

# Policy on Police/Background Checks 2019

Churchill House is required to carry out checks on all employees before they can be allowed unsupervised access to children/young people. The company's default position is that all staff should go through the UK Disclosure & Barring Service (DBS) or Disclosure Scotland (for Edinburgh) but there may be circumstances where this may not be possible/appropriate for foreign nationals.

## Disclosure & Barring Service (DBS) Check policy

1. All Summer Centres Head Office staff in a role where they may be in a position to influence HR/Recruitment decisions must undergo an Enhanced DBS check
2. All management staff (including Deputy/Assistant management grades) and Student Liaison Officers must hold a current enhanced DBS as they will be supervising people with significant contact with minors
3. UK Nationals of other grades must hold/undergo the enhanced DBS check
4. Foreign nationals of other grades that have lived/worked in the UK must undergo an enhanced DBS check
5. Employees who have never lived/worked in the United Kingdom MUST provide a Certificate of Good Conduct from their country of origin plus a certified translation of the document if necessary. CHSC reserves the right to also carry out DBS checks.
6. Non-UK nationals living outside their country of origin but with a history of living in the UK must also be DBS checked

## The DBS Update Service

The DBS Update Service is a subscription service which allows completed DBS certificates to be registered for constant update and therefore we can check for changes to the status of a certificate. This removes the requirement to undergo a full DBS check on starting a new period of employment as an applicant can give potential employers access to the results for an immediate decision, provided that the employee provides a copy of the certificate to check against the record. The employee must present this certificate for sighting at the centre.

Experience of 2016/17 shows that many employees who believe they have signed up to the DBS Update Service either have not or their status cannot be checked. If there is any doubt, the

<https://www.gov.uk/disclosure-barring-service-check/overview>

## DBS validity

DBS checks will be carried out from April to give time for the DBS to clear.

DBS Update service checks will be made as soon as information is provided by the applicant but will be checked no sooner than April.

## Certificates of Good Conduct

All non-UK residents – including UK Nationals living abroad – must provide a Certificate of Good Conduct from their country of residence, irrespective of whether they will be required to undergo a DBS check.

Information about the certificates available from given countries, and on how to obtain them, can be found on the British Council website:

[https://www.britishcouncil.org/.../international\\_criminal\\_record\\_checks\\_directory.xls](https://www.britishcouncil.org/.../international_criminal_record_checks_directory.xls)

## Staff Participation in the Background checks

1. Staff members refusing to take part in background checks or failing to take reasonable steps to assist with them may have their contracts immediately cancelled
2. Where a staff member takes reasonable steps to obtain a COGC but is unable to do so for reasons beyond their control, we will make a risk assessment of their application and decide whether to pursue their application

3. Where there are any concerns about an applicant/employee's suitability to work with minors, or any doubt about an application or the information provided by the applicant, their application/contract will be cancelled immediately.
4. If an offence relating to children is found on the applicant's COGC we have a duty to report the details of the applicant to the DBS for a referral to be barred from working with children

## Employment decisions for applicants with criminal records

A criminal record does not automatically mean that an applicant cannot be employed. Instead, we must make a decision as to relevance of the conviction to their role in working with children on a residential site.

Where a DBS check is returned with convictions the applicant must be asked to provide a copy of their certificate and explain the noted convictions. All such applications will be assessed on a case-by-case basis to decide whether the information within the DBS check constitutes a risk to either customers, colleagues or the reputation of CHSC. A final recruitment decision will then be made by the SCD.

### Basic criteria to consider:

Date of conviction – is the conviction 'spent'?

Nature of the offence – Was the offence of a sexual nature? Was violence (implied or actual) a factor? Was the offence against children?

Severity of conviction i.e. Was there a custodial sentence?

### Offences likely to result in the rejection of an applicant (\* denotes instant rejection)

Offences relating to the care/mistreatment of minors\*

Any offence characterised by sexual harassment or assault\*

Unspent convictions of a violent/abusive/threatening nature\*

Unspent convictions of a sexual nature\*

Applicants barred from working with children\*

Multiple unspent offences

Supplying drugs

Supplying alcohol to minors

Incitement to violence

Neglect

### IMPORTANT

We have a legal duty, as a regulated activity provider to make a referral to the Disclosure & Barring Service if a candidate discloses a caution or conviction of an offence relating to children or young people.