

# The Children's Workshop

## DBS Policy

We are committed to safeguarding and promoting the welfare of children and young people and expect all staff, contractors and volunteers to share this commitment.

The Children's Workshop Senior Manager (Sarah Abrahams) is responsible for ensuring all staff, including contractors, bank staff, students and volunteers are suitable to work with children. Checks are carried out via enhanced Disclosure and Barring Service (DBS) clearance checks as well as other sources, such as employer references, identity checks and qualification checks, amongst others.

Where possible new staff will have the checks completed prior to starting employment. However if there are delays in checks coming through, as a last resort, candidates may work in the pre-school before these checks are completed as long as they are supervised by registered and DBS checked staff at all times. All staff will be informed of those members of the team awaiting enhanced DBS clearances.

Staff awaiting these checks will never:

- ❖ Be left unsupervised whilst caring for children.
- ❖ Take children to the toilet.
- ❖ Change nappies.
- ❖ Be left alone in a room or outside with children.
- ❖ Administer medication.
- ❖ Administer first aid.
- ❖ Take photographs of any children.
- ❖ Look at a child's learning and development log.
- ❖ Have access to children's personal details and records.

Whilst ensuring all of the above are adhered to, we still recognise that it is vital that the staff member awaiting an enhanced disclosure is made to feel part of the team and participates fully in every other aspect of the pre-school day.

We recognise that the enhanced DBS disclosure is only part of a suitability decision and management will ensure each individual working with a child goes through a vigorous recruitment and induction procedure (as laid out in the safe recruitment policy). We will also ensure they receive continuous support, training and supervision from management in order to provide a safe, secure and healthy environment for all children in the pre-school.

All students and volunteers will also receive an interview to ensure they are suitable for the pre-school and an induction process to ensure they fully understand and are able to implement the pre-school procedures, working practices and values. All students will be fully supervised to ensure they receive the appropriate support, training and information they may require.

Students will be expected to bring their DBS from their Educational Establishment and a copy will be kept on file until the student is no longer at the setting. Students will not be left unsupervised at any time and will not take children to the toilet.

We comply fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. In accordance with section

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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. We maintain a record of all those to whom Disclosures or Disclosure information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

We comply with the obligations under the General Data Protection Regulation (Regulation (EU) 2016/679 (GDPR) and the Freedom of Information Act and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and have a written policy on these matters.

## **DBS procedure**

All staff will have an Enhanced DBS check.

These are for posts that involve a far greater degree of contact with children or vulnerable groups. In general the type of work will involve regularly caring for, supervising, training or being in sole charge of such people. This level involves an additional level of check to those carried out for the Standard check – a check on local police records. Where local police records contain additional information that may be relevant to the post the applicant is being considered for, the Chief Officer of police may release information for inclusion in an Enhanced check. We use Surrey County Council who is a registered umbrella body with the disclosure and barring service.

The Children's Workshop will require an enhanced check for all staff, which provides an additional level of security for vulnerable groups. Disclosure information is only used for the specific purpose for which it has been requested and for which the applicant's full consent has been given. DBS certificates are required for all existing and new employees regardless of whether they are in a child-care role or not.

Sarah Abrahams will have a face to face meeting with the applicant and will verify and check their identification. She will start the online registration process, entering in the identification documents she has verified. The applicant will then have the opportunity to complete the process with her or later at their own convenience. The manager can then check on the progress of the application and view the final result. The applicant will then receive the certificate by post.

- ❖ DBS checks are also required for students, volunteers, bank staff and contractors.
- ❖ New staff joining the pre-school, regardless of whether they have an existing CRB certificate, will be required to undergo a DBS check at or before the commencement of employment.
- ❖ New staff joining the pre-school with existing DBS certificates obtained from other organisations are only accepted by the Children's Workshop if the employee is registered for the government's update service and permission is granted to us to access the information prior to commencement of employment. Otherwise a new DBS will be required

Once the DBS certificate has been seen by the Senior Manager, a copy of the unique reference number will be kept on file

Any staff who are not registered for the update service will sign a yearly declaration in which they agree to state any criminal convictions they acquire after the completion of their DBS.

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Failure to disclose a criminal conviction could lead to the termination of employment. In the event of an individual being employed and it is later identified that they have a criminal conviction, an urgent meeting will take place with the individual. Depending on the nature of the conviction, a decision will be made as to whether the individual is suitable to remain employed. OFSTED, the LADO and DBS service will be informed.

Usually a job applicant has no legal obligation to reveal spent convictions. If an applicant has a conviction that has become spent, the employer must treat the applicant as if the conviction has not happened. A refusal to employ a rehabilitated person on the grounds of a spent conviction is unlawful under the Rehabilitation of Offenders Act (ROA) 1974. However, certain areas of employment such as childcare settings are exempt under the ROA 1974 (Exceptions) Order 1975, and may ask about spent convictions. This is known as asking an exempted question. When answering, the applicant would have a legal obligation to reveal spent convictions.

The minimum age at which someone can be asked to apply for a DBS check is 16 years old.

## OVERSEAS APPLICANTS

The DBS cannot access criminal records held overseas, however, some overseas criminal records are held on the Police National Computer and these would be revealed as part of a criminal record check. Although we will do our utmost to ensure the safe recruitment of overseas applicants, as detailed below, we cannot be held liable for failure to disclose or uncover criminal or other information relevant to the application. For overseas applicants the pre-school will deploy some or all of the following:

- ❖ We will require a self-declaration of criminal or other activities likely to affect the applicant's suitability to work with children.
- ❖ We will conduct an identity check of an overseas applicant (Visa, passport, references).
- ❖ We may check an applicant's suitability via an appropriate Embassy - if we are recruiting people from overseas and wish to check their overseas criminal record, we may contact the Embassy or High Commission of the country in question. We may also contact the FCO Response Centre Helpline (020 7008 1500).
- ❖ We will obtain an employer's reference or other such as a college or university.
- ❖ We may try to obtain a certificate of good conduct from an overseas employer.
- ❖ We will check an applicant's right to work in the UK. The DBS does not check whether an applicant is permitted to work in the UK
- ❖

The employer is responsible for ensuring employees have the right to work within the UK.

<b>This policy was adopted on</b>	<b>Signed on behalf of the pre-school</b>	<b>Date for review</b>
<i>January 2019</i>	SA	<i>January 2020</i>