



**JOB SKILLS TRAINING
ASSOCIATION**

Registered UK Charity: 1207351

Disclosure and Barring Service (DBS) Policy

Job Skills Training Association

Effective Date: March 2024
Last Reviewed: May 2025
Next Review Due: May 2026

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1. Policy Statement

At Job Skills Training Association, we are committed to creating and maintaining a safe, inclusive, and supportive environment for all children, young people, vulnerable adults, staff, volunteers, trustees, and visitors who engage with our organisation.

We recognise that safer recruitment and appropriate Disclosure and Barring Service (DBS) checks are an essential part of safeguarding. Carrying out appropriate DBS checks helps ensure that individuals who may present a risk are identified before they undertake roles involving regulated activity or positions of trust.

This policy sets out the Charity's approach to obtaining, assessing and managing DBS checks and fulfilling its legal duty to make referrals to the Disclosure and Barring Service where the statutory criteria are met.

This policy supports, and should be read alongside, the Charity's Safeguarding Policy, Safer Recruitment Procedures, Code of Conduct and Data Protection Policy. It does not replace those policies but provides specific guidance relating to DBS checks and referrals.

Job Skills Training Association is committed to ensuring that:

- appropriate DBS checks are undertaken where legally required;
- recruitment decisions are fair, transparent and based on risk assessment;
- applicants are treated consistently and without unlawful discrimination;
- confidential information obtained through DBS checks is handled securely;
- referrals to the Disclosure and Barring Service are made where the legal duty exists;
- safeguarding remains at the centre of recruitment and workforce management;
- all employees, volunteers and trustees understand their responsibilities under this policy.

The Charity will not knowingly employ or engage any individual in regulated activity where they are legally barred from undertaking such work.

Failure to comply with this policy may result in disciplinary action, termination of employment or volunteering arrangements, and where appropriate, referral to statutory authorities.

2. Scope of the Policy

This policy applies to all individuals working on behalf of Job Skills Training Association, regardless of whether they are paid or unpaid.

This includes:

- Trustees
- Employees
- Volunteers
- Sessional Workers
- Apprentices
- Students on Placement
- Work Experience Students
- Interns
- Agency Workers
- Contractors
- Consultants
- Freelancers undertaking regulated activities

The policy applies throughout the recruitment process and during an individual's engagement with the Charity where DBS eligibility exists.

It covers activities delivered:

- at Charity premises;
- within schools, colleges and universities;
- at community venues;
- at employer premises;
- during outreach programmes;
- during mentoring sessions;
- through online learning platforms;
- through hybrid delivery models;
- during organised events and workshops.



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Where individuals work on behalf of Job Skills Training Association through partnership organisations, both organisations will cooperate to ensure DBS responsibilities are clearly defined.

3. Legal and Regulatory Framework

This policy has been developed in accordance with current legislation and statutory guidance applicable in England and Wales.

Relevant legislation includes, but is not limited to:

- Safeguarding Vulnerable Groups Act 2006
- Protection of Freedoms Act 2012
- Police Act 1997
- Rehabilitation of Offenders Act 1974
- Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975
- Children Act 1989
- Children Act 2004
- Care Act 2014
- Equality Act 2010
- Data Protection Act 2018
- UK General Data Protection Regulation (UK GDPR)
- Human Rights Act 1998
- Employment Rights Act 1996

The Charity also follows relevant guidance issued by:

- Disclosure and Barring Service (DBS)
- Charity Commission for England and Wales
- Home Office
- Department for Education (where applicable)
- Local Safeguarding Partnerships
- Local Authority Designated Officer (LADO), where appropriate

The Charity will review this policy whenever legislation, statutory guidance or organisational practice changes.

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4. DBS Principles

Job Skills Training Association is committed to ensuring that DBS checks are carried out fairly, proportionately and only where legally permitted.

The Charity is guided by the following principles:

Safeguarding First

The safety and wellbeing of children, young people and vulnerable adults is the Charity's highest priority. Decisions relating to DBS checks will always consider the protection of those who use our services.

