



BUCKINGHAMSHIRE
NEW UNIVERSITY

EST. 1891



Staff Disclosure and Barring Service (DBS) Policy

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Introduction

- 1 This policy outlines the University's approach to the use of Disclosure and Barring Service (DBS) checks for Staff. For further information about the DBS please click [here](#). For students, please refer to the Disclosure of Criminal Convictions Procedure.

Applicability and Scope

- 2 This policy applies to job applicants, current staff and volunteers who are in, or apply for, roles where disclosure is judged to be required.
- 3 Some educational and professional training programmes provided by the University require staff, workers or volunteers to come into contact with vulnerable adults, children and members of the public and to assume positions of particular trust. The regulators of those programmes require that the University has processes in place to ensure that staff, workers or volunteers are fit to practice during the program and fulfil their obligations. The University is required to ensure that only suitable candidates are permitted to be employed in such roles and it uses the DBS to obtain information on the criminal records of successful job applicants to assess their suitability.
- 4 Job applicants or staff required to have a DBS disclosure will be asked to complete their application via [Checks Direct](#) online. Individuals will be required to bring their ID documents to the People office for verification as part of the checking process. Employment cannot commence until the check has been completed.
- 5 Fees are payable for new disclosures and subscription to the DBS online update service (with the exception of volunteer roles). These fees will be paid for by the University for staff who require a DBS check to carry out their roles.
- 6 The University complies with the DBS Code of Practice by undertaking to treat all applicants fairly and not discriminate against any subject of a disclosure on the basis of conviction or other information revealed. The University, via the online Checks Direct application form, makes every subject of a DBS disclosure aware of the Code of Practice. A copy is also available here: [Revised Code of Practice for Disclosure and Barring Service Registered Persons \(publishing.service.gov.uk\)](#).
- 7 Successful job applicants will be required to complete a DBS check before an offer of employment is confirmed if they have applied for a role which is covered by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975. These roles mainly relate to particularly sensitive areas such as work with children or health and social care, work in law enforcement and the legal system, and high-level financial positions.
- 8 Where disclosure is to form part of the staff recruitment process, job applicants will be informed of the procedure and requirements for providing information to the University. Successful job applicants will be required to complete a DBS check before an offer of employment is confirmed. Employment cannot commence until the check has been completed.
- 9 Failure to disclose a criminal conviction or caution, or discrepancies between a self-declaration and a DBS disclosure, may result in the withdrawal of an offer, or, in the case of current staff,

action under the University Disciplinary Policy and Procedure.

10 Where an offer of a job is withdrawn on the basis of information contained within a DBS disclosure, the University will confirm this in writing.

11 It is the policy of the University not to accept DBS Disclosure Certificates which the job applicant has previously been issued from another employer or organisation. The University may, however, perform a Status Check using the DBS Update Service if an individual has subscribed to that service.

12 The list of courses and roles for which DBS disclosure is required is regularly updated. The current list is available [here](#)

13 All DBS checks will be re-checked every three years unless there is a change in the role, requirements, or circumstances before then.

Policy

14 The types of check available are as follows:

- **a basic check**, which shows unspent convictions and conditional cautions
- **a standard check**, which shows spent and unspent convictions and adult cautions, from the Police National Computer which have not been [filtered in line with legislation](#)
- **an enhanced check**, which shows the same as a standard check plus any information held by local police that's considered relevant to the role
- **an enhanced check with a check of the barred lists**, which shows the same as an enhanced check plus whether the applicant is on the adults' barred list, children's barred list or both.

A member of People will advise on which check is required for the role being filled.

15 Successful applicants for job roles, where a DBS disclosure is required, will be notified of the initial disclosure procedure when they receive their conditional offer.

16 Staff employed in a job role where a DBS disclosure is required, must declare any criminal conviction or caution whilst employed by the University in the relevant role. Failure to do so may result in disciplinary action.

17 Every effort will be made to ensure that roles requiring a DBS disclosure are filled by University staff only. However, if, exceptionally, it is necessary to fill a role requiring a DBS disclosure with an agency worker or contractor, line/hiring managers are responsible for ensuring that agency workers and contractors have been DBS checked at the appropriate level by the agency/supplier, with confirmation in writing, before starting work at the University.

