



Disclosure and Barring Checks Policy and Procedure

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May 2023 – Policy Owner Changed to Safeguarding, Procedure for Sign off for DBC 2 and 3 changed.

September 2022 – Original version of policy published, superseding Disclosure and Barring Checks Policy and Procedure

Other related/relevant policies/ procedure:

This policy should be read in conjunction with the following:

- Safeguarding Framework

Note: This policy was developed and approved by Action for Children for internal use. It should not be incorporated into or used by other organisations without prior permission.

Disclosure and Barring Checks Policy and Procedure

Description

Who does this policy apply to?

This policy applies to recruitment and employment to all posts within Action for Children including all employees, casual workers, TUPE IN staff, fostering and adoption, host families and volunteers, Trustees, Committee Members. It also applies to certain other roles within the organisation which are positions of trust and/or have access to vulnerable adults or young people.

The Policy applies to all officers of the organisation who have access to disclosure information.

This policy does not form part of any contract of employment. It may be amended at any time and we may use an alternative procedure depending on the circumstances of the particular case.

This policy applies to all Action for Children Group Companies. Although the name 'Action for Children' has been used throughout this policy, you should interpret that as a reference to the particular Action for Children group company that you work for.

Part One: Policy

1. Policy Statement and Purpose

1.1 The purpose of the Policy is:

- To assist Action for Children in protecting vulnerable children and adults by making safer recruitment and employment decisions;
- To ensure that Disclosure Information is used properly and fairly;
- To ensure that Disclosure Information is handled and stored and disposed of appropriately.

1.2 The Central and Local Governments in the various jurisdictions in the UK operate Criminal Record Processes and have made arrangements for individuals who are unsuitable from working (in a paid or voluntary capacity) with vulnerable groups, including children to be barred from any such work.

The National Disclosure Authorities which provide access to information about criminal convictions and other police records are:

- England & Wales – Disclosure & Barring Service
- Scotland – Disclosure Scotland (PVG Scheme)
- Northern Ireland – Access NI
- Guernsey – Guernsey Vetting Bureau

1.3 This Policy is in line and should be read in conjunction with the Recruitment and Selection Policy & Procedure documents and the Safeguarding Framework.

1.4 The Disclosure Hub page on Thomas contains the appendices to this document for easy access and additional background information on many areas related to Disclosure.

2. Principles

2.1 Appointments to Children's Services posts which involve working directly with children will normally require an enhanced disclosure with an additional check of the relevant barred list (and PVG membership in Scotland).

2.2 All other roles in all departments will require a basic level disclosure check as a minimum- standard level checks may be relevant for a minority of roles.

- 2.3 Information regarding the different types of check available and the eligibility requirements can be found in the Disclosure Guidance in the Disclosure Hub on Thomas.
- 2.4 Disclosure checks must be completed before a person commences in their role. No employee, volunteer, agency worker, consultant, contractor, Trustee, Committee Member or casual worker should commence working for AFC before the appropriate disclosure check has been completed. The only exception to this is the risk assessment process detailed within section 3 of the procedure below.
- 2.5 Action for Children will accept DBS Update Service status checks where an applicant is registered and has the correct level and type of check. It is a manager's responsibility to ensure that the applicant's registration meets the requirements for the role.
- 2.6 If Managers are sourcing temporary agency workers through a Recruitment Agency, the agency must be required to conduct disclosure checks or provide information regarding satisfactory DBS Update Service check as part of the agency recruitment process. Managers for this reason should ensure that only approved recruitment agencies are engaged for this purpose, in accordance with Action for Children safer recruitment processes. Even where a Recruitment Agency is approved, Managers must however follow the policy on safer recruitment of agency staff and ensure that they see the DBS check and make a record of its number and ensure that any history of cautions or convictions are considered in line with the arrangements set out in this policy.
- 2.7 Action for Children **does not routinely** require renewals of a worker's disclosure certificate, except where there is a legal or contractual requirement to undertake a repeat check. In these circumstances a disclosure check must be renewed for all employees/volunteers/foster carers/adopters/host providers/casual workers etc. working in the service on a three-yearly basis.
- 2.8 It is the responsibility of the Line Manager to ensure the process of requesting a renewal check through the Disclosure Service or processing a DBS Update Service Status Check (in England and Wales only and only in respect of those requiring enhanced or enhanced-plus checks) is completed in sufficient time prior to the renewal date for each employee/volunteer/foster carer etc.
- 2.9 Staff must notify their Line Manager as soon as possible of any personal involvement in police investigations or proceedings. If staff are charged with a criminal offence or receive any sanction for breaking the law (including a formal warning or receipt of a summons). This includes motoring offences with the exception of illegal parking tickets. Action for Children will then determine what action, if any, should be taken after the incident has been thoroughly investigated and facts of the case established. Any decision of how to proceed will be taken by at least a level 2 manager. The advice of the Director of Safeguarding will be sought in all cases concerning safeguarding matters with regard to a child or children.
- 2.10 Action for Children reserves the right to ask existing members of staff in eligible positions to apply for a new disclosure check if their actions or activities give 'cause for concern'. The grounds for cause for concern' could include allegations of suspicious or inappropriate behaviour made by a child or other person, or a colleague, parent, carer or member of the public. In such instances, a full investigation of any such allegations will be conducted in accordance with the organisation's Safeguarding and Disciplinary Policies.

