

DISCLOSURE AND BARRING SERVICE POLICY

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| Policy name | Disclosure & Barring Service (DBS) Policy |
| Applicable to | Trustees, employees, volunteers and secondments including placements |
| Effective from | November 2022 |
| Date approved by trustees | 14 th November 2022 |
| Next revision date | July 2025 |
| Other references | Safeguarding Policy; Data Protection and Information Sharing Policy |

1. Introduction

1.1 **Policy Statement:** This policy sets out to:

- enable Howgill Family Centre (Howgill) to assess the suitability of applicants for positions of trust within its organisation
- meet the statutory requirements of:
 - the Data Protection Act 2018
 - the General Data Protection Regulations (GDPR)
 - other relevant legislation.

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, Howgill will comply fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

Howgill will also comply fully with its obligations under the Data Protection and other relevant regulations and legislation relating to the safe handling, use, storage, retention and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request (see Data Protection and Information Sharing Policy).

1.2 The Board of Trustees is responsible for the policy. The Howgill Manager has responsibility for ensuring that the policy is implemented and that appropriate procedures are established to ensure compliance. Recruiting managers must ensure that this policy is carefully followed.

1.3 All employees have an obligation to familiarise themselves with and follow this policy.

2. Overview

2.1 A DBS Disclosure is a document containing information held by the police and government departments. It can be used by employers and voluntary organisations to make safer recruitment decisions. Disclosures are provided by the Disclosure and Barring Service (DBS), an executive agency of the Home Office.

2.2 Enhanced DBS checks are complete criminal history checks and are a mandatory screening process for positions involving work with children and vulnerable adults, to ensure that anyone who presents a known risk to vulnerable groups is prevented from working with them.

2.3 Howgill will obtain an enhanced DBS check for:

- all new trustees
- all new employees, prior to commencement of work
- all external employees newly seconded to Howgill
- all new volunteers operating in a position of trust within the organisation
- students on placement with the organisation for more than two days.

2.4 Howgill will also obtain new enhanced disclosure checks for all relevant individuals within the organisation at each third anniversary of appointment.

2.5 All applications for DBS checks will be submitted online using information provided by the applicant, initially at recruitment and at three yearly intervals thereafter. Details for the online submission will be obtained:

- in writing using a disclosure application form, or
- by the applicant personally assisting the organisation's DBS administrator to complete the application online.

Completion of the application process will be deemed to provide the applicant's consent to disclosure subject to section 5 below.

3. Checking service provider and requirements

3.1 Howgill will use a registered 'Umbrella Body' to carry out its DBS checks online.

An 'Umbrella Body' is a registered body which countersigns applications and receives certificate information on behalf of other employers or recruiting organisations.

3.2 Before using an 'Umbrella Body', Howgill will take all reasonable steps to ensure that:

- the 'Umbrella Body' will handle, use, store, retain and dispose of certificate information in full compliance with the DBS Code of Practice
- any organisation or individual, at whose request applications for DBS certificates are countersigned, has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

3.3 All applicants for a DBS check will be required to provide the organisation with details of:

- full name including any previous names
- current address and recent address history
- date and place of birth
- any criminal record.

3.4 Documents showing proof of identity in accordance with the DBS Identification Checking Guidelines must be obtained and checked before any application is submitted.

3.5 Any evidence obtained during the DBS checking process that could compromise the safeguarding of children or vulnerable adults in accordance with Howgill's Safeguarding Policy must be reported to the Chief Executive and Designated Safeguarding Lead. Together with the relevant employee or volunteer, they will decide on the most appropriate action to mitigate any potential risk.

4. Disclosure information – storage and access

4.1 Disclosure information will be stored in secure, lockable, non-portable containers.

4.2 Access to disclosure information will be strictly controlled and limited to those who require access to carry out their duties within the organisation.

5. DBS certificate – handling and retention

5.1 In accordance with section 124 of the Police Act 1997, certificate information is only passed to those who are authorised to receive it in the course of their duties (see section 4.1 above).

5.2 Howgill will maintain a record of all those to whom certificates or certificate information have been revealed. It is a criminal offence to pass this information to anyone who is not entitled to receive it.

5.3 Disclosure information will only be used for the specific purpose:

- for which it has been requested, and
- for which the applicant's full consent has been given.

5.4 Howgill will not retain certificate information for any longer than is necessary. The maximum period will be six months to allow for consideration and resolution of any disputes or complaints.

5.5 Where, in very exceptional circumstances, it is considered necessary to retain certificate information for longer than six months, Howgill will consult the DBS on the appropriate action and will discuss with the individual before doing so.

6. Disclosure information – disposal

6.1 All DBS certificate information will be destroyed by shredding, pulping or burning immediately the retention period has elapsed.

6.2 Howgill will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate.

6.3 Howgill reserves the right to maintain a record of the:

- date of issue of a certificate
- name of the subject
- type of certificate requested
- position for which the certificate was requested
- unique reference number of the certificates
- details of the recruitment decision taken.

6.4 Howgill will securely store all confidential information relating to DBS certificates at all times until it is destroyed, as detailed in section 4.1 above.