



CHESHIRE WEST AND CHESTER COUNCIL

HUMAN RESOURCES

DISCLOSURE AND BARRING SERVICE CHECKS POLICY

1. Introduction

- 1.1 Cheshire West and Chester Council recognises it has obligations under safeguarding legislation and good practice guidelines to ensure that the residents of Cheshire West and Chester are fully protected by the provision of a safe workforce.
- 1.2 The Disclosure and Barring Service, an Executive Agency of the Home Office, provides access to criminal record information through its Disclosure service. This enables organisations in the public, voluntary and private sectors to make safer recruitment decisions by identifying candidates who may be unsuitable for work with children or vulnerable adults.

2. Policy

- 2.1 In view of the diverse range of employee jobs and non employee roles affected by DBS checking arrangements, the Council will co-ordinate its approach across the whole Council, including Schools. This will include corporate policy decision making and streamlined procedures.
- 2.2 The Council will also process checks as an 'umbrella body' on behalf of a number of local voluntary organisations to support them to make safer recruitment decisions.
- 2.3 All roles, working (or volunteering) with vulnerable groups and classified as regulated activity will require an enhanced DBS check, some will be entitled to an enhanced check with barred list check. A minority of other professions are entitled to a standard check. Managers will be responsible for identifying the roles within their Service that will require a check. Only roles deemed as 'eligible' by the DBS will be allowed a check. If in doubt, the manager should discuss this with their HR Business partner and confirm the decision along with a justification to the internal CRB team

In positions where the activity is not regulated (as it does not meet the frequency or intensity elements) but the Council considers that the opportunity to develop trust through that position warrants an Enhanced DBS check, then a check will be carried out.

- 2.4 As a recruitment incentive the Council will pay the cost of a DBS check for candidates, employees and other groups. Standard and Enhanced DBS checks are free of charge to volunteers.

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Next review: January 2017

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2.5 The Council will adhere to all of the SVGA regulations introduced since October 2009 and further revised in the Protection of Freedoms Act 2012;

- to ensure that barred individuals are not knowingly taken on and criminal penalties are avoided.
- to refer relevant information about an individual to the ISA as an employer and provider of adult/child protection services.
- employees and non-employee groups have a legal responsibility to update the Council if they become barred and are working with vulnerable groups.

2.6 The Council reserves the right to recheck the following employees at the interval specified below:

- Children and Young People Directorate – Non-Schools (those employees entitled to an enhanced/enhanced with barred list check) – every 3 years
- Adult Social Care and Health (those employees entitled to an enhanced/enhanced with barred list check) – every 3 years

The following non-employees should be re-checked as follows:

- Drivers etc on contract (Transport co-ordination) – every 3 years
- Foster Carers – every 3 years
- Adopters - every 2 years for those who have been approved and not adopted a child in the previous 2 years.
- Shared Lives Carers – every 3 years

3. Aims/Principles

3.1 To protect vulnerable client groups and provide a safe working environment for employees.

3.2 Information provided by the Disclosure and Barring Service will be treated with the utmost confidentiality and handled carefully and in accordance with the provisions of the Data Protection Act and the Disclosure and Barring Service Code of Practice.

4. Scope/Application

4.1 The policies apply to appropriate employees in all Departments, including schools and a wide range of non-employees including and school governors, volunteers, adoptive parent, foster carer, host families for exchange visits, chaperones for children working in entertainment, taxi driver/bus drivers, agency workers, self employed, contractors, student placements etc.

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4.2 The decision to recruit or not resides with the Recruiting Manager, with guidance from Human Resources.

5. Definitions

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5.1 The Disclosure and Barring Service replaced the Criminal Records Bureau by merging the CRB and the ISA in December 2012. CRB checks are now referred to as DBS checks.

6. See also:

6.1 The Council has the following DBS Guidance in place:

- **Employing people with a criminal record:** to promote equality of opportunity and demonstrate an open-minded recruitment policy about employing people with past convictions. At the same time, vulnerable client groups must be protected and a safe working environment provided for employees.
- **Recruitment Guidance for Managers:** to ensure managers of employees and the non-employed groups have clear recruitment and selection guidance in accordance with legislation and best practice. Risk assessment is an important feature of the recruitment process and there are some convictions which make it unlawful to make an appointment.
- **Jobs and roles subject to a check:** to ensure a comprehensive approach, whilst at the same time complying with the Rehabilitation of Offenders Act and other regulations which govern which jobs and roles are eligible for checking.
- **Handling of Disclosure information:** to promote strict security rules in the handling and disposal of Disclosure information.
- **Portability of checks for employees and the non employed groups:** to abide by DBS guidance on the re-use of DBS checks.
- **Appointing applicants from overseas. Delayed DBS checks and commencement of work:** to follow strict guidelines and procedures that only allow commencement in exceptional circumstances.
- **“Umbrella Body” arrangements:** as a Registered Body with the **DBS**, to provide support to local voluntary organisations by giving access to the services of the DBS by processing checks on their behalf
- **Definition of Regulated Activity**
- **Risk Assessment Form**

Version	Date Created	Owner	Date Approved by Executive
6.1	October 2010 Updated Oct 2012	HR Strategy	Jan 2011

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