3. Staff where Disclosure Checks are Required for Both the Children's and Adults Workforces

- 3.1 Disclosure checks are routinely obtained in respect of suitability to work either with children under the age of 18 or vulnerable adults aged over 18 depending on the nature of the service and role.
- 3.2 Some roles involve working with both children and vulnerable adults and in these cases, the recruiting manager should determine which is the correct disclosure to seek or whether checks for both childrens' and adults' workforces are required. Advice can be obtained from the recruitment service or the safeguarding service. In all cases, a check at enhanced level with check on a barred list will be required in posts working or managing practice with children, young people and families unless an exception to this is agreed with the Safeguarding Service.
- 3.3 Some staff will work with one service user group but then be asked to work with those from the other group. For example, a social care worker might usually work only with children but then find that one or more of the young people have turned 18 years of age but there is a need or request for the service to continue.

- 3.4 In this situation, it is important the manager of the service plans ahead in meeting the needs of service users and ensures that all relevant staff are required to request disclosure checks for suitability to work in the vulnerable adults' workforce. Service provision for the young person cannot take place without disclosure checks. Risk assessments would only usually be agreed in exceptional circumstances where there would otherwise be a clear safeguarding risk to the young person or others.
- 3.5 In children's homes, the home's Statement of Purpose will dictate and clarify what barred lists must be checked for the staff working in the service in line with the provisions of 3.2 to 3.4 above.

4. Disclosure Checks for Young People who are Service Users in Transition to Adulthood in Children's Homes and Fostering

- 4.1 Young people in care now have a right to remain in their foster placement or children's home where this is assessed to be in their best interests. Some young people will also continue to use short breaks facilities in which they live alongside other children in a foster home or children's home.
- 4.2 Where young people become adults and reside in a foster home, they must themselves then be subject to a disclosure check as they are adult members of a fostering household.
- 4.3 Where young people become adults and continue to live in a children's home, there is no need to undertake a disclosure check until the young person reaches the age of 19 in line with children's homes regulations.
- 4.4 Where young people become adults and continue to use regular overnight short breaks services, then a disclosure check is needed as the young person is not in this situation 'staying put' or 'continuing care' but instead is an adult receiving an overnight care package in a children's home setting.

5. DBS Update Service (England and Wales only)

- 5.1 Action for Children accepts DBS Update Status Checks in place of a full fresh check, provided that the type and level of check (i.e., enhanced/standard- adults/children) is correct for the role and the information contained on the certificate from the candidate and the online status check are the same.

Please note the DBS Update Service does not apply to Basic Checks. Further information can be found in Part 2, section 1.5 below.

