

Disclosure and Barring Service (DBS) Student Policy and Procedure

Approved by:

Review Date:

Responsible Manager: Assistant Principal Student Experience

Principalship Lead: Vice Principal Curriculum & Support

Accessible to FE Students: Yes

Relevant to HE: Yes

Relevant to WBL: No

Relevant to MOL: No

Relevant to Justice Sector: No

Introduction

The Manchester College / UCEN Manchester has a responsibility to ensure that all students who complete a placement as a part of their college course that requires them to work with children or vulnerable adults undergo a Disclosure and Barring Service check, hereafter referred to as a DBS check.

The College is committed to the fair treatment of all learners and welcomes applications from a wide range of individuals including those with criminal convictions. We are committed to equality of opportunity and select individuals based on their skills, qualifications and experience and not on their background or personal circumstances. Having a criminal conviction, pending sentencing or bail conditions will not necessarily prevent someone from studying at the College.

It is a College requirement that all students disclose any criminal convictions, pending convictions or bail conditions as a part of the standard application and/or enrolment process or as required when on programme if their circumstances change. Under the College's Criminal Convictions, Pending Sentencing and Bail Conditions Disclosure Risk Assessment Policy and Procedure failure to reveal information, including Pending Sentencing/Bail Conditions, could lead to withdrawal of a College offer/place.

Scope

This policy applies when a DBS check is to be completed as a course requirement. Where the DBS check identifies a criminal conviction or includes evidence of concern the Criminal Convictions, Pending Sentencing and Bail Conditions Disclosure Risk Assessment Policy and Procedure will be applied and a Criminal Convictions Disclosure Risk Assessment interview and Criminal Convictions Disclosure Risk Assessment (CCDRA) will be completed (**Appendix 6**).

Students will be provided with advice and guidance at interview and enrolment where a DBS check is a course requirement.

Where a DBS check is required, the College will initiate the DBS check at the point of enrolment or as soon as practicably possible.

Procedure

At enrolment, students will be provided with information about the DBS check and regarding required supporting documentation (**Appendix 2**). Written guidance will be provided to ensure the forms are completed correctly (**Appendix 4 & 5**). An appointment will be made with a member of the College Administration Team (or Placement Officer where in place) to support the student to complete and submit the current DBS application form. The completed DBS certificate will be sent directly to the student's home address. It is the responsibility of the student to ensure that the address details provided on the DBS application form are correct. It is the student's responsibility to bring the original DBS certificate to College to be checked **within 5 working days** of receipt of the DBS certificate.

If the DBS certificate is not judged to be satisfactory, the College's Criminal Convictions, Pending Sentencing and Bail Conditions Policy and Procedure will be applied to risk assess the student's suitability for the course and, if appropriate, suitability to remain as a student at the College.

The DBS check procedure is outlined in the DBS Check Procedure Flowchart (**Appendix 1**).

Process to determine suitability

It is important that students understand that having a criminal record will not necessarily bar people from studying on a course that requires a placement at The Manchester College / UCEN Manchester. We consider any information disclosed in a sensitive and confidential matter. In determining the student's suitability for placement, we will consider the details of the offence, the time lapsed and the nature of the placement. If we determine that the information revealed/disclosed means that the student is not suitable for the placement, we will then consider withdrawing the place and, as necessary, offer a GAWs (Guidance and Welfare Service) interview to discuss alternative options.

Filtering

The DBS check does not include certain specified old and minor offences on criminal record certificates. The filtering rules, together with the list of offences that will never be filtered, are available from www.gov.uk/dbs to support in the completion of the relevant question relating to conviction information on the DBS application form. The website information will support the student to determine what conviction information will still appear on a DBS certificate, or whether it will have been removed, and therefore, whether there is a requirement to disclose that information to the College.

Receipt of the DBS Certificate

The DBS certificate will be sent to the student's home address. The DBS service does not provide a copy of the certificate to the College. The student is required to present the original certificate to the College **within 5 working days** of receipt in order that the college can determine suitability for a placement (See **Appendix 1**). The certificate must be presented to the student's Personal Tutor or, if applicable, to the course Placement Officer.

Student DBS Certificates: the counter-signature check

The college will complete a counter-signatory check of the DBS certificate to determine if the DBS certificate is satisfactory or unsatisfactory. Depending on the course, the counter-signatory will be an Administration Team Leader or a Placement Officer attached to specific curriculum areas who manage student placements.

Where a DBS certificate is counter-signed as 'satisfactory', the Counter-Signatory will update the confidential DBS spreadsheet and advise the Personal Tutor/Placement Officer. The College will retain a copy of the satisfactory DBS certificate on file for six months.

Unsatisfactory DBS Risk Assessment Process

Where a DBS certificate is counter-signed as 'unsatisfactory', the student will be invited to attend a confidential meeting to complete a Criminal Convictions Disclosure Risk Assessment (CCDRA) form under the College's Criminal Convictions, Pending Sentencing and Bail Conditions Disclosure Risk Assessment Policy and Procedure. The CCDRA will determine if the student can continue with the placement or if the placement offer is to be withdrawn. The CCDRA process will also determine if the student's college place is to be withdrawn.

The student will be advised of the outcome of the process by the member/s of staff who complete the interview. The student has 10 working days within which to appeal the outcome of the process.

The student's Personal Tutor and Placement Officer (if appropriate) will be advised of the outcome of the CCDRA process.

Commencement of placement

A student must not commence a placement without the satisfactory completion of a counter-signatory of the student's DBS Certificate. It is the responsibility of the student to ensure the DBS check process is complete prior to commencing a placement.

Handling of DBS Certificate information

The Manchester College / UCEN Manchester follows Data Protection guidelines with regards to the correct handling, use, storage, retention and disposal of DBS certificates and Disclosure information. We also comply with our obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information. All DBS documentation copies are shredded after 6 months of initial DBS application. **(See Appendix 1)**

Criminal Conviction, Pending Sentencing and Bail Conditions Disclosure while on a College Course/during Course Placement

Students are required to inform the College if their criminal record changes during the duration of their college course and are required by the College to inform the College of that change as soon as it occurs. The College will then consider if a further DBS check is required, and if the nature of the disclosure has any impact on suitability to continue with any placement. Withholding information relating to any change to a person's criminal record may be considered as a matter which requires the College's Behaviour, Support and Disciplinary Policy to be applied, and may result in the college place being withdrawn.

Use of the disciplinary policy in relation to safeguarding concerns

The College's Behaviour, Support and Disciplinary Policy and Procedure will be applied if any concerns, including safeguarding concerns, are raised regarding the conduct of a student on a placement as a part of their college course. If appropriate, the student will be suspended from their placement and/or course in line with the policy.

Appendices

- Appendix 1 – Flowchart of DBS Procedure
- Appendix 2 – DBS- check documents required for DBS Completion
- Appendix 3 – Counter-signatory Guidelines
- Appendix 4 – Applicant Fact Sheet
- Appendix 5 – Guide for Form Completion
- Appendix 6 – Criminal Convictions Disclosure Risk Assessment form (CCDRA)
- Appendix 7 – Appeals procedure
- Appendix 8 – DBS fingerprint declaration

Linked Policies and Procedures

- Sharing of Student Information Policy
- Criminal Conviction, Pending Sentencing and Bail Conditions Policy and Procedure
- Single Equality Scheme
- LTE Group Safeguarding Scheme 2016

Additional guidance

- Home Office Revised Code of Practice of Disclosure and Barring Service Registered Persons
- Reporting Disclosures and Concerns for Safeguarding Children and Vulnerable Adults

Policy Availability

Staff Intranet
Student Intranet