

**BISHOP GROSSETESTE UNIVERSITY**

**Document Administration**

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<b>Author / developer:</b>	Admissions Manager
<b>Owner</b>	Director of Marketing, Recruitment and Admissions
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<b>Document control:</b>	All printed versions of this document are classified as uncontrolled. A controlled version is available from the <i>University website</i> .

## **1. Scope and Definition**

- 1.1 The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaced the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA).
- 1.2 Acceptance into the University onto a programme of study that requires an Enhanced DBS Certificate will be subject to a satisfactory DBS Certificate being received. Satisfactory is defined as having no relevant criminal conviction(s), warning(s), caution(s) or reprimand(s). An unsatisfactory Enhanced DBS Certificate may result in the offer of a place on the course being withdrawn.
- 1.3 Where programmes are employment-based such as foundation degrees, it is the responsibility of employers to undertake DBS checks and the University require notification that this has been achieved for completeness of records. These individuals fall outside of this Code of Practice.
- 1.4 The University manages Enhanced DBS Certificate applications by subscribing to an electronic online system to enhance speed and accuracy within the application process.

## **2. Principles and Protocols**

- 2.1 This Code of Practice applies to all applicants for all programmes of study. This is due to the University having a duty of care to protect staff, students, visitors and the general public when on placements and where placements are an integral element of the programmes. The programmes outlined in Annex A, may be subject to a DBS check should the placement opportunity require this. This will take place upon a needs-basis and this Code of Practice will come into force for an enrolled student.
- 2.2 The University does not discriminate unfairly against any subject of a Disclosure on the basis of a conviction or other information revealed. The University is committed to the fair treatment of its students, applicants or users of its services, regardless of background.
- 2.3 Only relevant staff involved in the Enhanced Disclosure process will be given information contained within a Disclosure.

## **3. Procedure**

### **Applicants**

- 3.1 The University will make every effort to ensure that all published material contains relevant information regarding the DBS procedure. This information will be accurate at the time of publication, and provides information that enables potential applicants to make informed decisions about their options. Some written information, notably the University's prospectus is published up to 18 months before the beginning of a programme of study. Applicants should always refer to the University's website for the most up to date information.

- 3.2 The University will carry out an Enhanced DBS Disclosure for any time spent in the United Kingdom. If an applicant has spent longer than a calendar year outside the UK or has never resided in the UK (with the exception of Ministry of Defence reasons), the University will require documentary evidence from the relevant authorities in that country(ies) to show the results of a Police Report or Certificate of Good Conduct.
- 3.3 For programmes of study where an Enhanced DBS Certificate is required, the process of obtaining this document will commence at the point of firm acceptance of an offer and is part of the acceptance process. The non-refundable cost of the Enhanced DBS Certificate is paid for by the applicant.
- 3.4 An email is sent to an applicant once a firm acceptance decision has been made. This email outlines the instructions to initiate an Enhanced DBS Disclosure.
- 3.5 Under the Disqualification under the Childcare Act 2006, the University is required to ensure that no student is disqualified by association. For those students who may encounter the age phase birth to five years (see Annex A), all students will also be required to self-declare, via the relevant form submitted at enrolment, that, to the best of their knowledge they are not disqualified.
- 3.6 At enrolment, all students where relevant placement settings may occur will be given information on how disqualification by association works. To meet Data Protection requirements, these students will only be asked to self-declare if they have a placement that falls within the requirements of the legislation. The same processes above will be followed for re-enrolling students to ensure the University meets these safeguarding guidelines annually. The Partnership Office will monitor this process to ensure placement compliance is adhered to.
- 3.7 The University receives confirmation of Enhanced DBS Certificate completion via an online portal for applicants. The Admissions Manager will request to see the original certificate sent to the applicant where there's an indication of additional information on a certificate. The applicant is given an opportunity to provide written communication regarding the circumstances surrounding this (See Annex B).
- 3.8 Where an Enhanced DBS Certificate has been applied for and has not been received before enrolment, the University will undertake a Children's Barred List Check (formerly List 99). If an individual appears on this list, notification will take place and enrolment will be delayed until a satisfactory Enhanced DBS Certificate is received. Please refer to the Code of Practice for the Admission of Students on the University's website for further information.