6. Referral to DBS (including NI and Guernsey) or Referral to Disclosure Scotland

- 6.1 Under the Safeguarding Vulnerable Groups Act 2006, the Protection of Freedoms Act 2012, the Safeguarding Vulnerable Groups (Northern Ireland) Order 2007 and the Protection of Vulnerable Groups (Scotland) Act 2007, Action for Children has a legal duty to refer information if a member of staff/volunteer/contractor engaged in regulated work or a regulated activity where Action for Children believes the person has satisfied a 'referral ground' or engaged in 'relevant conduct' and/or satisfied the 'harm test' and/or received a caution or conviction for a 'relevant offence' and has been dismissed (or would have dismissed if their employment had not ended) or removed permanently from working in what is legally defined as in Regulated Work or a Regulated Activity. Further information can be found in the **Referral to Disclosure Body Procedure** in the Safeguarding Framework/People Hub.
- 6.2 A referral is the information that is sent to the disclosure body relevant to the country concerned to indicate that a person has harmed or posed /poses a risk of harm to children or vulnerable adults.
- 6.3 Further information about the procedures for making a referral can be found in the **Referral to Disclosure Body Procedure** in the Safeguarding Framework.
- 6.4 A Head of Service or ODCS/Department Director is responsible for making the referral to the relevant disclosure body- advice and support is available from the Safeguarding Service. The Head of Service or ODCS/Department Director **must** inform the Safeguarding Service of any cases being considered for referral to ensure there is also linkage with Charity Commission reporting requirements and to enable best practice.

7. Use of Information

Action for Children will use disclosure information fairly:

- Information will be used only for purposes for which it has been provided, permission for any other use will be sought from the subject e.g., notification to a relevant third party.
- Copies of disclosure certificates will not be kept, a note of the nature of the information and the Disclosure reference information will be kept on the employee's digital HR file.
- Recipients of Information will have regard to any guidance issued by Relevant Disclosure Authority on the use of the information.
- Where disclosure information raises concerns about an individual's suitability to undertake a position, Action for Children may withdraw an offer of appointment. The individual will be advised of the reason for the withdrawal so long as Action for Children has not been requested not to divulge information, e.g. by the police in the course of an on-going criminal investigation.

Part Two: Procedure

1. Disclosure Request Procedure

- 1.1 Guidance and support documentation for Managers to process a full check and to use the DBS Update Service is available in the Disclosure Hub.
- 1.2 For all disclosure checks (excluding DBS Update Service) the Disclosure Service will communicate the result of the completed check to the recruiting manager by email. Where the disclosure is clear, a start date for the employee can be agreed immediately by the Recruiting Manager subject to satisfactory completion of all other pre-employment checks (i.e., medical/references).
- 1.3 The Recruiting Managers must view the hard copy certificate once completed and if clear approve the disclosure certificate on the employee's disclosure check confirmation screen on itrent once they have started employment with us. If the disclosure check is positive the procedure detailed in section 2 applies. Guidance about how to approve a clear disclosure certificate on itrent can be found in the Recruitment Hub on Thomas.

DBS Certificate Details' form (DBC1)- This form should only be completed and retained locally for non-recruitment/employee related disclosures (e.g., volunteers/foster carers/adopters etc.) for any inspection/audit purposes. This does not need to be sent to the Disclosure Service.

- 1.4 In any circumstances where a member of staff/worker/carer/volunteer or new appointee refuses to provide the recruiting manager with sight of a disclosure certificate, then action will be taken to rescind the offer of employment or engagement or to make use of the disciplinary and/or deregistration processes for existing staff.

DBS Update Service (England and Wales only)

- 1.5 Action for Children accept DBS Update Status Checks in place of a full fresh check provided that the type and level of check (i.e., enhanced/standard- adults/children) is correct for the role and the information contained on the certificate from the candidate and the online status check are the same.

Managers need to ensure that they see the original disclosure certificate supplied by the candidate and compare this carefully with the details on the DBS Update Service platform.

Where there is new information on the status check, a full fresh check must be undertaken to ensure the full criminal record is available for Managers to make decisions about appointment.

Managers are responsible for checking the level and type of check, and for processing the status check on the DBS Update Service platform.

Managers are also responsible for updating the relevant system with the result of the status check (itrent for existing employee's (not required for new recruits as the Recruitment Service will complete this), Charms for Foster Carers and Better Impact for Volunteers).

