



Lincoln Bishop University

Document Administration

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CODE OF PRACTICE FOR DBS CHECKS FOR APPLICANTS AND STUDENTS

VERSION CONTROL TABLE

<u>Version Number</u>	<u>Date Authorised</u>	<u>Summary of Key Changes</u>
1.0	31 August 2016	Policy first issued and approved by Senate.
1.2	22 July 2019	Minor amendments to ensure clear and transparent guidelines for applicants and students regarding DBS checks.
2.0	17 March 2021	Reviewed and amended with up-to-date programmes.
2.1	15 October 2024	Minor amendments and changes made to nomenclature only following University staffing restructure.

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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) **OR** to have been approved through the DBS Conviction Panel Process at LBU. An unsatisfactory Enhanced DBS Certificate may result in the offer of a place on the course being withdrawn.
- 1.3. For Professional Practice/Primary Teaching Studies, Foundation Degree courses and Top-Up programmes, it is the student's responsibility to ensure they have the appropriate checks in place for the setting that they work/volunteer in. Each setting will also be asked to confirm that any appropriate checks have been undertaken as part of the Workplace Agreement form.
- 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. Applicants who are part of the DBS Update Service may not need to do a separate DBS check. For QTS courses where students are already employed within a school, a Headteacher Discussion Form can also be used to determine DBS compliance.
- 1.5. 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.



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2. PRINCIPLES AND PROTOCOLS

- 2.1. This Code of Practice applies to all applicants for all programmes of study listed in Annex A. Placements are an integral element of these programmes and a check is undertaken to ensure statutory compliance and to ensure the safety of staff, students, visitors and the general public. Any programmes not outlined in Annex A may be subject to a DBS check should a placement opportunity require this. This will take place upon a need only 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.
- 2.4. Applicants should always refer to the University's website for the most up to date information.

3. DBS PROCESS

- 3.1. 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.
- 3.2. If a relevant international check cannot be obtained by the student, an international check can be facilitated by LBU's nominated DBS provider at the cost to the student. Costs differ depending on the country that the check relates to.
- 3.3. International applicants who have never resided in the UK should be aware that they may be required to obtain a UK DBS once they are resident in order to facilitate any placements due for their chosen programme of study.



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- 3.4. DBS checks should be instigated as close to the start date of the programme as possible to ensure they are relevant. For students due to start programmes in September, the Admissions Team will instigate the process for DBS checks around the previous Easter to allow sufficient time for applicants to undertake a check and for results to be received.
- 3.5. 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.
- 3.6. 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, including the appropriate position that the applicant will need to use to ensure the correct check is undertaken.
- 3.7. The University receives confirmation of Enhanced DBS Certificate completion via an online portal for applicants. Upon receipt of a Disclosure decision, the Admissions Office will update the appropriate fields in the Student Record System (SRS), including the date of the disclosure and the unique DBS numbers issued by the DBS.
- 3.8. For those applicants who subscribe annually to the Update Service provided by the Disclosure and Barring Service, the University will undertake a check through this system, rather than asking for a brand-new DBS.
- 3.9. In order for a check via the DBS Update Service to take place, the original DBS must be the same type as the DBS required for the chosen programme of study (i.e., an applicant with an existing DBS for Adults on the Update Service would not be able to use this if the programme of study required a DBS for the Child workforce).
- 3.10. Applicants wishing to use the DBS Update Service will be required to fully complete the Update Service Permission Form and return it to the Admissions Office along with their original DBS Enhanced Certificate.

4. DBS CONVICTION PROCESS

- 4.1. If an applicant's DBS is returned with advice to 'see paper disclosure', this indicates that it may contain a criminal conviction, warning, caution or reprimand. In these cases, the DBS Conviction Panel Process is triggered.

