

Disclosure and Barring Service Policy

Respect has a duty to provide a safe environment for all those who access our services. Respect is committed to safeguarding the welfare of those accessing our services through the effective use of the DBS vetting process for all relevant employees. This policy is also applicable to Trustees, Volunteers and agency staff.

This policy sets out the approach that Respect will take when recruiting employees to posts involving work with vulnerable adults and children.

Respect is committed to equality of opportunity for all job applicants and aims to select people for employment on the basis of their skills, abilities, experience, knowledge and, where appropriate, qualifications and training.

Respect will comply with its legal obligations in relation to recruiting people to work with vulnerable adults and children.

You will not be permitted to begin work with vulnerable adults and/or children until the outcome of your DBS check is known, unless this is under supervision. If you will be working in 'regulated activity' with vulnerable adults and children the DBS check must include a check against the barred list.

DBS Checks and when to use them

It is best practice to determine the type of DBS Disclosure that is required by way of a risk assessment which should be undertaken by the manager responsible for the activity that the individual will be undertaking. Managers should conduct the risk assessment before the activity commences and in the case of recruitment to a vacant post, this should take place prior to the recruitment process.

Managers are also responsible for the ongoing reassessment of the post/work to ascertain if the level and type of contact the individual has with vulnerable adults and/or children has changed and, if necessary, to initiate a new DBS Disclosure.

Types of Disclosure and Barring Service check

There are four types of Disclosure and Barring Service (DBS) check:

- Basic disclosure: Shows details of unspent convictions only.
- Standard disclosure: Shows details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered.
- Enhanced disclosure: Shows details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered. Includes a check of local police records.
- Enhanced disclosure with barred lists check: Used when someone is undertaking regulated activity relating to children or vulnerable adults. Shows details of spent convictions, unspent convictions, reprimands, cautions and final warnings that have not been filtered. Includes a check of local police records and the barred lists held by the DBS.

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Disclosure of criminal convictions and DBS checks

We require job applicants for the following posts to disclose all criminal convictions, whether spent or unspent (other than where protected cautions and protected convictions do not need to be disclosed, depending on the job concerned):

- CEO
- Directors
- Finance staff

Employees working on the following projects must have an up-to-date relevant Disclosure and Barring Service certificate:

- Change that Lasts-England
- Change that Lasts-Wales
- Drive

We will seek the job applicant's agreement to make an application for the DBS check.

Process for DBS checks

To enable the job applicant to carry out the DBS check (other than where a basic disclosure only is required), we will provide the applicant for the post with an application form and ask them to complete and return the form to us along with documents proving their identity.

We will send the completed form to Access Personal Checking Services Ltd together with the application fee. Once the check has been carried out, the DBS should send the certificate to the applicant. We will ask the job applicant for sight of the DBS certificate.

Where the job applicant for the post is a member of the DBS update service, we will, with their permission, carry out a status check on any current certificate.

Offers of employment

An offer of employment for a post involving work with vulnerable adults or children will be conditional on the job applicant satisfying our usual requirements for employment (for example to provide satisfactory references and produce documentation establishing their right to work in the UK).

In addition, the offer of employment will be conditional, where required, on satisfactory completion of DBS checks, depending on the post in question. Where the job applicant refuses to agree to an application to the DBS or a DBS check is completed but the job applicant refuses to allow us to see the DBS certificate, they will be treated as not having satisfactorily completed the DBS check.

No job applicant will be permitted to commence employment with Respect until all specified conditions are satisfied.

Not all criminal convictions will be a bar to employment. The results of a DBS check will be considered on an individual basis and we will act in a proportionate manner when deciding whether or not to

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proceed with the appointment to the post in question. However, the protection of children and/or vulnerable adults is our primary concern.

Portability of DBS certificates

We do accept DBS certificates obtained prior to you coming into contact with Respect, provided that:

- They are at the correct level and for a similar group (e.g. for children)
- You subscribe to the DBS update service
- You present your certificate to us with permission to undertake a new status check
- The status check confirms that the certificate is up-to-date

Data protection

Respect processes information about an individual's criminal convictions in accordance with its data protection policy. In particular, data collected during recruitment is held securely and accessed by, and disclosed to, individuals only for the purposes of completing the recruitment process. Inappropriate access or disclosure of employee data constitutes a data breach and should be reported in accordance with the data protection policy immediately. It may also constitute a disciplinary offence, which will be dealt with under this disciplinary procedure.

Once an individual is recruited, information about their criminal record gathered in the course of the vetting process will not be transferred to their personnel file.

Respect is committed to going through the proper DBS channels to establish whether or not an individual has a criminal record. We will not require job applicants or existing employees to use their subject access rights under data protection provisions to provide criminal record details.

Reviewed Jan 2022