

MERSEY VIEW LEARNING TRUST - POLICY FOR POSITIVE DBS DISCLOSURE

Prospective employees have a responsibility at application stage to disclose any convictions, cautions, reprimands or warnings as set out in the DBS Disclosure Application Form. Where no evidence of a satisfactory DBS Check can be obtained and/or the prospective employee is found to have knowingly withheld information, or provided false or misleading information then the conditional offer of employment will be withdrawn.

Before making the decision to reject or offer or confirm employment following a positive DBS disclosure the Headteacher may offer the opportunity to meet to discuss the contents in order to explain the context and assist decision making.

A positive disclosure will show cautions, warnings and convictions which may be spent or unspent. Enhanced disclosure checks will also show other police information which will be relevant and need to be considered. If a school or college knows or has reason to believe that an individual is barred, it commits an offence if it allows the individual to carry out any form of regulated activity.

Rationale for decision making

Is the individual on the Barred List?

If yes, the appointment is automatically unlawful and they must not be considered for the role.

Is the conviction or caution relevant to the position?

Consider the impact of the nature of the offence on the post.

How serious do you consider the offence to be?

Is the offence major, moderate or minor?

When did the offence occur?

Within the last year, last 3 years, last 5 years, last 10 years or over 10 years

How old was the individual when the offence occurred?

Were they a child or adolescent at the time?

What is their age now?

What were the circumstances of the individual at the time of the offence?

Consider their explanation and whether circumstances have changed – does this have an impact?

Is there a pattern of offending?

Are the offences repeated? Frequent repeating of offences could indicate that they may re-offend

Does the role offer the possibility of re-offending?

What supervision will the individual have?

Consider how their performance and conduct will be monitored. Are there additional risks?

Does the role involve responsibility for finance or management of other resources?

This will be relevant where the offence relates to fraud or theft for example