- 1.6 For those services that are required to process renewals, new starters (staff/volunteers/foster carers) with enhanced level checks will be expected to join the DBS Update Service following the completion of their initial disclosure check. Existing staff/volunteers/foster carers in these services are required to join the DBS Update Service at the time of the initial renewal and retain this membership whilst they are employed/engaged with Action for Children. Costs incurred can be reclaimed through expenses.

The cost of this registration will be reimbursed by Action for Children via an expense claim. This then means that a fresh check is not required at any point in the future as a manager can process a DBS Update Status Check.

- 1.7 At the time of the initial renewal for existing staff a variation to contract letter must be issued to the employee by the Manager- the template for this is available on the Disclosure Hub.

2. Positive Disclosure

- 2.1 A positive disclosure in AFC is a disclosure certificate that has criminal information detailed on it. Recruiting Managers should ensure they have seen the hard copy certificate.

Information pertaining to the offence(s) should not be shared with any individual not involved in the decision-making process. The certificate should not be photocopied, any notes made by the RM detailing the information contained on the certificate must be securely and confidentially stored.

- 2.2 **N.B.** If any other relevant information is disclosed at the Chief Police Officer(s) discretion in addition to the certificate, it must only be disclosed to the individual applicant concerned in line with any express restrictions issued with this information.

- 2.3 Assessing the relevance of information in a positive disclosure.

The manager shall collect all the relevant information together, e.g.

- Job Description
- Details of the criminal record/allegation
- The disclosure (if applicable). Please note Managers should not retain copies of individual's certificates.
- References regarding the offence, e.g., probation officer, specialist employment organisation
- Details / correspondence from any meetings with the candidate/employee relating to the case

The suitability for employment of a person with a criminal record will vary depending on the nature of the job and details and circumstances of any conviction, reprimands, final warnings or convictions. An assessment of the applicant's skills, experience and circumstances should be weighed against the risk assessment criteria for the job. Managers responsible for recruitment and retention need to identify what risks might be involved and what precautions need to be put into place to provide satisfactory safeguards.

As a minimum, the manager should consider: -

- Does the post involve 1:1 contact with children or other vulnerable groups?
 - What level of supervision will the post holder receive?
 - Does the post involve direct contact with children/vulnerable adults?
 - Will the nature of the job present any opportunities for the post holder to re-offend in the workplace?
 - Does the post involve responsibility for finances or items of value?
 - The seriousness of the offence and its relevance to the safety of other employee's, patients, public and property
 - Length of time since the offence occurred
 - Any relevant information offered by the applicant about the circumstances which led to the offence being committed and the view of the offending now
 - Likelihood of future offending
 - Whether the offence was a one off or part of a history of offending
 - Whether the applicant's circumstances have changed since the offence was committed, making re-offending less likely
 - Whether the offence has since been decriminalised by parliament
 - The Recruiting Manager should have a discussion with the candidate to obtain their view as to why they believe they are suitable for employment.
- 2.4 Please note that in England and Wales the filtering rules (which establish which convictions and cautions no longer show up) on standard and enhanced criminal record checks issued by the Disclosure and Barring Service (DBS) may mean that a clear disclosure does not necessarily mean there were no previous issues relating to minor crimes or crimes committed as young people under the age of 16.
- 2.5 If recruitment/engagement is not to proceed for new employees/foster carers etc. due to the nature of the offences disclosed, the individual must be notified in writing by the Recruiting/Line Manager and a copy letter retained in the applicant's recruitment file.
- Where the person is an existing employee and an unsatisfactory disclosure check is received, this should be investigated without delay.
- 2.6 If recruitment/engagement is to proceed authorisation levels for positive disclosure risk assessments (DBC 3) are detailed in section 8 below.

3. Starting Work/Engagement Prior to Receipt of Disclosure Result

3.1. New employees cannot start working with AFC under any circumstances without either:

A completed disclosure certificate processed at the time of appointment to post

OR

A risk assessment approved by the relevant level 2 Manager(s) in line with the table provided at the end of this procedure, received by the Recruitment Service ahead of the start date. Risk assessments will only ever be agreed for short time periods (a maximum of four weeks) to prevent a safeguarding risk to children, e.g., to prevent closure of a facility because of staff sickness in a children's home.

