



INDIGO KIDS Disclosure and Barring Services Policy

1. Rationale

INDIGO KIDS take the responsibility of safeguarding children and young people seriously. Therefore all employees, workers, volunteers and Trustees who work directly or indirectly with children and young people or have access to sensitive or personal information regarding children, will be asked to complete an enhanced disclosure form to be submitted to the DBS to make sure that we are safeguarding the welfare of all children and young people we work with.

All external applicants who are applying for a post that requires an EDBS check will not be permitted to commence their full duties until a satisfactory EDBS disclosure has been received.

2. Context

This policy extends the POLICY STATEMENT ON THE SECURE STORAGE HANDLING, USE, RETENTION AND DISPOSAL OF DISCLOSURES AND DISCLOSURE INFORMATION contained within the INDIGO KIDS employee handbook, which is as follows:

- 1. As a Charity using the Disclosure and Barring Service (DBS) to help assess the suitability of applicants for positions of trust, the Charity complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information. The Charity also complies fully with its obligations under the Data Protection Act.*
- 2. Disclosure information is never kept on an applicants personnel file. It is always kept separately and securely in lockable, non-portable storage containers with access strictly controlled and limited to those who are authorised to see it as part of their duties in accordance with section 124 of the Police Act 1997. We maintain a record of all those to whom disclosures and disclosure information has been revealed and we recognize that it is a criminal offence to pass the information to anyone who is not entitled to receive it.*
- 3. Disclosure information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.*

This policy must also be used alongside the following INDIGO KIDS policies and procedures:

Recruitment and Selection Policy and Procedures Confidentiality, Data Protection & Information Sharing Policy & Procedures

3. Foundation Statements

INDIGO KIDS upholds and implements the following legislation and codes:

- Police Act 1997
- Criminal Justice and Court Services Act 2000
- Child Protection Act 1999
- CRB Code of Practice

INDIGO KIDS will use the Disclosure and Barring Service (DBS) as part of the selection process to fully assess an applicant's suitability for positions of trust and safeguarding children and young people.

INDIGO KIDS will treat all applicants fairly and openly and will not use any information from the DBS process to discriminate unfairly on the basis of conviction or other information revealed, subject to the overriding consideration of safeguarding and protecting children and vulnerable people.

4. Policy Application

This policy applies to all employees, workers, volunteers and Trustees who:

- in any way work with
- manage activities involving
- have access to children and young people.

This policy also applies to employees, workers, volunteers and Trustees who:

- have direct or indirect access to sensitive or personal information about a child or young person.

Any person who comes within the above categories will be subject to an enhanced DBS (EDBS). It can be a matter of judgement as to whether a staff member within INDIGO KIDS has access to children and or young people.

The following guidelines apply:

- Is the position sufficiently senior that the post holder could instruct a children's worker to leave him or her in sole charge of a child, or, that a children's worker would assume that it was safe to do this?
 - Can circumstances be imagined where the post holder will have sufficient contact with a particular child using INDIGO KIDS services that they could build up a relationship of trust?
- If the answer to either of the above is yes, then the post holder should have an EDBS.

If the answer to both is no, then an ECRB should not be sought.

5. Outcomes

This policy aims to make sure that:

All employees, workers, volunteers and Trustees who work directly with, or have direct or indirect access to children and young people or their personal information will have a INDIGO KIDS enhanced disclosure number before being left in sole charge of a child or young person.

Disclosures are renewed every 3 years.

This applies to both permanent employees and sessional workers. (INDIGO KIDS retains the right to renew the EDBS check for a staff member within less than three years if there is any reason for concern.)

Dates are monitored monthly on any manual systems, monitored automatically on computer systems, to make sure renewals are completed in good time.