### **Students**

- 3.9 Once enrolled on a programme of study it is the responsibility of the student to inform the University immediately of any occurrence or activity which is likely to impact upon his/her DBS status. Upon enrolment, and re-enrolment annually, the University's Terms and Conditions reinforce this process.
- 3.10 Students must report such an occurrence to the Student Administration Manager. Failure to do so may result in disciplinary action being taken. When informed, the Student

Administration Manager will process an Anonymous Record Sheet for consideration by two Heads of School and the Registrar to consider. The same considerations will be taken into account as outlined in Annex B. Should the student wish to dispute the decision, they will have the right to appeal to the Deputy Vice-Chancellor whose decision will be final.

- 3.11 Where information relating to criminal convictions which the applicant has not declared is received from a third party, the University will seek external verification by producing a new Enhanced DBS Disclosure Certificate at the cost of the University. If the information is found to be correct, the matter will be raised with the applicant and normal procedures will be followed. Please see Annex B for further information.

#### **Handling and Safekeeping of Disclosure information**

- 3.12 The University complies with the guidance from the DBS regarding handling, use, storage, retention and disposal of Disclosures and related information. This policy complies with all relevant Data Protection legislation from 2008 revisions onwards, as per current law within the UK and International requirements.
- 3.13 Disclosure information will be kept securely in lockable, non-portable, storage container with access strictly controlled and limited to those who are entitled to see it as part of their duties.
- 3.14 In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorised to receive it in the course of their duties and recognise it is a criminal offence to pass this information to anyone who is not entitled to receive it.
- 3.15 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.
- 3.16 Once a recruitment decision has been made, the University will keep the details of the recruitment decision that was taken by the Senior Panel. We will not keep any photocopy or other image of the certificate.
- 3.17 Upon receipt of a Disclosure certificate, the Admissions Office will keep a record of the date of disclosure and the unique numbers issued by the DBS.
- 3.18 The University will comply with the DBS guidance on the portability of Disclosures and their contents.
- 3.19 For those applicants who subscribe to the Update Service provided by the Disclosure and Barring Service, the University will require full completion of an Update Service Permission Form sent to the Admissions Office along with their original DBS Enhanced Certificate.

#### **4. Complaints**

- 4.1 All applicants are entitled to apply to the DBS if they think a mistake has occurred on their Disclosure Certificate. Details of this process can be found on the DBS website.

The University will consider each case on an individual basis and may consider it acceptable to admit an applicant with a criminal history on to a programme of study following the Senior Panel's scrutiny.



A decision will be made if the applicant has satisfactorily met the DBS check. There is no right of appeal against a decision made with respect to criminal history. However, if there is a concern about the misapplication of procedure, the Admissions Complaints Procedure may be followed.

List of courses with an exception to the ruling:

- Erasmus Plus Mobility Programme
- MA English Literature
- MA History
- MA Theology and Religious Studies
- MA in Education
- MA in Education with TESOL
- Short CPD courses
- Research-based EdD and PhDs
- Employment-based routes
- BA (Hons) Business (Team Entrepreneurship)
- BA (Hons) Archaeology and History
- BA (Hons) Applied Drama
- BA (Hons) Drama in the Community
- BA (Hons) English and Applied Drama
- BA (Hons) English and History
- BA (Hons) English Literature
- BA (Hons) Geography
- BA (Hons) History
- BA (Hons) History and Theology and Ethics
- BA (Hons) Sociology
- BA (Hons) Theology and Ethics in Society
- BSc (Hons) Sport and Mathematics
- BSc (Hons) Sport, Coaching and Physical Education

Relevant programmes under Disqualification under the Childcare Act 2006

- BA (Hons) Early Childhood Studies
- BA (Hons Primary Education with QTS)
- PGCE Early Years Status (EYTS)
- PGCE Primary (3-7 age group)
- PGCE Primary (5-11 age group)

For any Disclosures which record criminal activity, the Senior Admissions Officer will process an Anonymous Record Sheet. The Senior DBS panel will consist of the Admissions Manager, the relevant Head of School and member of Senior Leadership Team.

This panel will take account of prevailing legislation, whether the offence is an isolated incident, relevance of the incident, length of time since the incident(s) occurred and whether this offence may affect the ability to complete a placement on a programme of study.

Under the DBS Guidance, students should not be asked to show their certificate to their placement setting, however, if the setting refuses to take a student, the University will endeavour to find an alternative placement.