longer to be returned. If the member of staff is employed before this is returned, then a risk assessment will be put in place and followed until the DBS is returned. This will be discussed with the Chair of Governors at weekly meetings. However, if the DBS is not returned by the end of this period, the Headteacher will terminate the employee's contract.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

Aims

- To provide protection for children and vulnerable adults against those who might wish to harm them.

- To protect the interests of the school from those who may not be considered suitable to work with children and vulnerable adults.
- To share good practice within the school.
- To work with other schools to share good practice in order to improve this policy.

Responsibility for the Policy and Procedure

Role of the Governing Body

The Governing Body has:

- delegated powers and responsibilities to the Headteacher to ensure DBS checks are in place;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to families;
- Governors from the Child-Centred Group, responsible for Safeguarding, visit the school and check the DBS register, to liaise with the Headteacher and to report back to the Governing Body;
- responsibility for the effective implementation, monitoring and evaluation of this policy.

Role of the Headteacher

The Headteacher will:

- implement this policy;
- carry out DBS Disclosure checks in accordance with current guidelines;

Group	No contact with children	Contact with children		Type of DBS check
		Supervised	Not supervised	
New member of staff	✓	✓	✓	DBS certificate (with barred list check)

New member of staff transferring from another school without a break in service	✓	✓	✓	DBS certificate (with barred list check)
New regular volunteer	✓	✓	✓	DBS certificate
Contractors	✓	✓	x	No legal requirement to obtain a new enhanced DBS certificate (with barred list check) but an enhanced DBS certificate may be obtained
Trainee teachers (student teachers)	✓	✓	✓	An enhanced DBS certificate (with barred list check) must be obtained
Supply teachers and other temporary agency staff	✓	✓	✓	An enhanced DBS certificate (with barred list check) must be obtained by the agency with written confirmation sent to the school

Governors	✓	✓	✓	An enhanced DBS certificate (with barred list check) but an enhanced DBS certificate may be obtained.
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- use the online DBS Update service to check the validity of DBS certificates;
- request disclosure checks;
- using the disclosure check information decide whether an appointment can proceed;
- keep up to date a single central record;
- ensure all school personnel, children and families are aware of and comply with this policy;
- work closely with Governors and DCPCs
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;

Role of the Child-Centred Group

The Child-Centred Group will:

- work closely with the Headteacher;
- ensure this policy and other linked policies are up to date;
- ensure that everyone connected with the school is aware of this policy;
- report to the Governing Body every term;

Role of School Personnel

School personnel will:

- comply with all aspects of this policy;
- ensure they provide all the necessary documentation for the disclosure process;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community

Single Central Record

We will keep a single central record that records the following information:

Checks	Date when checked
▪ Identity check	

▪ Barred list check	
▪ Enhanced DBS check	
▪ Prohibition from teaching check	
▪ Checks on individuals living or working outside the UK	
▪ Professional qualifications check	
▪ Right to work in the UK check	
▪ Declaration by Association check	

Role of Families

Families will be made aware of this policy.

Raising Awareness of this Policy

We will raise awareness of this policy via:

- the school website
- the Staff Handbook
- meetings with school personnel
- Headteacher reports to the Governing Body

Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on this policy on induction;
- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction

Monitoring the Effectiveness of the Policy

The practical application of this policy will be reviewed annually or when the need arises by the coordinator, the Headteacher and the nominated governor.