

DISCLOSURE & BARRING SERVICE (DBS) POLICY

1. Introduction

- 1.1 The Disclosure & Barring Service (DBS) replaced the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) and is an executive agency, sponsored by the Home Office which provides access to criminal records and other information through a service called Disclosure.
- 1.2 The University uses this service to help make more informed decisions when recruiting staff into positions of trust which involve regular contact with children and/or vulnerable adults.
- 1.3 This policy outlines the University's approach to recruiting ex-offenders and provides procedural guidance for conducting staff DBS checks. This policy will be made available as part of the recruitment process to all job applicants who are subject to a DBS check as a condition of employment.
- 1.4 For information on student policy and procedure please access the *Guidelines on the Management of Student Check of Criminal Convictions in the Context of Volunteering and Placement Learning* available at:
<http://www.reading.ac.uk/web/FILES/qualitysupport/studentdisclosure.pdf>

2. Recruiting ex-offenders

- 2.1 As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the University complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly.
- 2.2 The University undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- 2.3 The University can only ask an individual to provide details of convictions and cautions that the University is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended).
- 2.4 The University can only ask an individual about convictions and cautions that are not protected.
- 2.5 The University is committed to the fair treatment of its employees, potential employees or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- 2.6 This policy that includes the recruitment of ex-offenders, is made available to all DBS applicants at the start of the recruitment process.

- 2.7 The University actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records.
- 2.8 The University select all candidates for interview based on their skills, qualifications and experience.
- 2.9 An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment documents will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- 2.10 The University ensures that all those who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences.
- 2.11 The University also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- 2.12 At interview, or in a separate discussion, the University ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- 2.13 The University makes every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request.
- 2.14 The University undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.
- 2.15 In dealing with persons with a criminal record, the University will consider the following:
 - a. Whether the conviction or other matter revealed is relevant to the position in question;
 - b. The seriousness of any offence or other matter revealed;
 - c. The length of time since the offence or other matter occurred;
 - d. Whether the applicant has a pattern of offending behaviour or other relevant matters;
 - e. Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters and;
 - f. The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

3. DBS application process

Instructions for applicants and employees subject to a DBS check

- 3.1 Along with the employment contract and covering letter, applicants will receive an email from our online provider: GBGroup Online Disclosures containing instructions and a link to the online DBS application form.
- 3.2 Applicants click on the link and follow the instructions in order to complete the DBS application form. Within the application form, applicants are asked to specify which ID documents they will be providing later for verification. It is important that documents which are accessible to the applicant are selected, as they will be required to show the originals to the HR office.

- 3.3 Guidance for applicants on completing the DBS form, GBGroup are available at <https://gbg.onlinedisclosures.co.uk/Authentication/Login>.
- 3.4 Once the online process is completed successfully, the applicant contacts Human Resources as soon as possible on 0118 378 8751 or hroperations@reading.ac.uk to arrange an appointment to show their identity documents. HR can clarify any queries on the process at this stage.
- 3.5 The DBS will send the results of the DBS Disclosure in the form of a Disclosure Certificate to the applicant's home address specified on the application form. The applicant keeps this certificate for their records.
- 3.6 **Security Staff Only** – For employees working in Security Services, the DBS check is carried out as part of the mandatory Security Industry Authority (SIA) license application training. Once the SIA training has been successfully completed, the new employee must bring their DBS Disclosure certificate along with their SIA license to Human Resources, Room 110, Whiteknights House in order for them to make copies for their records.
- 3.7 The current fee for DBS checks can be found at: <https://www.gov.uk/disclosure-barring-service-check/overview> The University department will meet the cost of this fee for applicants and employees DBS checks.
- 3.8 The completion time of each application is different and the completion time can vary with some checks taking longer, especially if they are at an enhanced level and are referred to the police for checks against non-conviction data. Arrangements for employees who have not yet received DBS clearance but are in contact with children and/or vulnerable adults must be organised at management level with advice from Human Resources. It may be that temporary supervision is needed or that a project must wait until clearance has been received for example.
- 3.9 The DBS can only access criminal records (convictions, cautions, reprimands and warnings) held on the UK Police National Computer. Therefore, when recruiting an overseas applicant or an applicant with a substantial period of overseas residency a DBS check may not provide a complete picture of their criminal record that may or may not exist. Therefore, it is at the discretion of the University to ask that applicants obtain a 'Certificate of Good Conduct' from the relevant country/countries where available. Although procedures for different countries vary, this information may usually be obtained from the relevant Embassy or appropriate authority. The DBS website provides further information in <https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers#overseas-applicants> Extra references should be requested for applicants from countries which do not provide criminal record checks.
- 3.10 There is no official expiry date for a criminal record check issued by DBS. Any information revealed on a DBS certificate will be accurate at the time the certificate was issued. The date of issue on the certificate will be checked to decide whether to request a newer one. It is the policy of the University not to accept DBS Disclosures which the applicant has previously been issued from another body.

Stages of the application process

- 3.11 **Stage 1 - application form received and validated:** The application form is checked for errors or omissions. The form is either scanned onto the DBS system or returned for correction to the countersignatory within 24 hours of receipt.
- 3.12 **Stage 2 - Police National Computer (PNC) searched:** Key data from the application form is compared against details from the Police National Computer (PNC) to search for any matches.

- 3.13 **Stage 3 - Children and adults' barred lists searched (where applicable):** Key data from the application form is compared against barred lists to search for any matches.
- 3.14 **Stage 4 - Records held by the police searched:** Enhanced checks are sent by secure, electronic means to the police for an additional check of local records before the information is sent back to the DBS. Your details may be same as, or similar to details held at any police force across the country. To make sure potential matches are not missed, those police forces will check the details against their locally held information.
- 3.15 **Stage 5 - DBS certificate printed:** All the information to be disclosed is printed under highly secure procedures and posted to the applicant. The applicant will then need to show their DBS certificate to the employer who requested the criminal record check.

4. Secure storage, handling, use, retention and disposal of information

- 4.1 As an organisation using the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants for positions of trust, the University complies fully with the code of practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information.
- 4.2 It also complies fully with its obligations under the Data Protection Act 1998 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

- 4.3 Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

Handling

- 4.4 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

- 4.5 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.

Retention

- 4.6 Once a recruitment (or other relevant) decision has been made, we do not keep certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints.
- 4.7 If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so.
- 4.8 Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

Disposal

- 4.9 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).
- 4.10 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 will 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.

5. Further information

- 5.1 For further information about the DBS please visit:
- a. DBS Overview: <https://www.gov.uk/disclosure-barring-service-check/overview>
 - b. DBS guidance for employers: <https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers#the-code-of-practice>