Applicants from overseas

18 Applicants who are from overseas (or with significant overseas residence) will include nationals of other countries, and UK nationals who have had significant periods of residence overseas.

19 Where an applicant has been resident in the UK for at least two months, a DBS disclosure

should be sought, although it is recognised that the disclosure is likely to be of limited value where the period of UK residence has been short.

- 20 Applicants will be required to produce evidence of their conduct overseas (usually a Certificate of Good Conduct or equivalent document). The University will contact the embassy or High Commission of the applicant's country of residence to check on their criminal record.

Confidentiality and Data Handling

- 21 The University complies fully with the Code of Practice regarding the correct handling, use, storage, retention and disposal of certificates and certificate information. It also complies fully with its obligations under the Data Protection Act 2018 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of certificate information, as set out in the University's [Data Protection Policy](#).
- 22 The University has a duty to prevent personal data from being accidentally lost, used or accessed in an unauthorised way, altered or disclosed. Access to personal data is strictly controlled and limited to those who are entitled to see it as part of their duties. These measures are subject to regular review.
- 23 Certificate information is only passed to those who are authorised to receive it in the course of their duties. The University maintains a record of all those to whom certificates, or certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to receive it. Certificate information is only used for the specific purpose for which it was requested and for which the applicant's consent has been given.
- 24 The University will only retain personal data for as long as reasonably necessary to fulfil the purposes for which we collected it, including for the purposes of satisfying any legal, regulatory or reporting requirements. To determine the appropriate retention period for personal data, we consider the amount, nature and sensitivity of the personal data, the potential risk of harm from unauthorised use or disclosure of your personal data, the purposes for which we process your personal data, and the applicable legal, regulatory or other requirements.
- 25 The University will not keep any photocopy or other image of the certificate or any copy or representation of the contents of a certificate. However, may keep a record of the date of issue of a certificate, the name of the subject, the type of certificate requested, the position for which the certificate was requested, the unique reference number of the certificate and the details of the recruitment (or other relevant) decision taken.

Responsibilities

- 26 Seeking a DBS disclosure is a serious undertaking and involves access to sensitive personal information. It is important, therefore, that those involved in the process understand their part in the process. There are three main roles involved in the process:
- Line/Hiring Manager:** It is the line/hiring managers responsibility to inform People if an individual requires a DBS for the role. For new staff, this should be detailed on the requisition form, job description and interview assessment sheet.
 - Verifier:** When an individual is asked to undertake a DBS check online, their identity must be verified. At the University this will be a member of People. Verifiers meet the

applicant and ensure that the documentary evidence they provide confirms their identity, completing the relevant sections of the application form online on behalf of the University.

- c. **Counter-signatories:** [Checks Direct](#), countersign the DBS requests once verified.
- 27 In relation to prospective staff, the People Operations Advisor will discuss any concerns arising from the Disclosure information with the relevant Line/Hiring Manager.
- 28 In dealing with persons with a criminal record disclosure, the University will consider the following:
- a. Whether the conviction or other matter revealed is relevant to the position in question;
 - b. The seriousness of any offence or other matter revealed;
 - c. The length of time since the offence or other matter occurred;
 - d. Whether the applicant has a pattern of offending behaviour or other relevant matters;
 - e. Whether the applicant's circumstances have changed since the offending behaviour or the other relevant matters and;
 - f. The circumstances surrounding the offence and the explanation(s) offered by the convicted person.

Equality Impact Assessment

1. What is changing and why?

The Disclosure & Barring Service (DBS) Policy at Buckinghamshire New University is due for review in January 2024.

As part of Thrive28, under becoming a fit and agile organisation and challenging underperformance and equipping managers with a robust/agile/efficient process and tools, we have revised the current staff DBS policy and procedure to streamline it, improve flexibility and ensure it's still fit for purpose.

