

## **The Disclosure and Barring Service: Policy Statement**

Protocol Education adheres to the DBS Code of Practice which can be viewed at: <https://www.gov.uk/government/publications/dbs-code-of-practice>

Every candidate accepted for registration as a Temporary Worker with Protocol Education must have a current and valid enhanced Disclosure and Barring Service certificate (DBS certificate). This certificate must be valid to the Child Workforce. If the candidate is to work with vulnerable adults, the DBS certificate must be valid to both the Child and Adult Workforces. Every applicant is informed of the requirement for an enhanced disclosure certificate (DBS certificate) in the first vetting conversation, and on the application form which is completed as a mandatory requirement of the registration process.

In line with the requirements of our REC Audited Education accreditation, all DBS certificates presented to Protocol Education are checked annually, via the Update Service, to ensure that the DBS certificate sighted by Protocol Education is current. It is therefore strongly recommended that all candidates have a current subscription with the DBS Update Service. Candidates provide consent within their candidate declarations form during our registration process; in order to give us permission to undertake regular update service checks. This consent is recorded electronically on the candidate's profile.

Protocol Education will therefore accept enhanced DBS certificates valid for the child workforce (and the adult work force, if applicable) as follows:

- Protocol Education has obtained the certificate for you and it was issued within the last 12 months, and on the understanding that it will be checked using the Update Service annually from the date of issue noted on the DBS certificate. If an Update Service check cannot be undertaken at the end of the 12 month period from date of issue, a new DBS certificate will need to be obtained.
- Another agency or employer has obtained the certificate for you, and it can be verified by an Update Service check. If an Update Service

check cannot be undertaken, a new DBS certificate will need to be obtained.

The original of the DBS certificate must be presented at the candidate's registration interview. DBS certificates become invalid if the candidate has a gap of three months or more in education-based employment (excluding the 6 week summer break for schools). In these circumstances a new disclosure certificate must be obtained if the current certificate cannot be verified by the candidate's subscription to the Update Service.

Protocol Education must sight the original copy of the DBS certificate, unless the DBS certificate has been obtained through Protocol Education's eBulk service and the eBulk service has confirmed that the DBS certificate is clear. Protocol Education does not accept scanned or photocopied copies of DBS certificates.

A company risk assessment is conducted on all DBS certificates which contain information (comments), to ascertain whether or not the candidate is suitable for placement in an education setting. DBS certificates and the information they contain are shared only with those who need to have access to them in the course of their duties and not passed to any third party persons not authorised to receive them. If a DBS shows information (comments) then a company risk

assessment and a copy of the DBS certificate will be sent to the client/school securely upon booking- this is in line with the DBS Code of Practice.

Every candidate will be advised to carry the DBS certificate to each assignment to assist the record keeping of client schools and nurseries. Protocol Education recommends that the candidate shows the school their DBS certificate; Protocol Education also shares with clients where you are undertaking a placement the date of issue, reference number and any matters of note recorded on the certificate.

As far as possible, Protocol Education will make sure recipients of DBS certificate information do not discriminate against an applicant on the basis of information contained on the certificate. A criminal record will not

necessarily be a bar to obtaining a position and applicants can be assured that information contained on the DBS certificate will not be used unfairly.

Any matters revealed on the DBS certificate will be discussed with the applicant before full acceptance of registration with Protocol Education. Any decision to decline the applicant will be made at senior level and will be handled with the utmost sensitivity. DBS certificates are stored securely in each office in accordance with DBS storage policies. The date of issue and unique reference number for DBS certificates are recorded on the secure database.

### **Unsuitability**

The Conduct Regulations under Regulation 20 places agencies and employment businesses under an obligation to act if they find out a work seeker is unsuitable.

### **Unsuitability of Permanent Candidates**

If, within three months from the date of introduction of an agency worker to a hirer, Protocol Education receive or obtain information which indicates that the agency worker is or may be unsuitable for that position (e.g. New reference information or other relevant information); Protocol Education will inform the hirer without delay i.e. on the same day or next business day if that is not reasonably practicable.

### **Unsuitability of Temporary Workers**

Where Protocol Education receives or obtains information during the course of an assignment that gives us reasonable grounds to believe that an agency worker supplied to a hirer is unsuitable (see above), Protocol Education will inform the hirer without delay and end the assignment.

If the information only indicates that the agency worker may be unsuitable but is insufficient to give us reasonable grounds to believe that the agency worker is in fact unsuitable; Protocol Education will commence such enquiries as are reasonably practicable and the hirer will be informed of the information received and the enquiries being made. If as a result of those enquiries, Protocol Education have reasonable grounds to believe the agency worker is unsuitable, we will then without delay inform the hirer and end the assignment.

All of the above will be actioned in accordance with General Data Protection Regulation (GDPR)

Protocol Education will co-operate with requests from the Disclosure and Barring Service to undertake assurance checks as to the proper use and safekeeping of DBS certificate information and will report to the DBS any suspected malpractice in relation to this Code of Practice or any suspected offences in relation to the misuse of DBS certificate information.