



LEEDS
BECKETT
UNIVERSITY

Disclosure and Barring Service Policy and Procedure

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Policy Statement

Purpose and Core Principles

At Leeds Beckett University we are committed to providing a vibrant, ethical, and sustainable working and learning environment that values equality and diversity. We aim to select people for employment based on their skills, abilities, experience, knowledge and qualifications.

As highlighted in our Policy on Safeguarding Vulnerable Groups, despite being primarily concerned with the delivery of higher education to adults, the University engages on a regular basis with both children and vulnerable adults. The purpose of this policy and procedure is to set out the approach that the University will take when recruiting employees and volunteers to posts involving work with children and/or vulnerable adults, including our legal obligations.

Scope

This policy and procedure apply to employees, prospective employees and employee related volunteers only.

Responsibility

Human Resources has responsibility for ensuring that this policy and procedure is adhered to and will provide advice and guidance to managers, employees, and prospective employees on its application.

Review

This policy and procedure will be monitored and reviewed every three years and/or amended considering legislative changes and organisational requirements as appropriate.

Procedure

1. Disclosure of Criminal Convictions

- 1.1 It is Leeds Beckett University's policy to require applicants for all jobs to disclose any 'unspent' criminal convictions on their application forms. Under the Rehabilitation of Offenders Act (ROA) 1974 a person convicted of a criminal offence is not required to disclose details to prospective employers of any convictions which are deemed to be 'spent' under the Act (in general relating to sentences of under 2 ½ years in prison and where the person has not reoffended).
- 1.2 There are some exceptions to the general principle that spent convictions do not have to be declared. When assessing the suitability of a person for a position involving working with children and/or vulnerable adults or a position of trust, an employer is entitled to require a Disclosure and Barring Service (DBS) check prior to commencement of employment.
- 1.3 A child is anybody under the age of 18. An adult (a person aged 18 or over) is classed as vulnerable when they are receiving one of the following services: healthcare, relevant personal care, social care, assistance in relation to household matters by reason of age, illness or disability, assistance in the conduct of their own affairs or conveying (due to age, illness or disability).
- 1.4 The University's Policy on the Recruitment of Ex-offenders is available on the University jobs website.

2. Types of Disclosure and Barring Service (DBS) check

- 2.1 There are three types of criminal record check available – standard, enhanced and enhanced with barred list check. Generally, at Leeds Beckett University, enhanced checks and enhanced with barred list checks will be used. An enhanced check includes spent and unspent convictions, cautions, reprimands, final warnings, and any additional information held by local police considered relevant. An enhanced with barred list check is the same as an enhanced check, but also includes a check of the DBS barred list(s) of people who have been barred from working with children and/or vulnerable adults.

3. Posts at Leeds Beckett University which require an Enhanced DBS Check

- 3.1 Schools/Services should be aware which of their activities are likely to require a DBS check. An indicative list of posts at the University which are subject to an enhanced DBS check or an enhanced with barred list check is provided in Appendix 1. This is not an exhaustive list but should assist colleagues in Schools/Services to identify posts for which a DBS check is required.
- 3.2 As part of the creation of a new post and drafting of the job description, the potential requirement for a DBS check should be discussed with Human Resources. Human Resources will liaise with our DBS provider to determine whether the duties of the post meet the criteria for Leeds Beckett to legally request a DBS check.

4. Offers of employment

- 4.1. An offer of employment for a post involving work with children and/or vulnerable adults will be conditional on satisfactory completion of a DBS check. Where the successful candidate refuses to agree to an application to the DBS or a DBS check is completed but the successful candidate refuses to allow the University to see the DBS certificate, the candidate will be treated as not having satisfactorily completed the DBS check.
- 4.2. For posts requiring a DBS check, no candidate will be permitted to commence employment with the University until the satisfactory completion of the DBS check.
- 4.3. Not all criminal convictions will be a bar to employment at the University. The results of a DBS check will be considered on an individual basis and the University will seek to discuss any matter revealed on a DBS certificate with the successful candidate before withdrawing a conditional offer of employment.

5. Process for DBS checks

- 5.1. Leeds Beckett University uses Atlantic Data to process DBS applications online. Once the DBS check has been carried out, the DBS will send the DBS certificate to the successful candidate. HR Services will contact successful candidates to arrange for the DBS certificate to be brought into the University, if required.
- 5.2. The DBS Update Service allows people to keep their DBS Certificate up-to-date and take it with them from role to role, within the same workforce (adult, child or child and adult), where the same type and level of check is required. Where the successful candidate is a member of the update service, the University may carry out a status check on the current DBS certificate instead of applying for a new DBS check, where it is appropriate to do so.
- 5.3. Where the successful candidate has a substantial period of overseas residence, the University may require a criminal record check or certificate of good conduct from the overseas country instead of, or in addition to, the DBS check.