Where staff join Action for Children via TUPE transfer processes, it might be impossible for the recruiting manager to obtain the details of staff to request disclosure checks prior to transfer of employment to Action for Children. In this case, the recruiting manager will ensure that risk assessments are agreed in line with the table at the end of this policy and ensure that the safeguarding activities required in the TUPE transfer procedure are undertaken to ascertain any risk about the new service.

If it is found that a manager has permitted an individual to start work who does not have a disclosure certificate or an approved risk assessment this will be treated as non-compliance of this policy and the Manager might be subject to investigation as a potential breach of the Code of Conduct.

For employed roles within Children's Services risk assessments can only be used in an exceptional circumstance (defined as circumstances where there would otherwise be a safeguarding risk to a child/young person, e.g., a residential home would need to close for a shift).

For employed roles in FCP and Corporate Shared Services risk assessments can only be used in exceptional circumstance where there has been a delay in processing the check by the disclosure body and where there is Level 2 Manager approval (Managing Director).

3.2 Authorisation levels for risk assessments (DBC 2) are detailed in section 8 below.

All risk assessments will be reviewed on an on-going four weekly basis by the ODCS/Head of Department to ensure circumstances have not changed and previous mitigations are still appropriate. Any risk assessment that is in place for longer than 8 weeks must be approved by the National Director/Deputy Director/relevant FCP/CSS Director.

3.3 The Recruiting Manager must confirm in the DBC 2 that:

- All the pre-employment checks as outlined in the Safer Recruitment Policy and Procedure have been completed. For example, the identity of the job applicant is confirmed, references have been taken and verified, international check has been completed (where applicable).
- That the disclosure check paperwork is in progress with the relevant disclosure body.
- The manager has introduced sufficient safeguards for the individual not to have unsupervised access to children and/or vulnerable adults.

3.4 If the check is clear managers must view the hard copy certificate once completed and if clear approve the disclosure certificate on the employee's disclosure check confirmation screen on I-trent. If the disclosure check is positive the procedure detailed in section 2 applies.

3.5 Risk assessments cannot be used for volunteers in any circumstance.

4. Existing Action for Children Employees Who Change Role

4.1 Existing Action for Children staff who transfer into another role in Action for Children via secondment, acting up or a standard recruitment process will NOT be required to undergo a new disclosure check at the time of transfer IF they currently have the adequate level and type of disclosure check for their current role that is required for the new role. If there is a relevant disclosure check in place and there is a change of line manager, the current line manager of the individual will be required to complete a:

Existing Staff Reference Pro-forma

The manager must detail any information the new incumbent manager needs to be aware of regarding any convictions/investigations etc. relating to the employee. The completed reference should be forwarded to the Recruitment Service for inclusion in the personnel file.

4.2 If the existing employee **does not** have the correct level and/or type of disclosure check required for the new role then a new disclosure check will be required and processed via the Recruitment Service during the internal recruitment process- e.g., an example may be where an existing employee has an enhanced check and children's barred list check- but the new role requires a check against the adult barred list. The internal transfer of the staff

member can only take place once satisfactory disclosure clearance is obtained.

Managers must view the hard copy certificate once completed and if clear approve the disclosure certificate on the employee's disclosure check confirmation screen on itrent. If the disclosure check is positive the procedure detailed in section 2 applies.