6. Exceptions to the above

A new employee or worker can work with children or manage activities for children whilst waiting for their INDIGO KIDS disclosure to be completed when all of the following conditions are met:

- They will not be left in sole charge of a child or young person
- Other EDDBS checked KIDS staff will supervise them closely
- They have two satisfactory references which have been checked

A new employee or worker can work in INDIGO KIDS premises where they may have access to children (but not work with them) whilst waiting for their INDIGO KIDS EDDBS to be completed when all of the following conditions are met:

- Existing employees and workers at those premises are informed that the employee or worker has not been EDDBS checked
- The new employee or worker's duties are restricted so that they are not in contact with children or young people

A new employee or worker can work for INDIGO KIDS where they may have direct or indirect access to sensitive or personal information about a child or young person whilst waiting for their INDIGO KIDS EDDBS to be completed when the following condition is met:

- The new employee or worker's duties are restricted so that they do not have direct or indirect access to sensitive or personal information about a child or young person until such time as their ECRB has been received.

Only a Regional Director or above can make these decision and they should record the reasons for their decision.

Currently a new Trustee will automatically have an EDDBS check carried out by OFSTED. As long as OFSTED retain this procedure INDIGO KIDS will rely on it, but ask the Trustee to provide a copy of their own EDDBS check for INDIGO KIDS to check and retain the number.

This process will be administered by the PA to the Chief Executive.

Until the OFSTED checks are complete, no Trustee should have access to INDIGO KIDS services without being accompanied by a senior member of staff.

7. Responsibilities

Appointing staff will advise the INDIGO KIDS Senior Administrator of all new starters.

Senior Administrator will ask the new starter to complete EDDBS disclosure form and pass to signatory for completion. Senior Administrator to keep a secured record that shows:

- Name and DOB of applicant
- Date form completed
- Date form returned
- Disclosure number
- Date of issue Regional Director will discuss any concerns with individual applicant should there be an issue raised by the EDDBS.

All staff are responsible for informing the Regional Director of anything that would change what would appear on a new EDDBS check immediately.

Senior Administrator will complete a monthly audit of EDDBS disclosures and co-ordinate the updating of EDDBS disclosures as needed.

8. Recruitment Process

INDIGO KIDS has a responsibility for using selection processes to safeguard the welfare of children and young people.

INDIGO KIDS will make it clear from the outset that a satisfactory EDDBS Disclosure is a

condition of employment.

INDIGO KIDS will include a statement to that effect within the application pack.

9. Storage of disclosure information

INDIGO KIDS comply fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of disclosures and disclosure information.

INDIGO KIDS also complies fully with its obligations under the Data Protection Act.

In practice disclosure information:

Will not be kept on an applicants personnel file.

Will be kept separately and securely in lockable, non-portable storage containers with access strictly controlled and limited to those who are authorised to see it as part of their duties in accordance with section 124 of the Police Act 1997.

Will not be passed on to anyone who is not entitled to receive it.

Will only be used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

10. Ex – Offenders

INDIGO KIDS is committed to equality of opportunity for all job applicants and aims to select people for employment and volunteering on the basis of their individual skills, abilities, experience, knowledge and where appropriate qualifications and training.

INDIGO KIDS will therefore consider ex-offenders for employment on their individual merits. The exception to this is that if the job role is exempt from the provisions of the Rehabilitation of Offenders Act 1974.

INDIGO KIDS will not automatically refuse to employ an individual just because they have a previous criminal conviction.

During the interview INDIGO KIDS will ask job applicants to disclose any unspent convictions but will not seek any additional information about these convictions.

If an applicant has a conviction that is not spent and the nature of the offence is relevant to the job role applied for, the Line Manager will review the circumstances of the case and may decline to select the application for employment.

If the job role is listed in one of the excluded roles listed in the:

- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003

INDIGO KIDS will require that applicants disclose all convictions whether spent or unspent.

INDIGO KIDS will not refuse employment unless the nature of the conviction has some relevance to the job role.

11. Review

This policy will be reviewed annually and if necessary adjusted to:

- incorporate any changes to legislation
- include any improvements that may have been identified

Most recent review: 2013