



AHS Policy on Disclosure and Barring Service Checks

Status	Non statutory	Date created	June 2013
Any other statutory names for this policy (where applicable)		Date first approved	June 2013
Responsibility for this policy (job title)		Date last reviewed	June 2020
Governors' Committee with responsibility for its review	Personnel	Frequency of review	3 years
Tick here if Bucks Policy attached in its entirety		To be put on the school website? (Yes/No)	Yes
Approval necessary	Personnel Sub Committee		

Introduction

The rules defining who should and should not have a Disclosure and Barring Service (DBS) Check, formerly known as Criminal Records Bureau (CRB) Check, are laid down by the Home Office. This policy explains how the elements of discretion will be applied in the school and provides further clarification to aid staff in determining the measures required.

Checks Required

Employees on the school's payroll. All individuals on the school's payroll fall within the post-10 September 2012 definition of Regulated Activity and are required to obtain an enhanced DBS check with an appropriate Barred List check.

Regulated Activity: Post-10 September 2012 definition (children) covers the following areas:

- Work of a specified¹ nature which involves close² and unsupervised³ contact with children which occurs frequently or intensively⁴.
- Any paid employee of a specified place⁵ (e.g. a school) that works frequently or intensively.
- Any unsupervised volunteer that volunteers in a specified place (e.g. a school) frequently/intensively.

1 *Specified nature*: e.g. teaching, training, care, supervision, advice, treatment

2 *Close*: work which involves close proximity to a child and allows the possibility of a relationship to be built

3 *Unsupervised*: there is no-one overseeing the activity who has had a DBS and Barred List check (i.e. someone who has been checked for undertaking Regulated Activity)

4 *Frequently or intensively*: Once a week or four times in a 30 day period

5 *Specified place*: e.g. a school, residential care home, children's centres, nurseries, but excluding youth centres/clubs.

Leadership and Governors. The Headteacher, Deputy Headteacher(s), Assistant Headteachers, Curriculum Managers, Subject Team Leaders, Financial Director and Governors must have a Section 128 check in order to ascertain that they have not been previously prohibited from being in a management position within a school.

The Secretary of State is able to make directions prohibiting individuals from taking part in independent school management under section 128 of the Education and Skills Act 2008. Individuals taking part in 'management' may include individuals who are members of proprietor bodies (including Governors if the Governing Body is the proprietor body for the school), and such staff positions as follows: Headteacher, any teaching positions on the Senior Leadership Team, and any teaching positions which carry a department headship. Whether other individuals such as teachers with additional responsibilities could be prohibited from 'taking part in management' depends on the facts of each case.

Casual staff paid via the school's payroll. Casual staff are staff paid by the hour or day and who do not have a contract of employment. At AHS this is limited to Supply Teachers and Exam Invigilators. Due to the nature of their work, these two groups must have Enhanced DBS and Barred List Checks completed.

Contracted-out Services. Companies employing staff to provide contracted-out services on site (e.g. the school's catering service) should follow the school's policy on interpretation unless specific agreement has been reached to deviate from that policy. For the purposes of this policy these staff are not included under the term "contractors" in ensuing paragraphs. Companies should notify the school of workers' names before placing them at the school site and, subsequently, of the worker's DBS clearance certificate number and clearance date.

Long-term Agency Staff. Long-term agency staff are treated as school employees and must have Enhanced DBS and Barred List checks completed. At AHS, staff expected to work more than 3-weeks continuously are deemed long-term staff.

Short-term Agency Staff involved in work of a "specified" nature. Agency staff doing specified work (teaching, training, care or supervision of children) must have Enhanced DBS and Barred List Checks completed.

Short-term Agency Staff involved in other work. Short-term agency staff involved in other work, such as cleaners or office workers, will require a Barred List Check to be completed prior to starting on site. If their placement is likely to continue or becomes permanent a DBS check will be done.

Regular Contractor Visitors. Contractors' staff visiting the school regularly (i.e. 4 or more days in a 30-day period on an on-going basis) should obtain a DBS certificate for their staff, but need not carry out a Barred List Check.

One-off contractor visits. Contractors visiting the site for short term (less than 4 days) or one-off visits do not require any checks, but consideration needs to be given to how the contractor will work. If it is to be in close proximity to the same students for any length of time, there should normally be a member of staff present to supervise the students and so the safeguarding requirements will be met. However, if this is not the case, alternative supervision may be required.

Contractors on-site for a lengthy project. Where contractors will be on-site for a lengthy project, the aim should be to provide the contractors with separation from students by cordons etc. Where this is not the case, and the contractor's staff will have the opportunity

to mix freely with students on a regular basis, only the contractor's permanent site staff will need DBS checks (not Barred List Checks) but not sub-contractors visiting on a temporary basis.

Portability of Checks

For AHS paid staff, AHS will accept an existing DBS certificate issued through Buckinghamshire Council if it is 6 months old or less. AHS will accept Agency staff on the terms of the Agency's portability policy provided the Agency has completed and returned the school's 'Agreement for Contracting an Agency-provided Teacher/Worker'. AHS will accept other contractor's own policies on portability.

Renewal Checks

AHS aims to renew all staff DBS checks on a three year cycle but in any event, within 5 years.

AHS has the right to perform DBS checks when there are grounds to recheck the official database, otherwise existing DBS checks will stand. This would be at the Headteacher's discretion and may include the following circumstances:

- staff who are placed in a particularly vulnerable position, such as working out-of-hours or away from the school site with individual pupils;
- staff who have had relevant previous convictions, cautions etc;
- staff who have given cause for concern.

Staff starting work in advance of DBS clearance

Where staff require a DBS check and a Barred List check, they may start work if the school has obtained the Barred List Check and carried out a risk assessment. If a barred list check cannot be sought (e.g. temporary staff not supervising children) then they must be supervised whilst on site until the DBS check result is received.