



TORAS EMES MANCHESTER

מנהל: הרב חיים ש. ראבערטס שליט"א

6 Coke Street West  
Salford M7 4AH

0161 804 9713  
office@torasemes.co.uk

# Disclosure & Barring Service Checks Policy

<b>Disclosure and Barring Service Checks</b>
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Date	Review Date	Coordinator	Nominated Governor
<b>25/10/2019</b>	<b>25/10/2019</b>	<b>Rabbi Simmonds</b>	

We believe this policy should be a working document that is fit for purpose, represents the school ethos, enables consistency and quality across the school and is related to the following legislation:

- Rehabilitation of Offenders Act 1974
- Data Protection Act 2018
- Human Rights Act (1998)
- School Standards and Framework Act 1998
- Immigration, Asylum and Nationality Act 2006
- Safeguarding Vulnerable Groups Act 2006
- School Staffing (England) Regulations 2009
- Independent School Standards Regulations 2010
- Equality Act 2010
- Education (School Teachers) (Qualifications and Specified Work) (Miscellaneous Amendments) (England) Regulations 2012
- Protection of Freedoms Act 2012

The following documentation is also related to this policy:

- Conditions of Service for School Teachers in England and Wales (Burgundy Book) (Council of Local Education Authorities)
- Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE)
- Equality Act 2010: Advice for Schools (DfE)
- Race Disparity Audit - Summary Findings from the Ethnicity Facts and Figures Website (Cabinet Office)

We have a statutory duty of care to safeguarding the welfare of children and vulnerable adults and providing them with a safe learning environment. By undertaking checks via the Disclosure and Barring Service (DBS) for those people who are looking to work with children, we aim to prevent unsuitable people from working with children and vulnerable adults.

The DBS provides the following checks namely:

Standard check: records of convictions, cautions, reprimands and warnings as found on the Police National Computer (PNC)

Enhanced check: as above plus other relevant information held by the police

Enhanced check with a Barred List check (child) and Enhanced check with a Barred List check (adult). Those people who are deemed unsuitable to work with children and vulnerable adults are placed on to either the Children's Barred List or Adults' Barred List.

We realise that the majority of school appointments is for personnel who will be responsible for the care and supervision of children on a regular basis (regulated activity) and as part of the process of safe recruitment all prospective employees will need to have an enhanced DBS check with barred list information. The level of check will be appropriate for the post or type of work undertaken. We have a mandatory duty to make checks for anyone who will be in regulated activity.

We are aware that we do not have the power to request DBS checks and barred list checks or ask to see DBS certificates for visitors but we will ensure that all visitors are escorted whilst on school premises.

We have 'a legal duty to refer to the DBS anyone who has harmed, or poses a risk of harm, to a child, or if there is reason to believe the member of staff has committed one of a number of listed offences, and who has been removed from working (paid or unpaid) in regulated activity, or would have been removed had they not left.' (Keeping Children Safe in Education: Statutory Guidance for Schools and Colleges (DfE))

We will consider any person with a criminal record equally with others applying for any vacant post at this school unless their DBS checks indicates that they present a risk to children.

We as a school community have a commitment to promote equality. Therefore, an equality impact assessment has been undertaken and we believe this policy is in line with the Equality Act 2010.

We all have a responsibility to ensure equality permeates in to all aspects of school life and that everyone is treated equally irrespective of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. We want everyone connected with this school to feel safe, secure, valued and of equal worth.

We acknowledge the findings of the Race Disparity Audit that clearly shows how people of different ethnicities are treated across the public services of health, education, employment and the criminal justice system.

The educational section of the audit that covers: differences by region; attainment and economic disadvantage; exclusions and abuse; and destinations, has a significant importance for the strategic planning of this school.

We believe it is essential that this policy clearly identifies and outlines the roles and responsibilities of all those involved in the procedures and arrangements that is connected with this policy.

## Aims

- To provide protection for children and vulnerable adults against those who might wish to harm them.
- To protect the interests of the school from those who may not be considered suitable to work with pupils and vulnerable adults.

- To ensure compliance with all relevant legislation connected to this policy.
- To work with other schools and the local authority to share good practice in order to improve this policy.