5. Staff transferring into Action for Children (TUPE)

- 5.1 Where eligible staff transfer into Action for Children via TUPE arrangements, a disclosure check must be processed by the Disclosure Service as soon as possible after the transfer of employment to Action for Children has taken place. An individual **Risk Assessment Form (DBC2)** must be completed for all eligible staff who TUPE in to cover for the period from the start date whilst the disclosure check is being processed.
- 5.2 Prior to the TUPE transfer date the Manager must consider which type of check that will be required e.g., adults/children's/both dependant on the service type and activity of the roles.
- 5.3 During the TUPE negotiations, the existing disclosure information must be requested from the current employer as part of the pre TUPE transfer due diligence exercise.
- 5.4 This information should confirm that checks are clear or positive for everyone that is TUPE into AFC. Where a positive disclosure is disclosed, the Manager must ensure the process for existing positive disclosures in section 2 is followed to ensure service continuity and minimise risks to the organisation and service users.
- 5.5 In cases where staff join Action for Children via a TUPE process, it is not always possible to receive disclosure checks back from the disclosure body in time for the start of the contract. In these situations, a separate risk assessment for each individual staff member will be put into place by the line manager within 10 working days of the commencement of the new service.
- 5.6 Managers must view the hard copy certificate once completed and if clear approve the disclosure certificate on the employee's disclosure check confirmation screen on itrent. If the disclosure check is positive the procedure detailed in section 2 applies.
- 5.7 Managers who transfer to Action for Children employment by way of TUPE will themselves also be subject to risk assessments in the same time. Following TUPE transfer, it is also sometimes necessary to use risk assessments for volunteers where the volunteer is an integral part of the service. This is the only situation where risk assessments for volunteers is appropriate. Any such arrangement will require the agreement in Children's Services of the relevant National Director/Deputy Director and a Principal Safeguarding Manger from the Safeguarding Service (Managing Director also if the service is regulated by inspection) and in FCP and Support Services, agreement would need to be provided by the relevant Managing Director responsible for the service concerned.
- 5.8 Where information exists about convictions or cautions in relation to staff who join by TUPE transfer, these will be dealt with in line with the table at the end of this policy.

6. Staff and Candidates who are subject to Inspectorate Waivers

- 6.1 Inspectorate bodies can also bar individuals from working in certain settings further to inspections which find significant concerns about safe practice or management or financial management. In some instances, an inspectorate will provide a staff member of candidate for employment a waiver to work in a role or location, usually where there are no management responsibilities involved.
- 6.2 Where any staff or candidates for employment are subject to such a waiver, then the recruiting manager must establish from the inspectorate or former employer the exact nature of the concern which led to the decision to bar the individual from working in certain settings.
- 6.3 If the recruiting manager wishes to proceed or continue with employment further to the above, then s/he must complete a DBC3 form and submit this to the Operational Director or equivalent and then when agreed to the National Director/Deputy Director responsible for the service AND to the Safeguarding Service via Remedy Force. This follows the same process as that set out for considering employment of staff or others with 'relevant' convictions as outlined in section 2 above.
- 6.4 Employment can only be continued or commenced with the agreement of BOTH the National Director/Deputy Director and a Principal Safeguarding Manager from the Safeguarding Service. If they do not agree, they will escalate the matter to the Managing Director of Children's Services and Director for Safeguarding for a decision to be made.
- 6.5 Inspectorate bodies cannot bar individuals from all work with children as this can only be done by the disclosure bodies in each nation. The recruiting manager should however always seek information as to whether the inspectorate has submitted a referral to the disclosure body for the latter to decide about barring.

- 6.6 The recruiting manager can obtain advice from the line manager, or the Safeguarding Service about dealing with staff subject to a waiver

7. International Police Checks

- 7.1 New employees/volunteers/foster carers and adopters*- all departments

Where successful applicants for employment or applicants to volunteer/foster/adopt has lived outside the UK as an adult (i.e. from age 18 onwards) for a continuous period of more than 6 months in the last 5 years, Action for Children will require international police check to be completed as part of the pre-employment/selection process. These will be processed by the Disclosure Service.

International Checks are not normally required for existing staff/volunteers who are appointed to a new role internally in Action for Children.

- 7.2 A UK disclosure check will also be completed alongside the international police check.

- 7.3 Volunteers/Foster carers/Adopters- International police checks should be requested by the Manager via Remedy force. There may be other categories of workers providing a service on behalf of Action for Children who require an international police check- e.g., host providers within supported accommodation service area's etc. Further advice should be sought from the People Advice Team.

- 7.4 New Employees- International police checks will be processed by the Recruitment Service during onboarding.

