

DBS Escalation Policy

Purpose

Operam Education Group (OEG) and its subsidiary businesses; Provide Education, Teachers UK, The Education Specialists, Key Stage Teacher Supply, First for Education, Bridge Education, and Horizon Teachers are committed to safeguarding children and young people by ensuring that appropriate DBS checks are completed and assessed before candidates undertake work in regulated education settings.

This policy sets out the process to follow where information is disclosed through a Disclosure and Barring Service (DBS) check, where there are concerns regarding a candidate's suitability, or where a DBS-related issue is identified during employment or engagement.

The purpose of this policy is to ensure decisions are made fairly, consistently, confidentially and in accordance with:

- Keeping Children Safe in Education (KCSIE)
- Disclosure and Barring Service Code of Practice
- Rehabilitation of Offenders Act 1974 (as amended)
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- Safer recruitment guidance

Scope

This policy applies to:

- Candidates supplied to schools, colleges, nurseries and other education providers;
- Temporary workers;
- Permanent employees involved in recruitment, compliance and safeguarding processes;
- Any individual requiring a DBS check as part of their role.

DBS Checking Process

Before a candidate undertakes regulated activity with children, OEG will ensure that:

- An Enhanced DBS check has been requested;
- Identity documents and right to work documentation have been verified;
- The DBS check has been reviewed by an authorised employee;
- Any disclosed information has been assessed before clearance is confirmed.

A DBS certificate does not automatically determine suitability. Any information disclosed will be assessed on an individual basis.

DBS Disclosure Assessment

Where a DBS certificate contains information, the Compliance or Safeguarding Team will review:

- The nature and seriousness of the offence;
- The relevance of the offence to working with children;
- The date of the offence and time elapsed;
- The age of the individual at the time of the offence;
- Whether there is a pattern of behaviour;
- Any evidence of rehabilitation;

- The role being undertaken and level of contact with children;
- Any additional safeguarding information available.

A DBS disclosure alone will not automatically prevent an individual from working.

DBS Escalation Process

Stage 1 – Initial Review

Where a DBS certificate contains information:

1. The Compliance Team will place the candidate's clearance on hold.
2. The candidate will not be permitted to undertake regulated activity until an assessment has been completed.
3. The disclosed information will be reviewed confidentially by an authorised member of the DSL/Leadership.

Stage 2 – Safeguarding Review

Where the information requires further consideration, the matter will be escalated to the Designated Safeguarding Lead (DSL) or nominated safeguarding representative.

The DSL will determine:

- Whether the information presents a safeguarding concern;
- Whether further information is required from the candidate;
- Whether additional checks or references are required;
- Whether the candidate can safely proceed.

All decisions will be documented with clear reasoning.

Stage 3 – Enhanced Review / Management Escalation

The matter must be escalated to senior management where:

- The offence involves children or vulnerable adults;
- The offence relates to violence, sexual offences, abuse, exploitation, safeguarding or serious dishonesty;
- The candidate disputes the accuracy of the information;
- There is uncertainty regarding suitability;
- The candidate is subject to police investigation or safeguarding enquiries.

Senior management will review the available information and confirm the appropriate outcome.

Possible Outcomes

Following assessment, outcomes may include:

- **Clearance Approved**

The candidate may proceed where the information does not present a safeguarding concern and appropriate risk controls are in place.

- **Further Information Required**

The candidate may be asked to provide additional information, explanations or supporting documentation before a decision is made.

- **Restrictions Applied**

Where appropriate, additional controls may be considered, such as:

Limiting the type of assignments offered;
Additional supervision requirements;
Further safeguarding checks.

- **Clearance Declined**

Where the risk cannot be managed appropriately, the candidate will not be approved for education placements.

The decision and rationale will be recorded.

Barred List Information

Where information indicates that an individual may be barred from working with children:

- The candidate must not undertake regulated activity;
- The matter must be escalated immediately to the DSL/Safeguarding Lead;
- Appropriate advice must be obtained;
- Any required referral or reporting obligations will be considered.

Existing Workers and New Information

If DBS-related information becomes known after a candidate has started work, including:

- New convictions;
- Arrests or police investigations;
- Safeguarding concerns;
- Allegations made by a client or education setting;

OEG will:

1. Immediately review the safeguarding implications;
2. Inform the relevant safeguarding lead;
3. Consider whether the individual should be removed from assignment pending investigation;
4. Work with the client school/setting where appropriate;
5. Follow KCSIE and safeguarding procedures.

Confidentiality and Data Protection

DBS information is sensitive personal data and will be handled confidentially.

OEG will:

- Only share DBS information with authorised individuals who need access;
- Not disclose certificate information to clients unless appropriate and lawful;
- Store DBS information securely;
- Retain DBS information only for as long as necessary.

DBS certificate copies will not normally be retained for longer than six months, in line with DBS guidance.

Candidate Rights

Candidates will be:

- Treated fairly and consistently;
- Given an opportunity to provide relevant information;
- Informed where decisions may affect their ability to work;
- Able to challenge inaccurate information through the appropriate DBS dispute process.

Record Keeping

Records of DBS decisions will include:

- Date of review;
- Name of reviewer;
- Nature of disclosure (where appropriate);
- Assessment considerations;
- Decision made;
- Reasoning behind the decision;
- Any actions or controls applied.

Records will be retained in accordance with the organisation's Record Retention Policy.

Policy Review

This policy will be reviewed annually or sooner where there are changes to:

- DBS guidance;
- Keeping Children Safe in Education;
- Safeguarding legislation;
- Data protection requirements;
- Recruitment practices.

Policy Owner: Chief Operating Officer

Review Frequency: Annual