Fair Recruitment

No applicant will be unfairly discriminated against because they have a criminal record. A criminal conviction does not automatically prevent an individual from working or volunteering with the Charity.

Each case will be considered individually, considering:

- the nature of the offence;
- the seriousness of the offence;
- the relevance of the offence to the role;
- the length of time since the offence occurred;
- evidence of rehabilitation;
- safeguarding risks.

Confidentiality

Information disclosed through the DBS process is highly confidential.

Such information will:

- only be accessed by authorised personnel;
- only be used for recruitment or safeguarding purposes;
- never be disclosed without lawful authority;
- be stored securely in accordance with UK GDPR.

Proportionality

The Charity will only request the level of DBS check that is legally appropriate for the duties being undertaken.

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The Charity will not request Standard or Enhanced DBS checks where Basic checks are sufficient.

Equality

Recruitment decisions will comply with the Equality Act 2010.

Individuals will not be discriminated against because of:

- age;
- disability;
- gender reassignment;
- marriage or civil partnership;
- pregnancy or maternity;
- race;
- religion or belief;
- sex;
- sexual orientation;
- spent convictions protected by law.

Accountability

Managers responsible for recruitment must ensure DBS procedures are followed consistently.

Trustees are responsible for monitoring compliance with this policy and ensuring appropriate governance arrangements are maintained.

5. Roles and Responsibilities

5.1 Board of Trustees

The Board of Trustees has overall responsibility for ensuring that Job Skills Training Association complies with all legal obligations relating to DBS checks and referrals.

The Board will:

- approve this policy;
- ensure appropriate governance arrangements are in place;
- monitor compliance with DBS legislation;

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- review DBS procedures annually;
- ensure sufficient resources are available to implement this policy;
- support a culture of safer recruitment.

5.2 Designated Safeguarding Lead (DSL)

The Designated Safeguarding Lead (DSL) is responsible for coordinating safeguarding matters that may require DBS consideration.

The DSL will:

- advise managers regarding safeguarding concerns;
- determine whether concerns should be considered for DBS referral;
- liaise with external agencies where appropriate;
- maintain confidential safeguarding records;
- support investigations relating to safeguarding allegations;
- work alongside senior management during DBS referral decisions.

Designated Safeguarding Lead

Name: Mrs. Snejuti Mukherjee

Email: jstraining.org@gmail.com

Telephone / WhatsApp: +44 7558 999784

5.3 Recruiting Managers

Managers involved in recruitment are responsible for ensuring that:

- the correct level of DBS check is requested;
- applicants are informed where a DBS check is required;
- DBS clearance is obtained before unsupervised regulated activity begins;
- recruitment decisions are documented;
- confidentiality is maintained throughout the recruitment process.

Managers must not permit any individual to undertake regulated activity without appropriate clearance unless a documented risk assessment has been completed and suitable supervision arrangements are in place where legally permissible.

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5.4 Staff, Volunteers and Trustees

All employees, volunteers and trustees are expected to:

- cooperate fully with DBS checking procedures;
- provide accurate and truthful information during recruitment;
- disclose any criminal investigations, cautions or convictions where legally required;
- notify the Charity immediately if they become subject to police investigation or are added to a barred list during their engagement;
- comply with this policy and all associated safeguarding procedures;
- maintain confidentiality regarding DBS information.

Failure to disclose relevant information may result in disciplinary action or termination of engagement.

5.5 Human Resources or Responsible Recruitment Officer

Where recruitment responsibilities are delegated, the responsible officer will:

- coordinate DBS applications;
- verify applicant identity documents;
- maintain confidential recruitment records;
- ensure DBS certificates are reviewed appropriately;
- retain only information permitted under DBS Code of Practice;
- destroy confidential DBS information securely when no longer required.

