

Disclosure and Barring Service & Recruiting Ex-Offenders Policy

Introduction

- Access to information provided by the Disclosure and Barring Service (DBS) enables Gateway into the Community to make safer recruitment decisions for appropriate posts, when taken in conjunction with other pre-employment checks.
- The purpose of DBS checks is to safeguard children and adults who are aged 18 and over who are receiving a service from Gateway into the Community due to their disability.
- We will comply fully with the DBS Code of Practice and:
 - (a) treat all applicants fairly, without discrimination against any subject of a DBS disclosure on the basis of conviction or other information revealed; all candidates, including those with criminal records, will be treated according to their merits
 - (b) handle, use, retain and dispose of information appropriately
- DBS checks will be carried out in accordance with legislation and this policy sets out how the checks will take place before an appointment with Gateway into the Community can be confirmed and how the information will be handled.
- This policy applies to all staff: employees, work placements, consultants and volunteers including trustees.
- The Charity Commission strongly recommends that DBS checks should be obtained for trustees of charities which work with children or adults at risk. Gateway into the Community will follow this guidance and ensure that all trustees hold valid enhanced DBS Certificates.

Guiding Principles

- Prospective employees will be made aware of the necessity for Gateway into the Community to request DBS disclosures and the level of disclosure for particular posts, in all application forms, job adverts and recruitment briefs.
- Where a disclosure is to form part of the recruitment process, we encourage all candidates to provide details of any criminal record when they apply. We request that this information is sent under separate, confidential, cover to the Chief Executive and we guarantee that it will only be seen by those who need to see it as part of the recruitment process.
- If the post is exempt from the Rehabilitation of Offenders Act 1974, this will be clearly stated on the application form. Otherwise, applicants may withhold information about convictions which are “spent” under the provisions of the Act.
- The existence of convictions will not preclude the appointment of candidates to Gateway into the Community unless relevant to the post. In line with good recruitment practice, clarification about conviction information will be sought at interview, or in a separate discussion. An applicant’s failure to reveal information

that is directly relevant to the position sought could lead to withdrawal of an offer of employment.

- DBS disclosures will only be obtained, in the recruitment procedure, from successful applicants in specific job roles. The cost of the initial DBS check will be borne by Gateway into the Community.
- An unconditional offer of employment in respect of posts requiring a DBS disclosure will not be issued unless a disclosure has been received and agreed as satisfactory.
- Appropriate matters revealed in a disclosure will be discussed with the prospective employee before a decision is taken about the withdrawal of a conditional offer of employment.
- Where disclosure information relates to existing staff, disciplinary action will only be taken if the conviction information is relevant but may include dismissal.
- DBS disclosure information will only be shared on a need to know basis by those making employment decisions and will be maintained as strictly confidential.

Responsibilities

- The decision about whether a conviction is relevant to the job applied for rests with the Chief Executive.
- Employees must declare any new convictions.
- Disclosure information, and any risk assessments, will be handled, used, retained and disposed of according to the Policy Statement shown under the heading "Disclosure and Barring Certificates" in the Employee Handbook to which employees should refer.
- A copy of the DBS Code of Practice can be obtained from the Administrator.

The DBS Update Service and Portability

- The DBS Update Service lets applicants, whether prospective employees or volunteers, keep their DBS Certificates up to date online and allows employers to check a Certificate online.
- Membership of the DBS Update Service incurs a small annual subscription, payable by the applicant, of £13 (free for volunteers).
- Portability refers to the re-use of a DBS disclosure, obtained for a position in one organisation and later used for a position in a different organisation
- If an candidate for a job with Gateway into the Community already holds an appropriate DBS Certificate obtained for working with another organisation, and has subscribed to the Update Service, we will check online to determine whether the Certificate remains valid or if there is new information present which will mean that a new disclosure Certificate will need to be sought. If the candidate can

produce the original DBS Certificate and it remains valid, then it will be accepted as a portable check.

If an employee's role with Gateway into the Community requires a DBS disclosure, it is a condition of employment that he or she registers with the DBS Update Service and gives Gateway into the Community his or her continued consent to carry out Status Checks for the duration of the employment.

Note that an employee or volunteer must subscribe to the Update Service within 30 calendar days of their DBS Certificate issue date. Employees and volunteers must therefore, at the earliest possible opportunity, bring their Certificate to the office and subscribe to the Update Service from there.

Failure to register and to re-subscribe annually to the DBS Update Service will make the employee liable for the cost of annual applications for DBS checks.

Full details can be obtained from the Administrator.

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