

Procedure for DBS checks and BPSS for Employees and Volunteers

Introduction

The Disclosure and Barring Services (DBS) enables the Council to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially that involve children or vulnerable adults.

Whilst DBS checks can never fully guarantee the safety of vulnerable service users, every employee, volunteer, or other person working with children or vulnerable adults, either directly or in a position of trust, should have had a DBS check, and checks should be carried out at regular intervals in order to maximise the protection afforded to the most vulnerable service users.

For Local Authority employee's using the Public Services Network (PSN) they must meet the minimum Baseline Personal Security Standard (BPSS) checks. The BPSS is the minimum standard required to ensure the identity and integrity of an employee with access to official information. It involves four main elements:

- Identity Check
- Nationality and Immigration Status
- Employment history (past 3 years)
- Verification of Criminal Record (unspent convictions only)

Procedure for New Starters

DBS

Any post being recruited which requires a DBS check will clearly state this within the job advertisement and personal specification. As detailed in the "Recruitment Procedure For Posts Where 'Disclosures' Are Required" within the Child Protection Policy. The successful candidate will then be required to complete their DBS application form prior to commencing the role.

The Council has adopted the procedure of a re-check every 3 years through the DBS. Where any offence is disclosed by the DBS this will be investigated fully by the Line Manager and the Assistant Personnel Officer.

The complete DBS application form will need to be taken to an approved DBS administrator within their Service Area together with their forms of identification as stated on the application form. The form is checked together with the ID, and the administrator will complete a section on the back of the form before passing it to Personnel for final completion.

Once the completed form is received in Personnel, there will be a final check through of the form and any errors will be picked up with the relevant DBS administrator. The finalised form will be signed by the authorised countersignatory, logged on the system and submitted to the DBS.

Once the DBS have processed the application form a DBS declaration certificate is created, and a copy is received by the employee at their home address. The employee must produce their DBS certificate to their Line Manager and a copy needs to be provided to Personnel for the final checks. Should there be any convictions, or other information declared a meeting will be arranged to discuss with the employee.

BPSS

For any posts where the role will have direct access to the PSN, through the systems they are using (e.g. Revenues and Benefits, CIC, Electoral Registration), the job advertisement and personal specification will need to clearly state that the post is subject to BPSS checks.

The successful candidate will be required to complete a verification form to enable us to validate a full 3 year history, including verification through references of employment or education, and any gaps within the 3 years will need to be justified. There will also be a requirement to complete a "basic" Disclosure Scotland check, and provide the certificate to Personnel Services prior to their start date.

At the point of job offer, the new employee will be asked to book an appointment to see the Assistant Personnel Officer with their Disclosure Scotland Application together with the required ID documents. The form and ID will be checked and completed by the Assistant Personnel Officer, who will get the form authorised, logged on the system and sent off to Disclosure Scotland.

Disclosure Scotland will send the certificate directly to the new employee's home address and they are asked to bring this to Personnel Services to be checked and a start date arranged. Should there be any convictions, or other information declared a meeting will be arranged to discuss with the employee.

The Council will adopt the same procedure with Disclosure Scotland and re-check every 3 years. Where any offence is disclosed by the DBS this will be investigated fully by the Line Manager and the Assistant Personnel Officer.

For employees who require a secure email account during their employment, at the point the request for an account is made the BPSS standard will apply and they will be asked to complete a verification check, and a Disclosure Scotland application as per the arrangements above for a new employee. Once a satisfactory certificate has been received the employee will then be given access to a secure e-mail account.

DBS and BPSS Re-checks

The Council has implemented a rolling programme of DBS Disclosures and Disclosure Scotland to be rechecked at three-yearly intervals. Personnel Services will write to the employee to remind them that the re-check is due and provide them with a new application form. The employee will be asked to complete the form and supply their original documents to take to an appropriate verifying officer to complete the relevant section of the form and forward to Personnel Services.

On receipt of a satisfactory certificate, the employee will need to show the original to the Line Manager and/or Assistant Personnel Officer. The date will be entered into CIPHR to continue the rolling programme.

Where a certificate is received with an offence disclosed, the Assistant Personnel Officer will call a meeting with the Manager and the employee for a full investigation of the offence. Having consideration of the Rehabilitation of Offenders Act 1974, the options to consider in these circumstances will be whether:

- The offence is not relevant to the role, and the employee continues in the post
- The employee may be re-deployed to a post which is not subject to a DBS check
- The employee is dismissed from their existing post (NB any dismissal must be in accordance with the Council's Disciplinary and Dismissal Procedure.)

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The statement of particulars for all new employees in posts identified as requiring a DBS Disclosure will state the following:

“Your continued employment in this post is subject to satisfactory standard/enhanced Disclosure and Barring Service (DBS)/Disclosure Scotland check at three-yearly intervals. If unsatisfactory information is received your continued employment will need to be considered, the outcome of which may be dismissal.”

In the event an existing employee refuses to apply for a recheck, the relevant manager will invite the employee to a meeting to discuss their concerns. If the employee continues to refuse to comply with the requirement, they will be required to attend a disciplinary investigation to consider their continued employment in the post, the Council Disciplinary and Dismissal Procedure will be followed.

Volunteer DBS checks

Should someone offer their services on a voluntary basis they may be subject to a DBS check because of the frequency of their volunteering activity and the contact they have with children, young people and/or vulnerable adults.

The Council is a registered body, but is not an umbrella organisation, so if the individual is working directly for the organisation as a volunteer the Council will be able to apply for the DBS. However if the employee is working for another organisation and therefore are directly employed by the Council, we would be unable to apply for a disclosure. In these circumstances the Manager must ask the individual to provide them with their current DBS certificate from their own organisation.

Under no circumstances must a volunteer who does not have an enhanced DBS Disclosure be left unsupervised with children, young people and/or vulnerable adults.

As a general rule, 'regular' contact means three or four times in a 30 day period, or once a month or more, or overnight. Managers and should consider the duration, frequency and nature of the contact with children, young people and/or vulnerable adults and any

other relevant information about the volunteer or the work they are likely to do. This will determine whether a DBS check is required.

The volunteer's DBS Disclosure certificate number will be held within Personnel Services. DBS rechecks for all volunteers working with children, young people and/or vulnerable adults will follow the same rechecking procedure as for paid employees (ie every three years). Please note: volunteer details are not retained on the Personnel system (CIPHR) and therefore it is the Managers responsibility to remind the volunteer when they are required to complete the recheck.

Agency Staff

It is important that thorough checks are made on all those who work with children, young people and/or vulnerable adults, to include agency staff. Before taking on an individual through an agency, the manager must obtain written confirmation from the agency that appropriate checks have been carried out in relation to the individual concerned. If agency staff used will have access to the PSN the Manager will need to ensure appropriate checks to comply with BPSS have been carried out by the agency.

In relation to the DBS Disclosure or Disclosure Scotland, the written notification from the agency must confirm that a relevant Disclosure has been obtained. Managers are responsible for ensuring that agency workers working within their teams have a the relevant disclosure.

Procedure agreed by Senior Management/Trade Union Group February 2012.
Updated by agreement with Senior Management/Trade Union Group February 2015