6. Relationship with Other Policies

This policy should be read alongside the following Job Skills Training Association policies:

- Safeguarding Policy
- Code of Conduct
- Safer Recruitment Procedures
- Equality, Diversity and Inclusion Policy
- Data Protection Policy
- Disciplinary Policy
- Volunteer Policy
- Whistleblowing Policy

Where concerns relate to abuse, neglect or the welfare of a child or vulnerable adult, staff must follow the procedures contained within the Charity's Safeguarding Policy. This document specifically addresses the Charity's responsibilities regarding Disclosure and Barring Service checks and referrals and does not replace safeguarding reporting procedures.

7. DBS Eligibility

The Job Skills Training Association recognises that not every role requires a Disclosure and Barring Service (DBS) check. DBS checks will only be requested where they are permitted by law and where the nature of the role justifies the level of check required.

The Charity is committed to ensuring that DBS checks are carried out fairly, proportionately and in accordance with the Rehabilitation of Offenders Act 1974, the Police Act 1997, the Safeguarding Vulnerable Groups Act 2006 and all associated legislation.

Before advertising or recruiting to any position, the recruiting manager will determine whether the role is eligible for a DBS check and, if so, the appropriate level of check required.

The level of DBS check requested will depend upon:

- the duties of the role;
- the level of contact with children or vulnerable adults;
- whether the role involves regulated activity;
- statutory guidance issued by the Disclosure and Barring Service.

The Charity will never request a higher level of DBS check than is legally permitted.

8. Levels of DBS Checks

The Disclosure and Barring Service provides different levels of criminal record checks depending upon the nature of the role.

8.1 Basic DBS Check

A Basic DBS Check shows unspent convictions and conditional cautions.

Basic checks may be requested for roles where there is no eligibility for Standard or Enhanced checks, but where the Charity considers a basic level of screening appropriate.

Examples may include:

- Administrative staff
- Reception staff
- Finance personnel
- Marketing and communications staff
- IT support staff
- Volunteers with no direct contact with children or vulnerable adults

8.2 Standard DBS Check

A Standard DBS Check contains:

- spent convictions (where legally disclosable);
- unspent convictions;
- cautions;
- reprimands;
- final warnings.

Standard checks are only available for occupations listed within the Rehabilitation of Offenders Act 1974 (Exceptions) Order.

Where applicable, Job Skills Training Association will only request Standard DBS Checks for eligible positions.

8.3 Enhanced DBS Check

An Enhanced DBS Check contains:

- everything included within a Standard DBS Check;
- relevant police information that a Chief Police Officer reasonably believes should be disclosed.

Enhanced DBS Checks may be required where individuals work closely with children or vulnerable adults.

Examples include:

- Youth Mentors
- Education Programme Coordinators
- Employability Coaches working directly with young people
- Safeguarding Officers
- Trainers delivering activities involving regulated activity

8.4 Enhanced DBS Check with Barred List Check

Where legislation requires, Job Skills Training Association will obtain an Enhanced DBS Check including the relevant Barred List.

This is required where an individual will undertake regulated activity with:

- children;
- adults at risk;
- or both.

No individual included on the relevant Barred List will be permitted to undertake regulated activity on behalf of the Charity.

9. Recruitment and DBS Checking

Safer recruitment forms an essential part of protecting children, young people and adults at risk.

DBS checks represent one element of the Charity's wider recruitment process and do not replace the need for robust recruitment practices.

Where a DBS check is required, recruitment will normally include:

- completion of an application form;
- identity verification;
- right to work checks;
- employment history verification;

- professional references;
- interview assessment;
- qualification verification where appropriate;
- DBS application;
- safeguarding induction.

Applicants will be informed at the earliest opportunity if the position requires a DBS check.

Any offer of employment or volunteering may be made subject to satisfactory DBS clearance where appropriate.

The Charity reserves the right to withdraw an offer where DBS information identifies safeguarding risks that cannot reasonably be managed.

10. Identity Verification

Before submitting a DBS application, Job Skills Training Association will verify the identity of every applicant.

Applicants may be required to provide original documentation, including:

- Passport;
- Driving Licence;
- Birth Certificate;
- Biometric Residence Permit;
- Utility Bills;
- Bank Statements;
- Proof of Address;
- Right to Work documentation where applicable.