- 7.5 Where there are significant delays in receiving the international check, a manager will need to consider whether to proceed with appointment on the basis of the domestic disclosure check result, references and any other information about a candidate's background or whether to bring the recruitment process to an end. This decision will need to be agreed by the relevant Level 2 manager. Action for Children reserves the right to rescind an offer of employment/engagement where a satisfactory disclosure/vetting/international check cannot be secured.

- 7.6 Where a positive international police check is received the positive disclosure process detailed in Section 2 above should be followed.

Further information about pre-employment checks can be found in the Safer Recruitment Policy and Procedure on Thomas.

8. Other members of the workforce

8.1 Volunteers

Volunteers must have the relevant level of Disclosure Check (and an International Check where required) for the role they are undertaking

Corporate Volunteers will need a basic disclosure check if working in services when children are present.

If they are working in services when children are not present, they do not need a check as they have no contact with children.

Where a check is required, Action for Children will organise the disclosure check unless the corporate body wishes to do so directly. Where Action for Children is organising the check, a member of staff who is knowledgeable of the process for disclosure checks will attend the corporate supporter's office to obtain documents for the purposes of verifying the volunteer's ID and getting the consent form signed. This member of staff might be a member of staff from the service concerned or a corporate fundraiser or a member of staff from another part of the organisation (another service, People Team, Safeguarding, etc)- the coordination of this task will fall to the Volunteer Coordinator and corporate fundraising team.

For further details please see the Volunteer Hub for more information.

8.2 Unpaid student placements:

If an individual is joining Action for Children on a student placement the disclosure check should be undertaken by the appropriate learning body. The recruiting manager is required to obtain confirmation that this has been completed, to include the date undertaken and the disclosure reference number, and that the individual is considered suitable clear or positive disclosure. Where a positive disclosure is received the Manager must ensure the process for existing positive disclosures in section 2 is followed to ensure service continuity and minimise risks to the organisation.

If the student is offered additional casual work at Action for Children whilst on placement, an additional disclosure

check must be processed via the Disclosure Service.

8.3 **Contractors:**

Where a company or individual is contracted to provide on-site services to an Action for Children service, the manager must ensure that the individuals involved in delivering the service have a suitable and relevant level of disclosure check. Managers should always follow the guidance on engaging self-employed consultants and contractors, available on Thomas.

Where an AFC manager requires maintenance or repair work to be carried out on site, they should ensure that the contractor being used has confirmed that their staff member doing the work has had a disclosure check completed and whether it was positive or not.

Where a contractor wishes to use a staff member who has had a positive disclosure the AFC manager should request information regarding the nature of the offence, the date and the outcome. The contractor's staff member with a positive disclosure cannot attend an AFC site without the following action being taken.

After receiving information about the positive disclosure, the AFC manager must complete a DCB3 form and advise the ODCS or Head of Service who will either approve that person to work on site or advise if due to the nature of the offence, the matter has to be referred to the National Director/Deputy Director and Safeguarding Service for a decision.

Where a service engages the services of a contractor to provide a service to families or children or young people, e.g. fitting a washing machine in the family home or undertaking repairs in the home, the managers of the service **MUST** ensure that all such contractors are subject to a disclosure check and that the employer has a procedure in place to consider suitability of contractors to work with families with children.

8.4 **Self-Employed Consultants**

Where a manager contracts with a self-employed consultant to deliver regulated work or services, they must ensure the consultant has a relevant level of disclosure check, undertaken within the last 6 months at the point of the Consultant commencing role. Managers should always follow the guidance on engaging self-employed consultants and contractors, available on Thomas.

8.5 **Recruitment Agency Workers:**

The same eligibility and level of disclosure and processes are required for recruitment of agency staff as for permanent staff. Evidence of a satisfactory disclosure check must be produced before commencement of the placement and if this cannot be produced, then a new disclosure check is required. This must be completed by the recruiting agency. Further information can be found in the Temporary Agency Worker policy.

Section 9- Disclosure & International Check Risk Assessment Authorisation Levels

Explanatory Note:

DBC 2 form is used to record when approval is given for someone to commence work for us without a disclosure check being complete.

