



DBS Policy

Last Updated: 8 March 24

Introduction

FEAST With Us (hereby known as FEAST) may undertake relevant checks on any candidates applying for jobs. The purpose of this policy is to describe how FEAST might undertake DBS checks and checks against barred lists as part of recruitment checks and thereafter during each person's employment to protect service users. It also provides guidance on the use, storage, and disposal of the disclosure information obtained from the checks and to ensure that candidates who may have offended in the past are not discriminated against.

Policy Scope

This policy applies to:

- Candidates applying for any paid position within FEAST where the role involves close interaction and communication with service users.
- Volunteers participating in volunteer-led FEAST service sessions.
- Current FEAST employees who are:
 - Employees of FEAST based at home.
 - Employees of FEAST based in one of FEAST's partner venues.
- Agency staff, temporarily employed to run FEAST service sessions, where a DBS check is required by the venue.

New Staff:

All offers of appointment to FEAST will be subject to appropriate disclosure of criminal records where it is required for the post.

Existing Employees:

All staff whose posts require a disclosure will be required to renew their application every three years.

In cases where a criminal record is disclosed or a DBS check indicates that the person may be unsuitable to continue in employment, the CEO and Operations Manager will decide whether the employee should be suspended from work or transferred temporarily to another post whilst this is under investigation. This may affect the employee's continuing employment with FEAST.

Under more complex circumstances, the guidance of the Board of Trustees will be sought.

Agency Staff:

Agency staff may be required to provide an original disclosure (dependent on the service), this will be overseen by the Operations Manager who must see an original, satisfactory disclosure for all agency staff engaged and must not rely on an agency's confirmation of having undertaken this task. The disclosure must be the correct level for that post obtained by the agency within the last year. If a criminal record is disclosed, the Operations Manager should be notified prior to commencement of work.

If, whilst the worker remains in post, the disclosure expires (i.e. becomes over a year old) the Operations Manager must ensure that the agency renew the disclosure, or the agency worker ceases work.

Volunteers:

Any volunteers undertaking work with FEAST may be required to undertake a DBS check. FEAST will issue a disclosure free of charge to volunteers. Volunteers are not to work at FEAST sites prior to disclosure being confirmed (if requested).

FEAST will endeavour to provide a kitchen lead or kitchen coordinator to be present at every cooking session. These team members are provided with a Level 2 Food Safety and Hygiene for Catering course, via Virtual College. They may be required to have a standard DBS check carried out if they are not already in possession of a valid one, depending on the venue.

An individual with a standard DBS is required when working with vulnerable adults, all sessions are supported by trained staff at the partner venue who are in possession of a DBS.

Types of Disclosure

There are three types of Disclosure available:

Standard Disclosure:

This sets out all convictions held on the Police National Computer, including ‘spent’ convictions, together with cautions, reprimands, or final warnings. For work with children, it includes checks on the Department of Health and Department for Education lists of people who should not work with children. A standard disclosure is applied in relation to a specific job or role only. It is required for jobs with regular close contact with children or vulnerable adults.

Enhanced Disclosure:

This contains all information provided by a standard disclosure, but also includes information held on local police records, and which the police consider relevant to the post to be held. Like standard disclosures, they relate to a specific job or role only. An enhanced disclosure is required for jobs that involve regularly caring for, training, supervising, or being in sole charge of children or adults. If the person is to carry out regulated activity (see for guidance <https://assets.publishing.service.gov.uk/media/5a7cba32ed915d63cc65c7ce/Regulated-Activity-Adults-Dec-2012.pdf>) the enhanced disclosure will include any information held on the Independent Safeguarding Authority’s (ISA) barred lists (Disclosure and Barring Service from December 2012).

Basic Disclosure:

These are the lowest level of disclosure and only contain details of unspent (current) convictions. Basic disclosures are recommended for verifying information from applicants for posts that are not exempt under the Rehabilitation of Offender Act (Exemptions) Order, but where the individual is appointed to a ‘position of trust’.

Recruitment Process

FEAST may use the Disclosure and Barring Service as part of the pre-employment checks during the recruitment process. The information provided by the DBS will help those involved with recruitment to make informed decisions about the suitability of candidates for certain types of work.

It is illegal to carry out a DBS check on any post that is not exempt under the Rehabilitation of Offenders Act (Exceptions) Order except for the basic disclosure in certain circumstances as described in section ‘Types of Disclosure’.

Posts that are not covered by the Exceptions Order are defined as those who do not have access to children or adults in the course of their normal duties. For example, this would include administration or management staff that have minimal access to children or vulnerable adults.

Appointment of Staff – Pre-Offer Administration:

All recruitment literature where disclosure is required will state that successful applicants will be required to apply for DBS Disclosure. This will also be stated in the job description.