Identity verification helps ensure that DBS applications relate to the correct individual and reduces the risk of identity fraud.

Where identity cannot be satisfactorily verified, the DBS application will not proceed until appropriate evidence has been obtained.

11. Overseas Criminal Record Checks

The Charity recognises that many employees, volunteers and interns may have lived or worked outside the United Kingdom.

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Where an applicant has lived overseas for a significant period, a UK DBS certificate may not provide sufficient safeguarding information.

In such cases, Job Skills Training Association may request:

- overseas police certificates;
- certificates of good conduct;
- letters of professional standing;
- overseas safeguarding clearances where available;
- additional employment references.

The Charity will assess overseas documentation on a case-by-case basis and may seek further clarification where necessary.

Failure to provide requested overseas documentation may affect the Charity's ability to confirm an appointment where safeguarding considerations require additional assurance.

12. Positive DBS Disclosures

A criminal record does not automatically prevent an individual from working or volunteering with Job Skills Training Association.

Each disclosure will be considered fairly, confidentially and individually.

When assessing a DBS disclosure, the Charity will consider:

- the seriousness of the offence;
- whether violence was involved;
- safeguarding implications;
- whether children or vulnerable adults were affected;
- the relevance of the offence to the position;
- the length of time since the offence occurred;
- evidence of rehabilitation;
- the applicant's explanation;
- repeated offending;
- any legal restrictions preventing appointment.

Risk assessments will be completed where necessary.

The Charity will balance safeguarding responsibilities with its commitment to fair recruitment and equal opportunities.

13. Risk Assessment Following Disclosure

Where criminal record information is disclosed, an individual risk assessment may be undertaken.

The assessment may consider:

- nature of duties;
- level of supervision;
- frequency of contact with children or vulnerable adults;
- safeguarding risks;
- seriousness of offences;
- likelihood of reoffending;
- evidence of rehabilitation;
- recommendations from previous employers.

The assessment will normally be undertaken by senior management in consultation with the Designated Safeguarding Lead where appropriate.

Decisions will be documented and retained confidentially.

14. Barred List Checks

Where legislation permits, Job Skills Training Association will request Barred List Checks for positions involving regulated activity.

It is a criminal offence for:

- a barred individual to seek or undertake regulated activity; or
- an organisation knowingly to allow a barred person to undertake regulated activity.

If a Barred List Check confirms that an individual is barred, the Charity will:

- immediately withdraw any offer of employment or volunteering;
- prevent the individual from undertaking regulated activity;
- consider whether any safeguarding referrals are required;

- maintain appropriate records of the decision.

15. Existing Employees and Volunteers

In certain circumstances, Job Skills Training Association may require existing employees or volunteers to obtain a new DBS check.

Examples include:

- moving into a role involving regulated activity;
- significant changes in duties;
- safeguarding concerns;
- statutory or contractual requirements;
- organisational restructuring.

Employees and volunteers are expected to cooperate with reasonable requests for additional DBS checks where their role requires continued eligibility.

Failure to cooperate without reasonable justification may result in a review of their suitability for the role.

16. Refusal to Consent to a DBS Check

Where a DBS check is a lawful requirement of the role, applicants, employees or volunteers are expected to provide the necessary consent and documentation.

If an individual refuses to undergo a required DBS check without a valid reason, the Charity may:

- withdraw an offer of employment or volunteering;
- delay commencement of duties;
- remove the individual from regulated activity;
- review ongoing suitability for the role.

Any decision will be made fairly, proportionately and in accordance with employment law and the Charity's internal procedures.

17. Duty to Refer to the Disclosure and Barring Service (DBS)

Job Skills Training Association recognises its legal responsibility to make referrals to the Disclosure and Barring Service (DBS) where the conditions set out in the Safeguarding Vulnerable Groups Act 2006 are met.

A referral to the DBS is intended to protect children and adults at risk by preventing unsuitable individuals from working or volunteering in regulated activity.

