



Policy No: JSD/HR/19	Authorised by: Davina Powell	Review Date:
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DBS Policy		

General principles

As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, [Organisation Name] complies fully with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.

It also complies fully with its obligations under the General Data Protection Regulation (GDPR), Data Protection Act 2018 and other relevant legislation pertaining 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.

Storage and access

SJD Homes keep all staff files on BrightHR and this is password protected. Access is strictly controlled and limited to those who are entitled to see it as part of their duties No printed copies of DBS information is retained. If any hardcopy documents are received these are scanned and then shredded.

Handling

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. We maintain a record of all those to whom certificates or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

CHECKING AS PART OF THE RECRUITMENT PROCESS

It is illegal to carry out a DBS check on any post that is not exempt under the Rehabilitation of Offenders Act (Exceptions) Order except for the basic disclosure in certain circumstances as described in section 3. Posts that are not covered by the Exceptions Order are defined as those who do not have access to children or adults in the course of their normal duties. For example this would include administration or management staff that have minimal access to children or vulnerable adults.

SJD Homes will use the Disclosure and Barring Service as part of the pre-employment checks during the recruitment process. The information provided by the DBS will help those involved with recruitment to make informed decisions about the suitability of candidates for certain types of work.

HR Personnel are responsible for DBS checks for all new recruits into the company. As part of the recruitment process, a DBS check is built into the on-boarding process for eligible roles after a provisional offer of employment is sent. HR will also carry out DBS checks for all existing staff.

Appointment of staff –

i) pre offer administration

All recruitment literature where disclosure is required will state that successful applicants will be required to apply for DBS Disclosure. This will also be stated in the job description.

ii) offers of appointment and contracts of employment

All offers of appointment to posts which require a DBS check will be made conditional on the receipt of a satisfactory DBS check in addition to references, verification of qualifications and medical clearance.

Where a DBS check is required, all applicants, regardless of their status, will be expected to apply for a new DBS check. Portability is not acceptable regardless of status.

Subject to those exceptions set out in the procedure, employment cannot commence without the original disclosure being sighted. HR will be responsible for ensuring that the original disclosure is seen. The employee's offer letter will contain a clause stating that the offer of employment is subject to receipt of a satisfactory disclosure (renewable every three years) from the Disclosure and Barring Service. If an unsatisfactory disclosure is received, the offer will be withdrawn.

RECRUITMENT OF EX-OFFENDERS

This is covered in a separate Policy JSD/HR/20

If the disclosure is satisfactory the line manager is informed.

If an applicant believes the information provided by DBS is not correct, the applicant can contact the DBS to dispute the result.

REGULAR CHECKS ON EXISTING STAFF

All staff whose posts require a disclosure will be required to renew their application every three years. If a disclosure is returned with nothing found there will be no further action until the next review date.

In cases where a criminal record is disclosed or a DBS check indicates that the person may be unsuitable to continue in employment, the Service Manager will decide whether the employee should be suspended from work or transferred temporarily to another post whilst this is under investigation. This may affect the employee's continuing employment with the company.

Employees are required to disclose to their Head of HR details of any criminal conviction/ caution/ reprimand/ final warning or bind-over they acquire during their employment with Brent.

In circumstances where the police become involved with an employee, and where an employee is charged with a criminal offence, the matter should be dealt with under SJD Homes's Disciplinary Policy.

Retention

JSD Homes is required to retain a copy of the certificate for the purpose of inspection by Ofsted and completing safeguarding audits. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

Once the retention period has elapsed, we will ensure that any DBS certificate information is immediately destroyed by secure means, for example by shredding, pulping or burning. While awaiting destruction, certificate information will not be kept in any insecure receptacle (e.g. waste bin or confidential waste sack).

We will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, notwithstanding the above, we may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificates and the details of the recruitment decision taken.

