

## Disclosure and Barring Service Policy and Procedure

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It is the Policy of Compass to undertake Disclosure and Barring Service (DBS) Checks on staff (*in line with eligibility to obtain such checks*), foster carers (including household members aged 18yrs+ in England & Wales) and any other identified personnel who are in a position of trust and with regular access to the children we care for or as directed by regulatory guidance. In addition to this Policy Statement, any staff member handling DBS Checks are bound by the DBS Code of Practice, and they have a duty to familiarise themselves with its content.

Where an applicant has lived abroad within the last 5 years, it is requirement that they provide an International Police Check (or similar) from each Country they lived in and held a postal address.

### **Purpose**

We use the Disclosure and Barring Service (DBS) to support our recruitment decision making processes regarding the suitability of applicants in regulated activity. Compass complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Disclosures and Disclosure information. It also complies fully with its obligations under the Data Protection Act 2018.

### **Frequency**

DBS Checks will be undertaken as part of recruitment processes and renewed every 3 years in England and Wales (as per good practice guidance). It is a requirement that new certificates are registered with the DBS Update Service, with further checks being carried out annually. Once a certificate is registered on the DBS Update Service, a check will be carried out annually, and only if the name on the certificate changes (i.e. a person gets married), or the registration lapses, a new application will be created.

If during the course of their employment, an employee is subject to an allegation or there are any concerns raised about a person's suitability to continue to work with children, Compass reserve the right to carry out an additional check. The results of this check will inform any action taken and will be saved on the individuals electronic HR file.

### **Storage & Access**

As an agency we do not retain copies of DBS certificates. Instead, and as a way to evidence, monitor and renew, we hold this check in our management information system; Scan and save Identity Document Checklist and Disclosure Returns Form to relevant electronic file.

NB: If you are unable to satisfy the document evidence process, you must contact your Senior Administrator (for Operations) or HR Team (for Staff) who will advise you of the Identity 2 & 3 route process/identity verification.

### **Handling**

Information will only be shared with relevant persons in the course of their specific duties relevant to the recruitment and vetting processes.

For example, an administrator may open a DBS certificate received, as part of their duties of opening the post; a Social Worker may view the DBS certificate as part of the assessment of the applicants. It does not necessarily have to be the authorised signatory that can only have sight of the DBS certificate.

NB: Any staff member handling DBS certificates are bound by the DBS Code of Practice, and they have a duty to familiarise themselves with its content.

## Usage

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.

## Disposal

Once information has been transferred from the DBS Certificate to the DBS Returns Form (if a paper document is received) the original DBS will be returned to the individual. DBS Returns Forms & Identity Document Checklist will be saved to the relevant electronic folder.

## Renewals

The Agency will request a new disclosure for carers, household members, staff and individuals working for Compass Fostering and Compass Children's Homes, in line with eligibility and where the position dictates the need to be DBS checked, every 3 years (England & Wales). It is a requirement for staff/applicants that new certificates are registered with the DBS Update Service, with further checks being carried out annually. For independent workers we will accept a clear DBS dated within 12 months while the renewal process is being undertaken. We will ensure the individual will have a new DBS in place prior to the expiry of the 12-month period as outlined above. A change to name will also prompt a DBS renewal. Should any disclosures be shared at the point of renewal, the manager will be informed. In Wales, the manager will then inform the relevant bodies in line with the All Wales Fostering Framework.

Any Independent Assessors going through the recruitment process who have a current DBS certificate, up to 3 years old, will be able to commence work once the company has submitted a DBS application and a declaration has been signed by the candidate and relevant Head of Fostering.

## HR/Staff Recruitment Process

As part of the recruitment process enhanced DBS checks will be undertaken on all appropriate staff (*including Independent Assessors, Panel Members, and Sessional Support Workers etc*).