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- 4.2. For applicants, the Senior Admissions Officer will request to see the original certificate sent to the applicant where there's an indication of additional information. The applicant is also given an opportunity to provide a written statement regarding the circumstances surrounding the events detailed on the certificate.
- 4.3. Depending on the severity of the information included on the DBS certificate, the senior Admissions Officer will instigate the appropriate panel process.
- 4.4. If the offence is a one-off event and not of a serious nature, the panel process will be carried out as a summary process. The Senior Admissions Officer will prepare a DBS Panel Process Record Sheet for the panel to complete. The DBS panel will consist of the relevant Head of Programme (or their nominated representative), the Admissions Manager and member of the University Executive Group.
- 4.5. The DBS Panel Process Record Sheet will include the option to refer the case to the Senior DBS Conviction Panel as necessary.
- 4.6. Offences that are deemed more serious (See Annex B for full list) will automatically be referred to the Senior DBS Conviction Panel. The panel will consist of the Deputy Vice-Chancellor (Operations), Head of Partnerships or one Head of Programme with responsibility for QTS programmes, one Head of Programme with responsibility for non-QTS programmes, the Head of Student Success, the Admissions Manager and an external panel member.
- 4.7. Once the appropriate panel process has been completed, the result will be communicated to the applicant by the Senior Admissions Officer. A letter will be sent to the applicant to attach to their DBS. See Annex C for wording.
- 4.8. For students who require a DBS once they are enrolled, this process will be carried out by the Placement Service Office.

5. ADDITIONAL SAFEGUARDING CHECKS

- 5.1. In addition to carrying out DBS checks for students, there are a number of additional safeguarding checks that are carried out.

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- 5.2. Under the Disqualification under the Childcare Act 2006, the University is required to ensure that no student is disqualified from working with children. For those programmes where the age phase is 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.
- 5.3. If an applicant is determined that they meet the criteria under the Act, they will be asked to apply for a Waiver from Ofsted and their enrolment will be dependent on a waiver being issued. The responsibility for applying for the Waiver lies with the student and not LBU.
- 5.4. The same processes above will be followed for re-enrolling students to ensure the University meets these safeguarding guidelines annually. The Placement Service Office will monitor this process to ensure placement compliance is adhered to.
- 5.5. Applicants for Initial Teacher Training (ITT) programmes will also be checked against the list of people who have been subject to a prohibition order by the Secretary of State, prior to be able to enrol.
- 5.6. All ITT candidates will also be checked to ensure they have not been prohibited from teaching in another country of the European Economic Area (EEA).

6. CONDITIONS OF ENROLMENT

- 6.1. 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.
- 6.2. If a student is due to start a placement before the DBS result has been received, the Placement Service Office will contact the school where the placement is due to take place to confirm that a Children's Barred List Check has been undertaken. The school will be asked to confirm that they are happy for the student to start the placement.

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7. ENROLLED STUDENTS

- 7.1. Students whose programme does not require a DBS as an entry requirement can still obtain a check through LBU if one is required for a placement. Students should contact the Placement Services Team to start the process.
- 7.2. Students who transfer from a programme that does not require a DBS as an entry requirement to a programme that does will be required to undertake a check. This check will be instigated through the Placement Services Team.
- 7.3. 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.
- 7.4. Students must report such an occurrence to the Head of Faculty Operations. Failure to do so may result in disciplinary action being taken. When informed, the Head of Faculty Operations will request that a new DBS is undertaken. Once the DBS certificate has been received, the same panel process as detailed in Section 4 will be followed. Should the student wish to dispute the decision, they will have the right to appeal to the Deputy Vice-Chancellor (Operations) whose decision will be final.
- 7.5. Where information relating to criminal convictions which the applicant has not declared is received from a third party, the University will investigate and work with the appropriate Head of Programmes to obtain permission from the student to undertake a new DBS check as necessary. If the DBS reveals new convictions, the appropriate Codes of Practice will be followed.

8. HANDLING AND SAFEKEEPING OF DISCLOSURE INFORMATION

- 8.1. The University complies with the guidance from the DBS regarding handling, use, storage, retention and disposal of Disclosures and related information. It also complies fully with its obligations under the GDPR and current Data Protection legislation.
- 8.2. 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.



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- 8.3. 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.
- 8.4. 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.
- 8.5. The University will comply with the DBS guidance on the portability of Disclosures and their contents.

9. COMPLAINTS

- 9.1. 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.
- 9.2. 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.
- 9.3. 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.



