



DBS Policy

Statement of Intent

At KS Dance Academy, we are committed to promoting the welfare of our staff, pupils and visitors. Ensuring the safety of our school community is of paramount importance and, as a result, this policy has been created to establish a safe environment where pupils are cared for appropriately and are free from harm.

For certain roles, the school may be required to request a DBS check as part of its recruitment process. This check may also include barred list information held on the DBS barred list, as well as any information held by the police which is relevant to the role applied for.

DBS checks allow the school to ascertain an individual's suitability to work with children in an education environment (e.g dance school). This policy will ensure that all staff, pupils and parents are aware of the measures taken by KS Dance Academy to promote the welfare of the school community.

Legal framework

This policy has due regard to legislation and statutory guidance including, but not limited to, the following:

Rehabilitation of Offenders Act 1974

Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2016

Police Act 1997

The Police Act 1997 (Criminal Records) (Registration) Regulations 2006

Childcare (Disqualification) Regulations 2018

Data Protection Act 2018

Safeguarding Vulnerable Groups Act 2006

Equality Act 2010

Human Rights Act 1998

Children Act 1989

The General Data Protection Regulation

DfE (2019) 'Keeping children safe in education'

DBS (2018) 'Handling of DBS certificate information'

Home Office (2015) 'Revised Code of Practice for Disclosure and Barring

Service Registered Persons Definition

2Definitions

Standard DBS

2.1This provides information about convictions, cautions, reprimands and warnings held on the Police National National Computer (PNC), regardless of whether they are spent under the Rehabilitation of Offenders Act 1974. The law does allow for certain old and minor matters to be filtered out

Enhanced DBS

2.2This provides the same information as a standard check, plus any approved information held by the police which a chief officer reasonably believes to be relevant and considers ought to be disclosed.

Enhanced DBS with barred list check

2.3Where people are working or seeking to work in regulated activity with children, this allows an additional check to be made as to whether the person appears on the children's barred list.

Regulated Activity

2.4Regulated activity includes:

- Teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational wellbeing, or driving a vehicle only for children.
- Work for schools and colleges with the opportunity for contact with children, but not including work done by supervised volunteers.

2.5 Some activities are always regulated activities, regardless of frequency or whether the person conducting the activity is supervised. This includes the following:

- Intimate or personal care, including helping a child with eating and drinking for reasons of illness or disability or in connection with toileting, washing, bathing and dressing for reasons of age, illness and disability.

3 Roles and Responsibilities

1.

1. The principal is responsible for :

- Ensuring that this DBS Policy is adhered to at all times
- Ensuring all agreed DBS procedures are adhered to for both current and prospective employees.
- Monitoring teachers and volunteers DBS, ensuring its compliance with requirements.

1.

1. The Principal is also responsible for:

- Making decisions with regards to disclosure information concerning existing and prospective employees
- Ensuring that they are aware of any posts in the school that are subject to a DBS check
- Ensuring that any job descriptions and person specifications for any posts within the school indicate whether an individual will require a DBS check, as well as what level of check is required.
- Taking reasonable steps to make sure that any individual who is not an employee, but who is covering an existing post or other work within the school, holds the appropriate level of DBS check.
- Ensuring that all members of staff hold current, acceptable DBS checks according to the appropriate level required (Checked annually).

1. Procedures for Staff

New members of Staff

Staff are required to show the original DBS certificate to the principal before their employment begins. If completed by a self employed member of staff then the DBS number can be checked by the principal on the DBS online system. For staff who work in childcare provision, or who are directly concerned with the management of such provision, the school will ensure the appropriate checks are carried out to confirm the individuals are not disqualified under the Childcare (Disqualification) Regulations 2018.

Existing Staff

Where the school has concerns about an existing staff member's suitability to work with children, all relevant checks will be carried out as if the individual were a new member of staff.

Trainee/student teachers

1.
 1. Where trainee teachers are fee-funded, the training provider is responsible for carrying out the necessary checks. The principal will obtain written confirmation that the necessary checks have been carried out, and that the trainee has been judged by the provider to be suitable to work with children. For those who are not fee-funded, a DBS will be required to be undertaken by the individual and the Principal will check this using the online system.

1. Procedures for volunteers

1.
 1. Under no circumstances will a volunteer, who has undergone no checks, be left unsupervised, or allowed to work in regulated activity.

1.
 1. When allowing any volunteers to work at the school, the principal will check that the individual presenting themselves for work is the same person for whom the checks have been made (usually through photographic evidence).

1. Procedures for adults supervising children on Work Experience

1.
 1. The school will consider the specific circumstances of the work experience placement when considering what level, if any, of DBS check is required on individuals supervising pupils, including those aged 16 and over, on the placement.

1. Disclosures containing criminal information

1.
 1. A DBS check is considered to contain criminal information if it includes details of the following:

- A police record of convictions, cautions, reprimands and final warnings
- A DBS barred list
- Any other relevant criminal information obtained by the Police

1.
 1. In the event of a disclosure containing criminal information, the principal will check whether the individual has obtained any previous criminal convictions or cautions by instructing them to complete a disclosure review form, which will be followed by a meeting.

1.
 1. If it is established by the DBS that the convictions do concern the individual, the Principal will explore the circumstances surrounding these and their suitability to work with children.

1. Referral to the DBS

1.
 1. The school has a legal duty to refer to the DBS any member of staff who has harmed, or poses a risk of harm, to a pupil where:

- The staff member has received a caution or conviction for a relevant offence, or if there is reason to believe the staff member has committed a listed relevant offence.
- The staff member has been removed from working in regulated activity, or would have been removed had they not left the school.
- The staff member has been moved to an area of work not in regulated activity.
- The staff member has been suspended.

1.
 1. Referrals will be made as soon as possible after the resignation, removal or redeployment of the staff member.

1. Recruitment of ex-offenders

1.
 1. The school is aware of its responsibility under the Police Act 1997 not to discriminate applicants based on their criminal record.

1.
 1. The school will only ask an individual to provide details of convictions and cautions that the school is legally entitled to consider, when recruiting candidates.

1.
 1. The school selects all candidates for interview based on their skills, qualifications and experience.

1. Data Handling

1.
 1. In accordance with the Police Act 1997, access to DBS certificates is strictly controlled and records will only be accessed by the Principal.

1.
 1. DBS certificate information will only be used for the specific purpose for which it was requested and for which the individual's full consent has been given.

1.
 1. Although the school will not keep any copy of the certificate, a record will be kept of the following:

- The date of issue of the certificate
- The name of the subject
- The type of certificate requested
- The position for which it applied to
- The unique reference number
- The details of the final recruitment decision

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