

- iv. Registered child minding; and foster-carers.

b. Regulated activity relating to adults:

Activities which, if any adult requires them, lead to that adult being considered vulnerable at that particular time e.g. health care or social work. The focus is on the activities required by the adult and not on the setting in which the activity is received, nor the personal characteristics or circumstances of the adult receiving the activities. There is no requirement for a person to do the activities a number of times before they are engaging in regulated activity.

4. Levels of Checks

There are 3 levels of checks utilised at Harper Adams:

a. Standard Check

To be eligible for a standard level check the position must be included in the Rehabilitation of Offenders Act 1974 Exceptions Order 1975. A standard check is available for certain specified occupations, licences and entry into certain specified professions.

A standard check contains details of all spent and unspent convictions, cautions, reprimands and final warnings held on the Police National Computer.

b. Enhanced Check

To be eligible for an enhanced level check the position must be included in the Rehabilitation of Offenders Act 1974 Exceptions Order 1975.

Position applied for
Disclosure / certificate number
If something is disclosed (satisfactory or unacceptable)

b. Employees

All employees in regulated activity must inform their Line Manager of any criminal convictions they receive while they are in employment.

All employees have a responsibility to attend meetings to discuss any disclosure matters when required to do so.

c. Line Managers

Line Managers have direct responsibility for monitoring the actions of their staff to safeguard and promote the welfare of children and adults.

To ensure that if a member of staff in regulated activity reports a criminal conviction or any change in circumstances which may require a DBS check, that this is reported immediately to Human Resources.

d. Recruiting Managers

Recruiting managers should ensure that the relevant DBS checks are applied for after an offer of employment is made.

Managers should raise any concerns to Human Resources regarding any convictions that come to light as part of the recruitment process.

Human Resources will work with and advise recruiting managers to identify at the point of advertisement, those posts involving a regulated activity and which require DBS check. (Please see Appendix 1 and 2 for further guidance).

Managers should ensure that where a DBS check will be required this is clearly stated in the advertisement for the role. Further advice is included in Section B.

6. Re-checking

The University does not routinely require staff and volunteers to be re-checked by the DBS.

theirs. This check can then be used within any organisation that the agency provides workers to work within.

When using an agency worker, the Human Resources Department will ask to see written confirmation from the agency, to ensure that each worker supplied to them (who require a DBS check as part of their role) has had a satisfactory DBS check and checks against the Children's and/or Adult's barred list.

The organisation providing the contractor is legally the employer of any contractors and the responsibility to obtain a relevant DBS check or Enhanced check for Regulated Activity is theirs. This check can then be used within any organisation that contractors are provided to.

9. Volunteers

A volunteer is described as a person who performs an activity which involves spending time unpaid (except for travelling and approved out of pocket expenses) doing something which aims to benefit someone (individuals or groups) other than, or in addition to, close relatives.

Volunteers who assist on a regular basis in a role which meets the parameters for requiring a DBS check are required to undertake a DBS check, and if the role is also classed as Regulated Activity (post 10th September 2012) they will be eligible for an Enhanced check for Regulated Activity.

The disclosure is provided free but there is an internal administrative charge via Telford and Wrekin Council. Some people can be referred to as volunteers but do not actually meet the DBS' criteria to get a free disclosure check. To qualify for a free of charge disclosure, the applicant must not benefit directly from the position the DBS application is being submitted for. The applicant must not:

- receive any payment (except for travel and other approved out of pocket expenses);
- be on a placement/work experience;
- be on a course that requires them to do this job role; and/or
- be in a trainee position that will lead to a full-time role post qualification.

Volunteer roles should be properly described under 'role of applicant' on the DBS disclosure form e.g. "volunteer classroom helper".

10. Portability of Disclosure

DBS checks carried out after 1 March 2013 are portable between organisations, subject to the applicant subscribing to the DBS update service.

If an applicant has subscribed to the update service the results of their DBS check will be available online to enable employers to confirm that no new information has been added since the check was originally made. This means that an employee will not have to obtain a new check each time they start a new job within the same or new organisation.

A DBS check has no official expiry date. Any information revealed on a certificate will be that held by police at the time the check was issued. DBS checks are an important part of a rigorous recruitment process but are only accurate up to the date of the check.

11. Confidentiality

a. General Principles

Information provided on any disclosure is both sensitive and confidential. It is therefore essential that anyone who is party to that information should handle it as such. The University adheres to the DBS Code of Practice and the University also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, usage, storage, retention and disposal of disclosure information.