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ANNEX A

List of courses with requirement for a DBS as entry requirement:

Programmes leading to Qualified Teacher Status (QTS)

BA (Hons) Primary Education with recommendation for QTS
BA (Hons) Primary Teaching Studies with recommendation for QTS (5-11)
Postgraduate Certificate in Education (PGCE) full time core 3-7
Postgraduate Certificate in Education (PGCE) full time core 5-11
Postgraduate Certificate in Education (PGCE) part time core 3-7
Postgraduate Certificate in Education (PGCE) part time core 5-11
Postgraduate Certificate in Education (PGCE) Secondary full-time core 11-16
Postgraduate Certificate in Education (PGCE) Secondary full-time core 14-19
Postgraduate Certificate in Education (PGCE) Secondary part time core 11-16
Postgraduate Certificate in Education (PGCE) Secondary part time core 14-19
Assessment Only Route to QTS (Primary and Secondary)

Programmes not leading to Qualified Teacher Status (QTS)

BA (Hons) Criminology
BA (Hons) Early Childhood Studies
BA (Hons) Education Studies
BA (Hons) Education Studies and English
BA (Hons) Education Studies and History
BA (Hons) Education Studies and Sociology
BA (Hons) Education Studies and Special Educational Needs, Disability and Inclusion
BA (Hons) Education Studies and Sport
BA (Hons) Education Studies and TESOL
BA (Hons) Education Studies and Theology, Philosophy and Ethics
BA (Hons) Health and Wellbeing in Early Childhood
BA (Hons) Psychology and Early Childhood Studies
BA (Hons) Psychology and Education Studies
BA (Hons) Psychology and Special Educational Needs and Inclusion
BA (Hons) Special Educational Needs, Disability and Inclusion and Theology, Philosophy and Ethics
BA (Hons) Special Educational Needs, Disability and Inclusion
BA (Hons) Special Educational Needs, Disability and Inclusion and Early Childhood Studies
BSc (Hons) Health and Social Care
BA (Hons) Criminology (with Foundation Year)
BA (Hons) Early Childhood Studies (with Foundation Year)
BA (Hons) Education Studies (with Foundation Year)

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BA (Hons) Education Studies and English (with Foundation Year)
BA (Hons) Education Studies and History (with Foundation Year)
BA (Hons) Education Studies and Sociology (with Foundation Year)
BA (Hons) Education Studies and Special Educational Needs, Disability and Inclusion (with Foundation Year)
BA (Hons) Education Studies and Sport (with Foundation Year)
BA (Hons) Education Studies and TESOL (with Foundation Year)
BA (Hons) Education Studies and Theology and Ethics (with Foundation Year)
BA (Hons) Health and Wellbeing in Early Childhood (with Foundation Year)
BA (Hons) Psychology and Early Childhood Studies (with Foundation Year)
BA (Hons) Psychology and Education Studies (with Foundation Year)
BA (Hons) Psychology and Special Educational Needs and Inclusion (with Foundation Year)
BA (Hons) Special Educational Needs, Disability and Inclusion and Theology, Philosophy and Ethics (with Foundation Year)
BA (Hons) Special Educational Needs, Disability and Inclusion
BA (Hons) Special Educational Needs, Disability and Inclusion and Early Childhood Studies (with Foundation Year)
Professional Graduate Diploma in Education (Teaching Post-16 and Further Education)
Certificate in Education (Teaching Post-16 and Further Education)

Relevant programmes under Disqualification under the Childcare Act 2006

BA (Hons) Early Childhood Studies
BA (Hons) Early Childhood Studies (with Foundation Year) BA (Hons) Primary Education with QTS
PGCE Primary (3-7 age group) PGCE Primary (5-11 age group)



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ANNEX B

Criminal convictions that are automatically referred to the Senior DBS Conviction Panel:

- Offences recognized in the Safeguarding Vulnerable Groups Act 2006
- Crimes deemed violence against the person (includes Murder, Attempted Murder, Manslaughter, Wounding, and Cruelty to or Neglect of children)
- Crimes listed in the Offences Against the Person Act 1861 (includes common assault, battery, Actual Bodily harm (ABH), Grievous Bodily Harm (GBH), aggravated assault)
- Sexual offences (including Rape and Sexual Assault)
- Other crimes/offences listed as offences considered under the Disqualification under the Childcare Act 2006
- Burglary (including Aggravated Burglary)
- Theft & Handling Stolen Goods
- Fraud & Forgery
- Criminal Damage (including Arson)
- Drug offences (including supplying, offering to supply and possession with intent to supply of Class A, Class B, and Class C substances, and possession of Class A and Class B substances) **excludes possession of a controlled substance (Class C)**
- Possession of a controlled drug (Class C)
- Cruelty to or neglect of animals