

Introduction

All employees who work for the College will be subject to enhanced disclosure checks and repeated checks will be made not more than every 3 years of employment. This process also applies to volunteers and people on teacher type training courses. The College may also request an individual undertakes a Disclosure and Barring Service (DBS) check at any point in the employment relationship. In terms of recruitment, only the successful applicant will be expected to complete a DBS check.

This policy covers who is involved in the DBS process, how the disclosures are handled and then disposed of. The policy also clarifies the situation when employing ex-offenders.

Recruitment of Ex-Offenders

All individuals or organisations using the DBS service to help assess the suitability of applicants for positions of trust will become recipients of disclosure information, some of it very sensitive. To safeguard the interests of such applicants, individuals and organisations must comply with the DBS Code of Practice. <https://www.gov.uk/government/publications/dbs-code-of-practice>

The basic requirement of the Code of Practice is that recipients of disclosure information should treat all job applicants with a criminal record fairly and not discriminate unfairly against the subject of a disclosure on the basis of conviction or other information revealed. However, as a College and responsible for children and vulnerable adults, we believe that applicants who have previous convictions for violent offences or supplying drugs are unlikely to be suitable employees.

We undertake to treat all applicants for positions fairly and not to discriminate unfairly against any subject of a disclosure on the basis of conviction or other information revealed.

We actively promote equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications, and experience.

We encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential, cover to a designated member of our staff and we

guarantee that this information will be seen only by those who need to see it as part of the recruitment and selection process.

We ensure that all our staff who are involved in managing the recruitment and selection process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.

At interview, or in a separate discussion, we will ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. In return, applicants should be aware that failure to reveal information that is directly relevant to the position sought will normally lead to withdrawal of an offer of employment

We undertake to discuss any matter revealed in a disclosure with the job applicant whenever we feel that it may be necessary to withdraw a conditional offer of employment.

Having a criminal record is not necessarily a bar to working with us. This will depend on the nature of the position and the circumstances and background of the offences disclosed.

Handling and Storage of DBS Disclosures

Disclosure information is kept with the signed consent of the employee in the confidential section of an employee's file, 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.

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties. The Disclosures are sent to the Authorised Signatory who is responsible for opening and dealing with the information. This is then passed to a member of the HR team with specific instructions. Where relevant/current information is disclosed, it may be necessary to speak with the line manager of the individual. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and we recognise that it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Disclosure 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

We would normally keep the DBS information on file and replace it when an updated form is available. When employees leave our employment, this information would be destroyed rather than archived.

Disposal

Once the retention period has elapsed, we will ensure that any Disclosure information is immediately suitably destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Disclosure 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 Disclosure or any copy or representation of the contents of a Disclosure. However, notwithstanding the above, we will keep a Central Record of the date of issue of a Disclosure, the name of the subject, the type of Disclosure requested, the Programme for which the Disclosure was requested, the unique reference number of the Disclosure and the details of the recruitment decision taken.