DBC 3 form is used to record approval for an individual working for us where a positive disclosure result is returned.

Workforce Type	Reason for RA and form	Approval Level	Notes
All Children Services, FCP and Corporate Shared Service Dept- Disclosure check not complete (DBC 2)			
New Employee/Temporary Agency Worker/Casual/contractors/consultants	Risk Assessment (DBC2)- disclosure check is in progress but not yet completed	The OD/ Deputy Director / line manager equivalent in FCP needs to sign it off before it comes to Safeguarding. It is then agreed by National Director/Deputy Director/Managing Director for FCP and CSS following consultation with the Safeguarding Service . Escalated to MD and Director of Safeguarding if disputed.	Note: DBC 2 is not required for existing staff renewals.
TUPE IN staff and essential volunteers (within TUPE in setting)	Risk Assessment (DBC 2)- disclosure check is in progress but not yet completed	Agreed by National Director/ Deputy Director/Managing Director for FCP and CSS	Individual Risk Assessment- where information is disclosed- any decision to proceed required agreement of the Safeguarding Service and Level 2 Manager.
All Services/Departments- Positive Disclosure Result (DBC3)			
New Employee/Temporary Agency Worker/Casual/contractors/consultants/volunteer/foster carer	DBC 3- Positive disclosure approval- offence not relevant	Agreed by OD/CS/Head of Department	
Renewal of existing staff member/casual/volunteer/contractor/consultant/foster carer	DBC 3- Positive disclosure approval- offence not relevant	Agreed by OD/CS/Head of Department	Only required if new information from previous disclosure and/or job role has changed

Section 9- Disclosure & International Check Risk Assessment Authorisation Levels

Explanatory Note:

DBC 2 form is used to record when approval is given for someone to commence work for us without a disclosure check being complete.

DBC 3 form is used to record approval for an individual working for us where a positive disclosure result is returned.

<p>New and renewal of Employee/Temporary Agency Worker/Casual/contractors/consultant/volunteer/foster carer</p>	<p>DBC 3-Positive disclosure- offence relevant to role.</p>	<p>The OD/ Deputy Director / line manager equivalent in FCP needs to sign it off before it comes to Safeguarding. It is then agreed by a Principal Safeguarding Manager from the Safeguarding Service and National Director/Deputy Director whenever there is any new information contained in the disclosure provided. If there is no new information, then agreement can be provided by the ODCS or Head of Service. Disputes escalated to MD and Director of Safeguarding for decision.</p> <p>(TUPE IN Staff- refer to MD/Safeguarding Service and SPP to decide on suitable course of action)</p>	<p>Relevant offences are a conviction or caution or other police information pertaining to:</p> <ul style="list-style-type: none"> • An offence against a child or young person aged less than 18 years-old • An offence relating to download or use of indecent material • An offence involving misuse of any substances, including alcohol or prescription or over-the-counter drugs including driving offences relates to use of alcohol or drugs • An offence involving use of violence, including domestic abuse • An offence involving use of deception or fraud • Driving offences such as speeding, reckless driving, driving without insurance where the role enables the staff member to drive children or families • Removal into care or accommodation of any child from any adult in contact with the household • Any other information likely to suggest concern about the safety of a child such as that contained in a reference or interview with a family member or friend highlighting previous behaviours indicating concern • Offending relating to extremist and/or terrorist behaviour including membership of prohibited groups
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Section 9- Disclosure & International Check Risk Assessment Authorisation Levels

Explanatory Note:

DBC 2 form is used to record when approval is given for someone to commence work for us without a disclosure check being complete.

DBC 3 form is used to record approval for an individual working for us where a positive disclosure result is returned.

Additional advice is available from the Safeguarding Service and the PAT Team.

Please send fully completed DBC 2 and 3 Forms to the Safeguarding Service via Remedy Force. A member of the Safeguarding Service will place a signature on the completed form or ask seek clarification on any information provided. The completed form should then passed to the relevant member of the recruitment team where it relates to recruitment of a new employee For all other purposes the Manager is responsible for retaining the approved risk assessment in the individuals file for future reference.