The Charity will ensure that referrals are made promptly, accurately and in accordance with current legislation and official DBS guidance.

A referral will be considered where an individual has:

- harmed a child or vulnerable adult;
- placed a child or vulnerable adult at risk of harm;
- engaged in inappropriate conduct towards a child or vulnerable adult;
- received a caution or conviction for a relevant offence;
- been removed from regulated activity because of safeguarding concerns;
- resigned, retired or otherwise left the organisation before disciplinary proceedings were completed, where safeguarding concerns remain.

The Charity understands that resigning from employment or volunteering does not remove the legal duty to make a DBS referral where the statutory criteria are met.

18. Circumstances Requiring a DBS Referral

A referral to the Disclosure and Barring Service will normally be considered where the Charity has dismissed, removed or would have removed an individual from regulated activity because they have:

- abused a child or vulnerable adult;
- neglected an individual in their care;
- behaved in a manner that presents a safeguarding risk;
- engaged in serious misconduct affecting the safety of beneficiaries;
- committed a serious criminal offence relevant to regulated activity;
- breached safeguarding responsibilities resulting in harm or potential harm.

The Charity may also make a referral where an individual:

- resigns during a safeguarding investigation;
- accepts an alternative role to avoid disciplinary action;
- retires before disciplinary proceedings conclude;
- withdraws from volunteering following safeguarding allegations.

Each case will be assessed individually based on the available evidence and legal requirements.

19. Referral Decision-Making Process

Where safeguarding concerns arise, the Charity will follow a structured decision-making process.

The Designated Safeguarding Lead (DSL) and senior management will:

- review all available information;
- consider the seriousness of the concern;
- determine whether regulated activity is involved;
- assess whether the legal threshold for referral has been met;
- consult external agencies where appropriate;
- obtain legal advice if necessary;
- document the reasons for all decisions.

The Charity recognises that DBS referrals are separate from criminal investigations and disciplinary procedures.

A referral may still be required even if:

- the Police take no further action;
- criminal proceedings are not pursued;
- disciplinary action is inconclusive;
- the individual leaves the organisation before investigations are completed.

20. Making a DBS Referral

Where a referral is required, the Charity will ensure that it is submitted without unreasonable delay.

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The referral will normally be coordinated by the Designated Safeguarding Lead or an authorised senior manager.

Information included within a referral may include:

- personal details of the individual;
- description of the role held;
- dates of employment or volunteering;
- details of regulated activity undertaken;
- chronology of safeguarding concerns;
- investigation findings;
- disciplinary outcomes;
- witness information where appropriate;
- supporting documentation;
- risk assessment;
- details of action taken by the Charity.

All information submitted must be factual, accurate and supported by evidence.

The Charity will cooperate fully with any requests for further information made by the Disclosure and Barring Service.

21. Suspension During Investigations

Where safeguarding concerns are sufficiently serious, Job Skills Training Association may suspend an employee or volunteer from duties while investigations are ongoing.

Suspension is a neutral act and does not imply guilt.

The purpose of suspension is to:

- protect children and vulnerable adults;
- protect staff and volunteers;
- preserve evidence;
- allow investigations to proceed fairly;
- maintain public confidence.

Decisions regarding suspension will be made on a case-by-case basis after considering:

- the seriousness of the allegation;
- safeguarding risks;
- operational requirements;
- alternative working arrangements.

22. Confidentiality and Information Sharing

Information relating to DBS checks and referrals is highly sensitive.

Job Skills Training Association will ensure that:

- information is only shared on a need-to-know basis;
- confidential records are securely stored;
- discussions regarding DBS matters remain confidential;
- disclosure complies with UK GDPR and the Data Protection Act 2018.

Confidentiality will not prevent the Charity from sharing information where safeguarding legislation or legal obligations require disclosure.

Information may be shared with:

- Disclosure and Barring Service;
- Police;
- Local Authority Designated Officer (LADO);
- Children's Social Care;
- Adult Social Care;
- Charity Commission;
- other statutory safeguarding agencies where appropriate.