The updated policy adheres to guidance from GOV.UK, the Rehabilitation of Offenders Act (1974), General Data Protection Regulation (GDPR), and Data Protection Act (2018). This helps ensure that BNU's practices are in line with current legal requirements.

The policy has also been updated to reflect the changes to online DBS checks, via Checks Direct.

2. What do you know?

A comparison of DBS policies from other 3 Higher Education institutions was undertaken and guidance from XpertHR, Checks Direct and GOV.UK was taken into consideration when reviewing the policy.

As part of the policy revision, we closely adhered to best practice guidance and the relevant laws. Our policy ensures compliance with the Rehabilitation of Offenders Act (1974), General Data Protection Regulation, and the Data Protection Act (2018).

The university uses Checks Direct to carry out online DBS checks on its behalf. Checks Direct, is a leading independent provider of employment screening and background checks.

3. Assessing the impact

	Could benefit	May adversely impact	What does this mean? Impacts identified from what you know (actual and potential)	What can you do? Actions (or why no action is possible) to advance equality of opportunity, eliminate discrimination, and foster good relations
a) How could this affect different ethnicities? <i>Including Gypsy, Roma, Traveller, Showmen and Boaters, migrants, refugees and asylum seekers.</i>	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy provides equal opportunities for all individuals regardless of their ethnicity. Negative Impacts: Some ethnic groups may face barriers in understanding or accessing the policy due to language or cultural differences. Some may not easily be able to access the personal documentation required in order for the DBS check to be carried out by the relevant authorities.	Provide assistance with completing the online application form to those whose first language is not English. Liaise with our independent background check service provider (Checks Direct) to find alternative ways of carrying out the check.
b) How could this affect cisgender and transgender men and women (including maternity/pregnancy impact), as well as non-binary people?	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy does not differentiate between cisgender, transgender, or non-binary individuals.	Ensure relevant support is offered to all.
c) How could this affect disabled people or carers? <i>Including neurodiversity, invisible disabilities and mental health conditions.</i>	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy does not differentiate between individuals based on their disability status. Negative Impacts: Some individuals with disabilities may have issues with accessing and completing the online application form	Support will be given to those who person may need assistance with completing the online application
d) How could this affect people from different faith groups?	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy applies universally and does not differentiate between individuals of different faith groups.	Ensure relevant support is offered to all.
e) How could this affect people with different sexual orientations?	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy does not differentiate based on sexual orientation.	Ensure relevant support is offered to all.
f) How could this affect different age groups or generations?	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy applies to all, regardless of their age or generation.	Ensure relevant support is offered to all.

g) How could this affect those who are married or in a civil partnership?	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy does not differentiate between individuals based on their marital or civil partnership status.	Ensure relevant support is offered to all.
h) How could this affect people from different backgrounds such as: socio-economic disadvantage, homeless, alcohol and/or substance misuse, people experiencing domestic and/or sexual violence, ex- armed forces, looked after children and care leavers.	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy does not differentiate between individuals based on their backgrounds. Negative Impacts: Some may not easily be able to access the personal documentation required in order for the DBS check to be carried out by the relevant authorities nor have the ability to access the online form at home.	Liaise with our independent background check service provider (Checks Direct) to find alternative ways of carrying out the check.
i) How could this affect people with multiple intersectional experiences?	<input type="checkbox"/>	<input type="checkbox"/>	Positive Impacts: The policy is applicable to all individuals.	Ensure relevant support is offered to all.

4. Overall outcome

No major change needed Adjust approach Adverse impact but continue Stop and remove

5. Details of further actions needed

This policy is grounded in the applicable governmental laws and regulations, which are subject to changes over time. It remains committed to adhering to prevailing sector best practices and will evolve as new research data underlines the need for modifications. It will be continually monitored to ensure there are no adverse impacts to anyone.

6. Arrangements for delivery and future monitoring

This policy will be reviewed formally every 5 years and revisited sooner if necessary.

7. Completed by:	Name: Jennifer Eagles	Position: People Operations Advisor	Date:	15-Dec-25
8. Signed off by:	Name: Helen Elliott	Position: People Business Partner	Date:	15-Dec-25



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