



Code of Practice for Disclosure & Barring Service Certificates

Introduction

Franklin College uses Disclosure & Barring Service (DBS) Certificates for all staff, governors and volunteers to help assess the suitability of applicants for positions of trust. In addition prohibition checks for teaching staff are carried out. Information will be treated in the strictest confidence; the information will only be made available on a need to know basis and candidates will only be refused employment if it is felt that it makes them unsuitable for work involving considerable access to children and vulnerable adults.

The College works to the current statutory guidance, set out in the DfE 'Keeping Children Safe in Education; Statutory guidance for schools and colleges, March 2015' and 'Working Together to Safeguard Children, 2015'. A review will take place in the light of any new guidance.

The College keeps a single central record of completed recruitment and vetting checks for all staff working in or with the College. In establishing and maintain this record the College has followed the statutory guidance from the DfE contained in 'Part three: Safer recruitment: Recruitment, selection and pre-employment vetting' of DfE 'Keeping Children Safe in Education; Statutory guidance for schools and colleges, March 2015'

Candidates must ensure that they provide full information in the appropriate place on the application form – failure to do so may place the applicant at a disadvantage. Disclosure information is only used for the specific purpose for which it has been requested and for which the candidate's full consent has been given.

For all successful candidates whose normal day-to-day activities involve considerable access to children and vulnerable adults, the College will verify a candidate's identity; obtain a certificate for an enhanced DBS check with barred list information; obtain a separate barred list check if an individual is to start work before the DBS certificate is available; verify the candidate's mental and physical fitness to carry out their work; verify the person's right to work in the UK and verify professional qualifications, as appropriate. In the case of a candidate to be employed as a teacher a check will be made to ensure the person is not subject to a prohibition order. All staff will have their Enhanced DBS Certificate and any other relevant checks renewed after a 3 year period.

In addition where staff work directly with children under 8 years of age, the appropriate disqualification by association checks will be carried out in accordance with the Disqualification under the Childcare Act 2006 statutory guidance issued February 2015.

Recruitment of Ex-offenders

Franklin College is committed to the fair treatment of its staff, potential staff or users of its services, regardless of disability, age, gender reassignment, sex, religion and belief, sexual

orientation, marriage and civil partnerships, pregnancy and maternity, race, gender, religion, sexual orientation, responsibilities for dependents, or offending background. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed.

The College actively promotes 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. All candidates are selected for interview based on their skills, qualifications and experience.

The College is, under the Rehabilitation of Offenders Act 1974, an excluded organisation and as such applicants are required to disclose any criminal convictions, police cautions or police warnings “spent” or otherwise. Where a Certificate is to form part of the recruitment process, the College encourages all applicants called for interview to provide details of any criminal record at an early stage in the application process. This information should be sent under separate, confidential cover, to the HR Manager at Franklin College and the College guarantees this information will only be seen by those who need to see it as part of the recruitment process. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

In the event that the College is made aware of any convictions, spent or otherwise via a Certificate, it will enter into a full and frank discussion regarding any offences or other matter that might be relevant to the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar a candidate from working with the College. This will depend on the nature of the position and the circumstances and background of the offences. To this end, the College will ensure that all those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences, including appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders.

Storage, retention and disposal of Certificate information / Certificates

Under the Data Protection Act 1998, the College will store Disclosure information securely in lockable, non portable storage containers. Access will be strictly controlled and limited to those who are entitled to see it as part of their duties.

Once a recruitment (or other relevant) decision has been made, the College do not retain Certificate information for any longer than it is necessary. This is generally for a period of up to six months, to allow for consideration and resolution of any disputes or complaints. If in very exceptional circumstances, it is considered necessary to keep Certificate information for longer than six months, the College will consult the DBS about this and will give full consideration to the data protection and human rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Once the retention period has elapsed, the College will ensure that any Certificate, including photocopy of Certificate information will be securely disposed of, normally by means of being shredded.

The College will retain a record of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the unique reference number of the Certificate and details of the recruitment decision taken.

Update : March 2015

Governors: June 2015