23. Record Keeping

The Charity will maintain accurate records relating to:

- DBS applications;
- identity verification;
- recruitment decisions;
- risk assessments;
- safeguarding concerns relevant to DBS;
- referral decisions;
- correspondence with the DBS;

- disciplinary outcomes.

Records will be:

- accurate;
- secure;
- confidential;
- accessible only to authorised personnel.

The Charity will not retain copies of DBS certificates for longer than permitted under the DBS Code of Practice.

24. Training and Awareness

Job Skills Training Association recognises that effective implementation of this policy depends upon staff understanding their responsibilities.

All staff, trustees and volunteers involved in recruitment or regulated activity will receive appropriate training covering:

- DBS eligibility;
- safer recruitment;
- recognising safeguarding risks;
- positive disclosure assessments;
- legal duty to refer;
- confidentiality requirements;
- record keeping responsibilities.

Refresher training will be provided periodically to ensure knowledge remains current.

25. Monitoring and Review

The implementation of this policy will be monitored by the Board of Trustees and senior management.

Monitoring may include:



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- recruitment audits;
- DBS compliance checks;
- safeguarding reviews;
- staff feedback;
- policy compliance monitoring;
- learning from safeguarding incidents.

This policy will be formally reviewed:

- every 12 months;
- following significant legislative changes;
- following serious safeguarding incidents;
- following changes to Charity operations.

Any amendments will be approved by the Board of Trustees.

26. Organisation-Specific DBS Scenarios

The following examples illustrate how this policy may apply within Job Skills Training Association.

Example 1 – Youth Employability Mentor

A volunteer is recruited to provide one-to-one employability mentoring for young people aged 16–18.

Before beginning unsupervised mentoring sessions, the volunteer must:

- complete the recruitment process;
- provide proof of identity;
- obtain the appropriate Enhanced DBS Check (including a Barred List check where the role constitutes regulated activity);
- complete safeguarding induction.

The volunteer will not commence unsupervised mentoring until all required pre-engagement checks have been satisfactorily completed.

Example 2 – Positive DBS Disclosure

An applicant applying for an administrative role receives a Basic DBS certificate showing a historic conviction unrelated to the duties of the position.

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The recruiting manager conducts an individual risk assessment, taking account of:

- the nature of the offence;
- the time elapsed since the conviction;
- evidence of rehabilitation;
- the responsibilities of the role.

Following assessment, the Charity determines that the conviction does not present a safeguarding risk and the appointment proceeds.

Example 3 – Safeguarding Referral

During an internal investigation, credible evidence indicates that a volunteer undertaking regulated activity behaved in a manner that placed a young person at risk of harm.

The volunteer resigns before the disciplinary process is concluded.

After reviewing the evidence, the Designated Safeguarding Lead and senior management determine that the legal threshold for a DBS referral has been met.

The Charity submits a referral to the Disclosure and Barring Service and cooperates fully with any subsequent enquiries.

27. Board Approval and Version Control

Policy Owner: Job Skills Training Association

Approved by: Board of Trustees / Management Committee

Effective Date: March 2024

Last Reviewed: May 2025

Next Review Due: May 2026

Review Cycle: Annually or sooner if required by legislative or organisational changes.



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28. Contact Details

For questions regarding this policy or Disclosure and Barring Service matters, please contact:

Designated Safeguarding Lead

Mrs. Snejuti Mukherjee

Email: info@jobskillstraining.org.uk

Telephone / WhatsApp: +44 7558 999784

Where concerns relate to safeguarding, staff and volunteers must follow the Charity's Safeguarding Policy in addition to this DBS Policy.

Document Declaration

By accepting employment, volunteering or undertaking duties on behalf of Job Skills Training Association, all trustees, employees, volunteers, contractors and interns acknowledge that they have read, understood and agree to comply with this Disclosure and Barring Service (DBS) Policy.

Failure to comply with this policy may result in disciplinary action, termination of engagement, or referral to the appropriate statutory authorities where required.

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