Appointment of Staff - Offers of Appointment and Contracts of Employment:

All offers of appointment to posts which require a DBS check will be made conditional on the receipt of a satisfactory DBS check in addition to references, verification of qualifications and medical clearance. FEAST will issue any DBS checks free of charge to post that require them.

Where a DBS check is required, previous DBS checks will be considered. Portability is possible should the current check be in date.

Subject to those exceptions set out in the procedure, employment cannot commence without the original disclosure being sighted. The Operations Manager will be responsible for ensuring that the original disclosure is seen. The employee's offer letter will contain a clause stating that the offer of employment is subject to receipt of a satisfactory disclosure (renewable every three years) from the Disclosure and Barring Service. If an unsatisfactory disclosure is received, the offer will be withdrawn.

A Disclosure undertaken by another organisation may be accepted, this will be reviewed on a case-by-case basis. If an applicant refuses to give their signed consent to a disclosure application being undertaken, they will not be appointed to the post.

If an applicant believes the information provided by DBS is not correct, the applicant can contact the DBS to dispute the result.

Recruitment of Ex-Offenders:

Roles suitable for individuals with a criminal record will vary according to the job and the details and circumstances of any criminal conviction. Once the applicant's criminal record has been obtained by the Operations Manager it will be assessed in relation to the tasks that the candidate will be required to carry out and the circumstances in which the work will be carried out.

Guidance from the CEO and Board of Trustees may need to be sought in certain circumstances.

Existing Staff Checks

All staff whose posts require a disclosure will be required to renew their application every three years. If a disclosure is returned with nothing found there will be no further action until the next review date.

In cases where a criminal record is disclosed or a DBS check indicates that the person may be unsuitable to continue in employment, the Operations Manager will decide whether the employee should be suspended from work or transferred temporarily to another post whilst this is under investigation. This may affect the employee's continuing employment with FEAST.

Employees are required to disclose to the Operations Manager details of any criminal conviction/ caution/ reprimand/ final warning or bind-over they acquire during their employment with FEAST.

In circumstances where the police become involved with an employee, and where an employee is charged with a criminal offence, the matter should be dealt with under the Disciplinary Policy and advice sought from the Operations Manager or CEO (and Safeguarding Lead and Trustee if appropriate).

Refusal to have a CRB check, providing false information on a CRB form or any failure to declare a conviction, caution, reprimand, or warning will be regarded as an act of gross misconduct under the Disciplinary Policy which could potentially result in dismissal.

If an applicant believes the information provided by DBS is not correct, the applicant can contact the DBS to dispute the result.

Storage of Information

FEAST complies fully with the DBS Code of Practice regarding the correct storage, handling, use, retention, and disposal of disclosures and disclosure information. FEAST also complies with its obligations under the Data Protection Act and has a written policy which is available to those who request to see it. This policy is also available online at - <https://www.feastwithus.org.uk/policies>

Disclosure information will be stored in the Human Resources online shared drive, with access limited to the CEO, Operations Manager, and Chair of the Board of Trustees. Copies of disclosure information will also be stored on the HR Information System (Breathe HR), accessible by the Operations Manager and CEO.

Once recruitment or other relevant decision has been made, the information will be retained throughout the duration of the individuals' involvement with FEAST. Upon termination of said individuals' involvement with FEAST, this information will be retained for 6 months, in line with our GDPR Policy, and then deleted.

Procedure

Responsibility:

The Operations Manager is responsible for DBS checks for all new recruits into the establishment. As part of the recruitment process, a DBS check is built into the on-boarding process for eligible roles after a provisional offer of employment is sent. The Operations Manager will also carry out DBS checks for all existing staff where necessary.

DBS Check Returned:

DBS checks will be performed by an appropriately registered body. The disclosure will be sent to the Operations Manager who will act on behalf of FEAST.

The Operations Manager will decide on the suitability of the employment of a prospective member of staff, if any issues are highlighted on the disclosure advice from the CEO and/or Board of Trustees will be sought.

DBS Check Satisfactory:

If the disclosure is satisfactory the line manager is informed.

Exceptional Cases:

In exceptional circumstances, approval may be given by the Operations Manager / CEO, to start a candidate with no valid DBS prior to DBS clearance.

This is conditional upon:

- Satisfactory references/qualifications check/medical clearance
 - Only supervised access to clients
 - A signed declaration
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Contacting Us

If you have any questions about this policy, please contact us at info@feastwithus.org.uk.

Reviewed and approved on 8 March 2024 by Caroline Monkhouse Flower, CEO, and Helen Burgess, Chair of the Board of Trustees, on behalf of the board.

Signed by:



Helen Burgess
Chair of the Board of Trustees

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