**Responsibility for the Policy and Procedure**

**Role of the Governing Body**

The Governing Body has:

- delegated powers and responsibilities to the Headteacher to ensure DBS checks are in place;
- delegated powers and responsibilities to the Headteacher to ensure all school personnel and visitors to the school are aware of and comply with this policy;
- responsibility for ensuring that the school complies with all equalities legislation;
- responsibility for ensuring funding is in place to support this policy;
- responsibility for ensuring this policy and all policies are maintained and updated regularly;
- responsibility for ensuring all policies are made available to parents;
- responsibility for the effective implementation, monitoring and evaluation of this policy

**Role of the Headteacher**

The Headteacher will:

- implement this policy;
- carry out DBS Disclosure checks in accordance with current guidelines;

Group	No contact with children	Contact with children		Type of DBS check
		Supervised	Not supervised	
New member of staff			•	DBS certificate (with barred list check)
New member of staff transferring from another school without a break in service			•	No legal requirement to obtain an enhanced DBS certificate (with barred list check)
New volunteer		•		No legal requirement to obtain a new enhanced DBS certificate (with barred list check) but an enhanced DBS certificate may be obtained
			•	DBS certificate (with barred list check) must be obtained

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	•			Not in regulated activity but an enhanced DBS certificate may be obtained
Contractor's			•	DBS certificate (with barred list check) must be obtained
	•			No DBS check is required
Trainee teachers (student teachers)			•	An enhanced DBS certificate (with barred list check) must be obtained
Supply teachers & other temporary agency staff			•	An enhanced DBS certificate (with barred list check) must be obtained by the agency with written confirmation sent to the school
Governors		•		No legal requirement to obtain a new enhanced DBS certificate (with barred list check) but an enhanced DBS certificate may be obtained
			•	DBS certificate (with barred list check) must be obtained
	•			Not in regulated activity but an enhanced DBS certificate may be obtained

- use the online DBS Update service to check the validity of DBS certificates;
- request disclosure checks;
- using the disclosure check information decide whether an appointment can proceed;
- keep up to date a single central record;
- work in conjunction with the Senior Leadership Team to ensure all school personnel, pupils and parents are aware of and comply with this policy;
- work closely with the link governor and coordinator;
- provide leadership and vision in respect of equality;
- provide guidance, support and training to all staff;
- monitor the effectiveness of this policy;

**Role of School Personnel**

School personnel will:

- comply with all aspects of this policy;
- ensure they provide all the necessary documentation for the disclosure process;
- implement the school's equalities policy and schemes;
- report and deal with all incidents of discrimination;
- attend appropriate training sessions on equality;
- report any concerns they have on any aspect of the school community

### Single Central Record

We will keep a single central record that records the following information:

Checks	Date when checked
▪ Identity check	
▪ Barred list check	
▪ Enhanced DBS check	
▪ Prohibition from teaching check	
▪ Checks on individuals living or working outside the UK	
▪ Professional qualifications check	
▪ Right to work in the UK check	

### Role of Parents/Carers

Parents/carers will be made aware of this policy.

### Raising Awareness of this Policy

We will raise awareness of this policy via:

- the School Handbook/Prospectus;
- the school website;
- the Staff Handbook;
- meetings with school personnel;
- reports such annual report to parents and Headteacher reports to the Governing Body.

### Training

All school personnel:

- have equal chances of training, career development and promotion
- receive training on induction which specifically covers:

- All aspects of this policy
- Safeguarding and Child Protection
- Safer Recruitment
- Data Protection
- Contract of Employment
- Equal opportunities
- Inclusion

- receive periodic training so that they are kept up to date with new information
- receive equal opportunities training on induction in order to improve their understanding of the Equality Act 2010 and its implications.

### Equality Impact Assessment

Under the Equality Act 2010 we have a duty not to discriminate against people on the basis of their age, disability, gender, gender identity, pregnancy or maternity, race, religion or belief and sexual orientation.

This policy has been equality impact assessed and we believe that it is in line with the Equality Act 2010 as it is fair, it does not prioritise or disadvantage any pupil and it helps to promote equality at this school.

<b>Headteacher:</b>		<b>Date:</b>	
<b>Chair of Governing Body:</b>		<b>Date:</b>	