- a. Original ID is obtained from the applicant at interview and provided to HR. When ID is obtained at interview it must be signed to prove that original documents have been seen. Should further documents be required, these will be requested by HR, who will provide the applicant with the DBS Identity Checklist Guidance and advise them to bring documents to their local office in order for the originals to be seen by an employee. Once all ID is received, the DBS Identity Checklist is completed and saved to the staff file
- b. The DBS application is created on-line by HR and an email sent to the applicant advising of this
- c. The applicant receives an email from the on-line service containing a link, where the application form is completed
- d. Once the application form has been completed, HR complete the ID Section and submits the application
- e. Within 2 days of submitting the application for checking, HR will obtain the Application Reference Number and provide this to the applicant. The applicant can then subscribe to the DBS Update Service, in readiness for their check being concluded

- f. Once the check is complete, HR and the applicant receive an email confirming the outcome. The applicant will also receive a paper copy Certificate in the post.
- g. If there are disclosures showing on the DBS, the applicant must provide HR with the original certificate. In addition, if this is the first check, the applicant must also provide evidence that they have a DBS Update Service subscription for the current certificate.
- h. If the DBS is returned and there are disclosures on the certificate, the Risk Assessment section of the Disclosure Returns form is completed. The Risk Assessment section is signed by the Head of Service, if they are in agreement with continuing the recruitment process. For employees/workers in Wales, if there are disclosures a tick box labelled 'Wales Only – Manager Informed' will be checked on Compass People and the manager will be asked to complete a risk assessment. The manager will then inform the local authority in line with the All Wales Fostering Framework.
- i. The issue date, Renewal Date (12 months from date of issue) and Disclosure Number are recorded on Compass People update service and the Disclosure Returns form is completed and saved to the staff file.

Staff are also guided to the DBS Website for further guidance.

NB All DBS renewals are instigated 6 months in advance for those with a 3 yearly renewal period, and annually for those registered on the DBS Update Service.

### **Employee Responsibilities**

If additional ID is required to complete the check, the employee will be emailed on a weekly basis reminding the employee of the required documentation with the line manager copied in. Employees must take their original ID documents into the office for the ID to be verified and signed by the local admin/manager. After reminders with no response, the matter will be escalated to the relevant Head of Fostering/Service Manager/Senior Manager.

Should the DBS expire through negligence on the employee's part due to lack of action or ignoring the reminders, the Company may suspend and hold a full investigation which may result in disciplinary action.

It is a requirement for all renewed DBS applications for employees to be registered to the DBS Update Service, if and when an Update Service Check is attempted on the annual renewal date, and it transpires that the subscription has lapsed and therefore a new DBS application is required to be created, the application fee will be deducted from the employee's pay. This does not apply to independent workers (independent assessors, panel members etc). Should an Independent worker's DBS Update Service registration lapse, their DBS will be renewed in line with the 3-year renewal timescale as stated above.

It is the responsibility of the employee to ensure they are qualified and safe to undertake their role within the Company, which includes ensuring their DBS Update Service subscription is kept live, and that all reminders are responded to in a timely manner.

It is an OFSTED requirement that employees hold a valid DBS certificate, and it is Company policy that employees are registered on the DBS update service.

### **Making Safeguarding Referrals to DBS**

If an employee is dismissed, moved or removed from regulated activity (or may have done so had they not left) because they have harmed or posed a risk of harm to a child or vulnerable adult, then we have a legal duty to refer the person to the DBS.

The DBS's role is to make barring decisions about people who are referred to it (usually following an employer's disciplinary process), with the possible consequence of the person being barred from working or volunteering with children and/or vulnerable adults. The DBS uses a fair, thorough and consistent process that ensures that the decision it reaches is both proportionate and appropriate to the risk the person poses to children or vulnerable adults.

In the first instance, if you feel a referral is necessary, please contact the HR team. Also, the DBS' website is <http://www.homeoffice.gov.uk/DBS> and provides a range of materials to help you to consider or make a referral. This includes a Referral Form, Referral Guidance, FAQs and a series of Fact Sheets. You may also contact the DBS Helpline on 01325 953795 for information or advice about making a referral.