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# DISCLOSURE AND BARRING SERVICE

## 1. Introduction

This information relates to DBS checks for staff/new employees only.

For all job vacancies at the University, applicants must declare any unspent convictions as defined by the Rehabilitation of Offenders Act (ROA) 1974. Overall, there is no requirement to declare spent convictions. However, for a limited number of posts, University of Suffolk will seek a disclosure relating to potential

The role must be properly assessed using the DBS guidance documents followed by the online Eligibility Tool <https://www.gov.uk/find-out-dbs-check>

University of Suffolk is a registered body with the DBS and is, therefore, authorised to request information de of

Practice and to produce guidance notes on our Disclosure practice to ensure compliance. This means that any information received from a disclosure is used fairly and confidentially and is held securely and not held for longer than is necessary. The Academic Registrar is the Lead Counter-signatory and so has overall responsibility for the proper use of the DBS disclosure scheme by the University in accordance with the DBS Code of Practice. The Lead Counter-signatory appoints Counter-signatories who ensure the scheme is operated within the Code of Practice in the context of both staff recruitment and student admissions.

## **2. There are 3 levels of Disclosure**

It is unlawful to request a disclosure

Once the result of the check is deemed satisfactory by the POD team, the line manager will be informed.

It is possible that permission to commence employment prior to receipt of the Disclosure Report form can be given. This decision will rest with the employing manager and the Director of POD and any pre-disclosure employment will be on a strictly supervised basis for those aspects of the job involving contact with children/vulnerable adults. Where an employee starts prior to DBS Disclosure being obtained, our offer of employment is still dependent on satisfactory DBS clearance. Where DBS Disclosure is found to be unsatisfactory, employment could be terminated with due notice.

#### **4. Assessing Disclosures**

The relevant counter-signatory will make an initial assessment of the content of the Disclosure Report. If the report contains no evidence of convictions (or any other related information), the line manager will be advised of the outcome.

If the report confirms a conviction, the POD counter-signatory, in conjunction with the Lead Signatory, will make an initial assessment of whether the information provided has any potential relevance to the post. If there is clearly no relevance to the nature of the job, you will be sent a letter confirming your appointment. If, however, the report reveals a conviction you have failed to declare, and/or the conviction is directly relevant to the post you have applied for, this could lead to the withdrawal of an offer of employment. The decision to withdraw would be made after a meeting with you to discuss the matter.

The decision will be made as to whether you are considered suitable for employment due to your criminal record. This will vary according to the nature of the job and the details and circumstances of the conviction(s). An open, honest, and well-structured discussion is required to fully assess the risk associated with the conviction in relation to the nature of the job.

We will take the following factors in to account:

Does the post involve one-to-one contact with children or other vulnerable groups of people?

What level of supervision would you receive?

Would the nature of the job present you with opportunities to re-offend in the work place?

Would you have any direct responsibility for finance or other items of value?

In relation to the nature of the offence(s) you have committed, or other relevant matters that are revealed, the following issues, as a minimum, would be taken into account:

The seriousness of the offence(s) and its relevance to the safety of others with whom you would come in to contact in the workplace

The length of time since the offence(s) occurred

The number of offences committed (i.e. is there a pattern of offending or is the conviction a one-off?)

The circumstances surrounding the offence(s) and the explanation(s) you have offered

How your circumstances have changed since the offence and whether this demonstrates reduced likelihood of re-offending

The degree of remorse, or otherwise, that you express and your motivation to change

Full and thorough consideration of all the above points will be made in order to come to a decision as to whether your appointment is confirmed or the offer is withdrawn. All staff involved in making this decision will have received appropriate guidance in the relevant legislation relating to the employment of ex-offenders.



## **Appendix 1**

**University of Suffolk**

**POLICY STATEMENT: SECURE STORAGE, HANDLING, USE, RETENTION AND**

**Disposal**

Once the retention period has elapsed, the University of Suffolk will ensure that any Disclosure information is