3. Declaration of Criminal Record and the Selection Process

The University's job application form requires applicants for all posts to provide details of any

5. Exploring a Conviction and its Relevance

The HR Department will make an initial assessment of the content of the disclosure report. If the report provides no evidence of convictions or any other related information, the individual will be sent a letter confirming their appointment.

If the report confirms a conviction or any other related information, the HR Department will make an initial assessment of whether the information provided has any potential relevance to the post. If there is clearly no potential relevance, the individual will be sent a letter confirming their appointment.

If the report confirms a potentially relevant conviction, or any other potentially relevant information, further exploration will be required following the process outlined below.

All discussions relating to declarations of unspent convictions will usually take place after the selection process has been completed and will involve the chair of the selection panel and the Human Resources Department. As part of the decision-making process they will normally meet with the individual; the aim of this meeting will be to obtain further information and to achieve a structured, well-managed, open and honest discussion between the three parties.

Any convictions which are for a road traffic offence for which the individual received a fixed penalty fine with a maximum of three penalty points should be disregarded, unless driving is a core activity of the post.

The suitability for employment of a person with a criminal record will clearly vary, depending upon the nature of the job and the details and circumstances of any convictions. The decision should be made on the basis of a risk assessment to enable the applicant's criminal record and circumstances to be assessed in relation to the tasks he or she will be required to perform and the circumstances in which the work is to be carried out. Appendix 4 can be utilised to help with this risk assessment.

The following job-related factors should be taken into account:

- Does the post involve direct contact with students or the public?
- What level of supervision will the post-holder receive?
- What level of trust is involved? Will the nature of the job present any opportunities for the post-holder to re-offend in the place of work?
- Does the post involve any direct responsibility for finance or items of value?
- Does the post involve any contact with children or other vulnerable groups of employees, research subjects, etc?

The assessment is also likely to include consideration of the following factors relating to the individual's offence(s):

- The seriousness of the offence(s) and relevance to the safety of other employees, students, research subjects, the public etc;
- The length of time since the offence(s) occurred;
- Relevant information offered by the applicant about the circumstances that led to the offence(s) being committed, for example the influence of domestic or financial difficulties;
- The degree of remorse, or otherwise, expressed by the applicant, and their motivation to change;
- Whether the offence was a one-off, or part of a history of offending;
- Whether the applicant's circumstances have changed since the offence(s) was committed,

Risk Assessment for post to be subject to a Disclosure and Barring Check**Appendix 1**

Human Resources works with and advises recruiting managers to identify prior to the point of appointment those posts involving a regulated activity and which require DBS disclosure.

A risk assessment to identify whether an individual does require a DBS disclosure can be found below:

Post:	
Department:	
Brief overview of role:	

Question No	Criteria	Yes	No
1	Does the post include activity in one of those areas already identified in Appendix 2 of this policy?		
2	Does the above post come into contact with children as part of the duties of the job (either within the University or in another setting)?		
3	If yes to Q2, is this contact on a regular basis (regular is defined as a minimum of once a week or at least four days in a 30 day period).		
4	Would the contact be on an unsupervised, one to one basis?		
5	Does the above post come into contact with adults who may be vulnerable as part of the duties of the job?		
6	Is there any other substantive reason this post should be subject to a DBS check?		
7	If yes to Q6, please use the space below to justify a DBS check for this post:		

	Yes	No
Post to be subject to a DBS check?		

Line Manager Signature	HR Signature

DBS Checks for Staff

Appendix 2

There are certain posts at the University which will require satisfactory vetting and barring clearance. Some examples of these posts are:

All Lecturing Staff
Marketing & Communications where there is contact with children and/or vulnerable adults.
Student Ambassadors, Mentors and Tutors and students working in any type of outreach activities.
Student Services Department: Staff working on an individual basis primarily with students who might fall within the definition of regulated activity for adults or children e.g. counsellors, student support workers, staff in the wellbeing area.
IT Service Desk Staff also other areas of the IT department dependent upon the work they are involved with.
Chaplaincy: An enhanced disclosure will be obtained for chaplains working at the University
Learner Support and the International Office: those staff working primarily on an individual basis
Student Residences: Student wardens are required to have an enhanced disclosure. Also those Domestic Service staff directly involved with cleaning residences where students under 18 are specifically located.
University Designated Safeguarding Officers

Staff supervising University employees who are under 18 or students under 18 who are on University courses

Policy Statement on the Recruitment of Ex-Offenders

Appendix 3

As an organisation using the Disclosure and Barring Service (DBS) checking service to assess applicants' suitability for positions of trust, Harper Adams University complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.

Harper Adams University is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