6. Handling of Data

- 6.1 Leeds Beckett University is committed to ensuring that all information provided about an individual's criminal convictions, including any information released in disclosures, is used fairly, and is stored and handled appropriately and in accordance with Data Protection legislation and the University's privacy notices.

7. Current Employees

- 7.1 DBS checks will normally only take place at the time of appointment, unless required more frequently by external organisations, or there are concerns, or an employee's role changes (see 7.2 below). Should an external organisation request a more up to date DBS check, the School/Service should contact Human Resources to arrange the repeat check(s). Human Resources hold records on which employees have had a DBS check and when the check was undertaken.

- 7.2 A DBS check may be appropriate in situations where employees' roles change or where projects or volunteering opportunities would involve them working with children or vulnerable adults. The School or Service should consider this at an early stage and contact Human Resources for advice as required. Failure to comply with a request to submit for a criminal record check may disqualify an employee from the position/role.
- 7.3 Where a DBS check is required for a current employee, in general, that employee will not be permitted to work with children or vulnerable adults until the DBS check has been satisfactorily completed. In exceptional circumstances, and only if the situation is unavoidable, the employee may be permitted to commence in the new role which requires the DBS check whilst awaiting the outcome, provided the employee is always supervised by a University colleague who has been DBS checked to the same level as required by the new role. Further information about the necessary approvals and risk assessment in such circumstances is available in the University's [Policy on Safeguarding Vulnerable Groups](#) (Annex I).

8. Related Policies and Documentation

[Policy on Safeguarding Vulnerable Groups](#)
[Policy Statement on the Recruitment of Ex-Offenders](#)
[Recruitment and Selection Policy and Procedure](#)
[Essential Guide to Recruitment and Selection](#)

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Indicative List of Posts Identified as Requiring a DBS Check

For the majority of posts across our University it is likely that reference to the DBS is unnecessary. Following a thorough exploration of the duties of the post, and reference to DBS definitions, the list below identifies some posts which require a DBS Check, and the level of DBS check required. **This is not an exhaustive list.** Where it is believed that a new post requires a DBS check, this should be discussed with Human Resources at the point that the job description is being created (and be indicated on the job description).

Posts Subject to Enhanced DBS checks

School	Example Posts/Activities	Level of DBS Check
All Schools	Personal Tutor (under 18 students)	Enhanced with barred list (child)
All Schools (particularly School of Health)	Researcher posts	A DBS check may be required, dependent on the research project. Discuss with HR on a case by case basis.
Carnegie School of Education	Teaching roles in Early Years Teaching roles in Teacher Education Link Tutor Pastoral and Quality Officer	Enhanced
	Teaching roles in English Language Teaching	Enhanced with barred list (child)
Carnegie School of Sport	Teaching roles in Sport and Exercise Psychology	Enhanced with barred list (child and adult)
	Posts which involve working as an instructor on youth programmes (outdoor education/adventure activities) and programmes for injured Armed Forces personnel. Includes Programme Manager, Outdoor Development Manager, and Instructors.	Enhanced with barred list (child and adult)
Leeds School of Social Sciences	Teaching roles (Speech & Language Therapy)	Enhanced with barred list (child and adult)
School of Health	Teaching roles (Nutrition & Dietetics) Teaching roles (Physiotherapy) Teaching roles (Sports Therapy) Teaching roles (Clinical Skills and Simulation) Research and teaching roles (Health Promotion) Teaching roles (Community and Youth Work)	Enhanced with barred list (child and adult)

School	Posts	Level of DBS Check
School of Health	Research and teaching roles (pain research) Teaching roles (Social Work) Teaching roles (Occupational Therapy)	Enhanced with barred list (adult)
	Teaching roles (Health Visiting) Teaching and research roles (Playwork)	Enhanced with barred list (child)
	Teaching roles (School Nursing)	Enhanced

Service	Post	Level of DBS Check
CARES	Residential Officer (Hall for under 18 students) Security roles (which involve first point of contact for under 18 students)	Enhanced with barred list (child)
	(Senior) Occupational Health Adviser	Enhanced with barred list (adult)
Student Services	Wellbeing Practitioner (Mental Health/Counselling) Head of Student Wellbeing Wellbeing Officer	Enhanced with barred list (adult)
	Advisory/Study Assistant roles which involve providing regular (once a week or more) support to disabled students or other vulnerable adults (e.g. care leavers). Support may include advising/assessing adjustments or learning support needs for disabled students, money advice service for vulnerable adults.	Enhanced
Sport and Active Lifestyles	Sports Coach Sports Development Officer Swimming Instructor First Aid and Life Saving Training Manager	Enhanced with barred list (child)
Sport and Active Lifestyles – volunteers	Unsupervised Volunteer Sports Coach	Enhanced with barred list (child)
	Supervised Volunteer Sports Coach	Enhanced
University Recruitment	Roles which include working at workshops, evening activities and higher education awareness events for under 18s (at schools or colleges, or on campus).	Enhanced