

Hillingdon Brain Tumour Group

DISCLOSURE AND BARRING SERVICE (DBS) CHECKS POLICY AND PROCEDURE



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Registered Charity No. 1164538

Hillingdon Brain Tumour Group

DISCLOSURE AND BARRING SERVICE (DBS) CHECKS POLICY AND PROCEDURE

1. Policy

Hillingdon Brain Tumour Group is required by law to carry out DBS checks on all employees working within the care environment. This will be an Enhanced Disclosure. These checks contain details of all convictions, spent as well as unspent, details of any cautions, reprimands or warnings. They will also include, where relevant, details from the Protection of Children Act List 1999 and the Safeguarding Vulnerable Groups Act 2006.

2. Procedure

If any employment or volunteering at Hillingdon Brain Tumour Group is subject to a DBS check (and in practice all employees/volunteers maybe subject to an enhanced check for working with both children and vulnerable adults) this will be explained during the interview process. Any offer made will be subject to DBS clearance.

The Disclosure and Barring Service checks Administrator for Hillingdon Brain Tumour Group is Brain Tumour Group Enterprises. Brain Tumour Group Enterprises guidance is used in relation to applications.

The check will be carried out by the Administrator (Brain Tumour Group Enterprises), who will advise the Chair/Vice Chair of the result. In the event of any adverse finding, the Chair/Vice Chair will decide whether the employment may proceed, taking into account the nature of the findings, the duties involved and any references received (see Appendix A: Managing unsatisfactory DBS disclosure Procedure)

Only when a clearance has been received, or when the Chair/Vice Chair has so determined, may an employment proceed.

3. Status checks

An application does not need to be made if the subject is registered with the update service and consents to a status check (see Appendix B: The Disclosure and Barring Service: what you need to know)

4. Rechecks

All staff, volunteers and directors are subject to DBS rechecks at least every three years.

5. Records

Paper copies of the Disclosure will be sent to the applicant only. If the Disclosure is clear, Hillingdon Brain Tumour Group will receive a copy via the online system. The applicant will be required to bring in a copy of the Disclosure if they have a criminal record.

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Appendix A

MANAGING UNSATISFACTORY DISCLOSURE AND BARRING SERVICE DISCLOSURES PROCEDURE

RISK ASSESSMENT

It is Hillingdon Brain Tumour Group policy to undertake enhanced Disclosure and Barring Service checks for the appointment and ongoing employment/placement of all workers within the organisation.

Any DBS disclosure received, which reveals a conviction or other information will be fairly and consistently risk assessed by the Chair/ Vice Chair.

Situations in which a risk assessment will be required include:

1. Where a candidate declares a conviction at application.
2. Where a candidate declares a conviction at interview.
3. Where a candidate has been recruited and the organisation wishes them to work prior to having acceptable DBS checks (rarely)
4. Where a candidate is offered/ appointed and fails to declare a conviction yet the DBS check shows otherwise.
5. Where a candidate has no convictions at the time of employment/volunteering which is supported by a DBS check but later fails to disclose an offence during employment/volunteering/contracting. (Re –checks will take place on all employees every three years on a rolling programme).

The decision rests with the Chair/Vice Chair as to whether to employ/place a person whose DBS disclosure reveals a conviction or other information.

It is an offence for an individual who is disqualified from working with children or vulnerable adults to knowingly, apply for, offer to do, accept or undertake work with children or vulnerable adults.

The Chair/Vice Chair will record reasons for decisions and keep notes of all decisions relating to the appointment/non-appointment of an individual resulting from consideration of information received on a disclosure. This information will be summarised on the form below using the risk factors listed in order to support fairness and consistency of application.

