

## Sevenoaks Town Council

### SAFER RECRUITMENT POLICY STATEMENT ON THE APPLICATION OF DBS (formerly CRB) CHECKS.

#### 1. General

- 1.1. Sevenoaks Town Council has a strong commitment to safeguarding children, young people and adults that are considered vulnerable at that particular time and expects all adults involved in the delivery of council services to share this commitment. Safer recruitment procedures are an important strand of safeguarding provision.
- 1.2. All those involved in the recruitment of staff or volunteers to work with children, young people or adults that are considered vulnerable at that particular time should have undertaken appropriate safer recruitment training and/or be suitably advised by a member of staff and/or another Council officer who has completed such training.
- 1.3. Safer recruitment procedures within the Council will recognise the importance of applying relevant safeguarding considerations throughout the process of recruitment and in subsequent induction and supervision. They will not, and should not, rely upon criminal record (DBS) checks as the sole means of establishing suitability for working with Children, Young people or adults that are considered vulnerable at that particular time. However, DBS and other documentary checks do have an important part to play in safer recruitment and the specific requirements to apply within the council are set out below.
- 1.4. Where the council commissions services through a contractor or third party provider appropriate requirements and standards relating to safer recruitment and safeguarding obligations will be set out in the contract or service level agreement.

#### 2. The requirement for DBS checks

- 2.1. The council will require an enhanced DBS check (including barred list information) for all positions which may be considered as 'regulated' activity as defined in the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012. This takes account of
  - the nature of the activity undertaken.
  - the setting in which the activity is undertaken
  - the frequency or intensity of the activity carried outSuch positions are predominantly those which involve regular contact or engagement with children or have care or welfare responsibilities for relevant adults
- 2.2. The entitlement to request an enhanced level DBS check (without barring information) for positions formerly deemed to be a regulated activity will be applied where this is considered appropriate to the circumstances. This will include obtaining DBS checks on volunteers who may be supervised by Council employees.
- 2.3. Other than in exceptional cases, the Council will not be entitled to request an enhanced DBS check for those working in positions that have significant access to and/or responsibility for personal data or information relating to the wellbeing of children, young people or relevant adults.
- 2.4. Senior Council Officers will be responsible for identifying positions requiring checks in consultation with the appropriate service manager(s). A record will be maintained of relevant positions and the

requirement for an enhanced DBS check will be set out within recruitment and appointment documentation

- 2.5 The requirement for an enhanced DBS disclosure for any particular position does not mean that any person with a criminal record will be prevented from being considered or appointed, unless the conviction(s) are such that they disqualify the person through regulatory barring procedures. Each case will be considered on an individual basis taking account of the responsibilities of the position; the nature, time and frequency of any conviction; and other relevant employment history or contextual information.
- 2.6 The enhanced DBS check must be obtained alongside other relevant documentary checks (e.g. references) prior to employment commencing. Only in the most exceptional circumstances will an earlier start date be considered and approval may only be granted by the appropriate Senior Council Officer. It will be necessary for a clear record of any risk assessment considerations to be submitted and recorded. Any exceptional decisions to commence work prior to DBS clearance will be monitored by the Town Clerk.
- 2.7 Where the post requires a DBS check all new entrants to the workforce i.e. first appointment at that level, must be checked. However a new disclosure check on appointment will not normally be required for those who already have an existing DBS disclosure check providing the following conditions are satisfied:
  - The DBS disclosure check is less than 12 month's old or they are registered with the Update Service and the on-line status check is confirmed
  - The individual's identity is checked
  - All other safer recruitment checks are carried out prior to employment commencing
  - The original CRB/DBS disclosure form is seen and recorded as part of the pre-employment check process
  - The disclosure is at the appropriate level and relevant to the work area/phase
  - Any break in service is for no greater than 3 months and can be adequately accounted for

### **3. DBS rechecks**

- 3.1 Other than for specified positions, there will be no general requirement for the rechecking of the enhanced DBS disclosure for those in regulated or other relevant positions who remain in continuous employment, although the council reserves the right to do so in appropriate circumstances.
- 3.2 Rechecks will be undertaken at three yearly intervals only for those positions where such a requirement is imposed or recommended by relevant regulations or guidance; or in other circumstances where the nature of the role and/or the particular setting or supervisory arrangements are such that period rechecks are considered to be appropriate.
- 3.3 The classification of posts that are subject to three yearly rechecks will be determined in consultation with the appropriate service manager/ Council Officer and will be reviewed and revised to reflect service developments.

### **4. Responsibilities on staff and volunteers**

All staff and volunteers are required to co-operate fully with the procedures involved in obtaining and verifying a DBS disclosure and are also required to notify their manager of any cautions or convictions which they may subsequently incur. Failure to comply with the council's safer recruitment and safeguarding requirements will be dealt with in accordance with the Managing

Employee Performance Procedure. In the case of volunteers, the council reserves the right to withdraw that person from relevant activity where there is good reason to do so.

## **5. Review**

This policy will be reviewed and updated, as necessary to reflect operational experience and/or inspection recommendations and/or national guidance or regulatory requirements.

**Sevenoaks Town Council April 2016**