Name:		
Does this risk affect service user safety: Yes/No		
This risk involves:		
Post:	Date:	Assessment of Risk; (High, Medium, Low, Very Low)
Identified risk/hazard(s): (i.e. what could go wrong if this risk remains)		
Persons/groups at risk:	Frequency of exposure to the risk:	
<p>The Chair/Vice Chair will consider the following factors as part of the risk assessment where an applicant discloses an offence:</p> <ul style="list-style-type: none"> • The nature of the offence <input type="text"/> • The relevance to the post applied for <input type="text"/> • When the offence was committed <input type="text"/> • Whether repeated similar offences documented <input type="text"/> • The applicant's offered explanation regarding the conviction/caution <input type="text"/> • Assessment of applicants skills and experience <input type="text"/> 		
<p>The Chair/Vice Chair will consider the following factors as part of the risk assessment where a "positive disclosure" is discovered for an existing worker</p> <ul style="list-style-type: none"> • The number and type of offences – is there a pattern of behaviour? <input type="text"/> • Would the nature of the job present opportunities for committing similar offences? <input type="text"/> • How old were they when the offence was committed? <input type="text"/> • How long since the last offence? <input type="text"/> 		

- Do they trivialise their offence, or acknowledge its impact on others?
- Do they acknowledge responsibility for their offence?
- Do they express remorse, or just regret at getting caught?
- Have personal circumstances changed significantly since offence?
- Is there any evidence of positive behaviour to balance against the offending (e.g. drug rehabilitation, positions of trust discharged satisfactorily)?

Action needed/decision

Signatures of Chair/Vice Chair

Name:

Name:

Signature:

Signature:

Date:

Date:

Appendix B

THE DISCLOSURE AND BARRING SERVICE UPDATE SERVICE: WHAT YOU NEED TO KNOW

What is the Update Service?

Available from summer 2013, this new subscription service lets individuals keep their DBS Certificates up-to-date so they can take it with them when they move jobs or roles. You, as an employer, can then carry out free, online, instant checks to see if any new information has come to light since the Certificate's issue – this is called a Status check. This could mean no more application forms to complete and no waiting for the checks to come back. This should save you time and money.

Who can carry out a Status check?

You don't have to join the Update Service, or pay a fee, to check a DBS Certificate. You must however have the individual's consent, be legally entitled to apply for a DBS certificate of the same type and level as you are going to check, and the individual must be subscribed to the Update Service. (It costs £10 for an individual to subscribe to the service at the time they get their first DBS check, or when they get their first renewed check after the introduction of the update service. When you make a Status check, you need to confirm that you're entitled to carry it out and are able to comply with the DBS Code of Practice. If you are unsure, please go to www.gov.uk/dbs for more information and guidance.

What do you need to do to carry out a Status check?

- Have the applicant's consent either verbally or in writing.
 - See the original Certificate to check it is the same type and level as you are legally entitled to, make sure that the right checks have been carried out and see what, if any, information was disclosed about the applicant.
 - Check the person's identity.
 - Check the name on the DBS Certificate matches this identity.
 - Note the DBS Certificate reference number, the person's name and date of birth.
 - Comply with the DBS Code of Practice; which includes having a policy on the recruitment of ex-offenders (a sample is available from our publications section at www.gov.uk/dbs), and make this available to the person.
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What do the results of the Status check mean?

When you carry out a Status check, you will receive one of the following results in the purple boxes instantly:

This Certificate did not reveal any information and remains current as no further information has been identified since its issue.

This means:

- The Certificate was issued blank - it did not reveal any information about the person.
- No new information has been found since its issue and it can therefore be accepted as being still current and valid.

This Certificate remains current as no further information has been identified since its issue.

This means:

- The Certificate revealed information about the person.
- No new information has been found since its issue and it can therefore be accepted as being still current and valid.

This Certificate is no longer current. Please apply for a new DBS check to get the most up-to-date information.

This means:

- New information has come to light since the Certificate was issued and you will need to apply for a new DBS check to see this new information.

The details entered do not match those held on our system. Please check and try again.

This means either:

- The individual has not subscribed to the Update Service; or
- The Certificate has been removed from the Update Service by the individual; or
- You have not entered the correct information.

The benefits to you

- Instant online check of DBS Certificates
 - No more DBS application forms to fill in
 - You may never need to apply for another DBS check for an employee or volunteer again
 - Saves you time and money
 - Easy to incorporate into your processes
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