

DBS CHECKS AND CRIMINAL CONVICTIONS POLICY

Scope and Purpose

This document outlines QRS's policy on the use of criminal record checks and recruitment of staff or interviewers with criminal convictions or those who are barred from working with children or vulnerable adults.

This policy applies to all staff and will be made available to applicants on request at the outset of the recruitment process where a request for disclosure of their criminal record will be required as part of the application process.

This policy refers to children and vulnerable adults. A child is anybody under the age of 18. A vulnerable adult is a person aged 18 years or over who is or may be in need of community care services by reason of mental or other disability, age or illness; and who is or maybe unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation

Disclosure of criminal convictions

It is QRS' policy to require applicants to disclose any 'unspent' criminal convictions as part of their application. Under the Rehabilitation of Offenders Act 1974 ex-offenders are not required to disclose to prospective employers, convictions defined as 'spent' under the Act.

QRS will not discriminate unfairly against applicants with a criminal record. Having a criminal record will not necessarily bar an applicant from working for QRS; the nature of a disclosed conviction and its relevance to the post in question will be considered. This is with the exception of; a person who has an unspent conviction who has applied for a position as either an interviewer or a supervisor. This is because QRS' work can involve contacting members of the general public at random and this may mean that interviewers/supervisors may contact or speak with vulnerable adults.

Where a conviction has been disclosed in an individual's application for any other post at QRS, a discussion will take place at the end of the interview regarding the offence and its relevance to the position. Failure to reveal information relating to unspent convictions will lead to withdrawal of an offer of employment, or termination of employment.

All staff are required to disclose criminal convictions acquired during employment at QRS which may be relevant to their position or that related to violence, assault or damage to property. Disclosure is to be made confidentially to a Director who will consider the effect of the offence on the employee's post. Disclosures relating to children/ vulnerable adults must be referred to a QRS Director.

Disclosure and Barring Service

QRS, when necessary, uses the Disclosure and Barring Service (DBS) Disclosure Service (previously DBS) to obtain information to enable it to assess the suitability of applicants for employment for posts working with children, vulnerable adults or in positions of trust.

QRS complies with the DBS code of practice including the secure storage, handling, use, retention & disposal of DBS disclosures and disclosure information and with its obligations under the Data Protection Act.

DBS disclosure information will be securely stored online with access limited to those who are entitled to see it as part of their duties. A record will be maintained of all those to whom disclosure information has been revealed as it is a criminal offence to pass this information to anyone who is not entitled to receive it.

Usage

DBS disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's full consent will have been obtained. This may include passing on the fact that an individual has been successfully DBS checked to a 3rd party in order for them to be able to fulfil their market research duties.

Once a recruitment (or other relevant) decision has been made, DBS disclosure information will not be stored for longer than is necessary. This is generally for a period of up to six months to allow for consideration and resolution of any disputes or complaints. If, in exceptional circumstances, it is considered necessary to keep such information for longer than six months, consideration will be given to the Data Protection rights of the individual.

Disposal

Once the retention period has elapsed, QRS will ensure that any DBS disclosure information is destroyed and while awaiting destruction, DBS disclosure information will be kept securely. A record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken, will however be securely stored for monitoring purposes.

Appointments requiring a DBS disclosure

An appointee will be required to submit an enhanced DBS disclosure request where s/he will be working in 'controlled' or 'regulated' activity with children or vulnerable adults.

'Controlled' Activity

Controlled activity is activity that does not necessarily involve closely working with children or vulnerable adults, but that still provides opportunities for contact with them.

'Regulated' Activity

Regulated activity covers anyone working closely or certain situations where individuals have the opportunity to have contact with children or vulnerable adults.

'Frequency'

'Frequent' is once a week or more on an ongoing basis. 'Intensive' is four or more times in a single month.

Process

If the company considers that a position requires a DBS check, we will ensure that all applicants are aware that a DBS disclosure is required as part of the application process and arrange for a DBS check at the appropriate stage.

When an appointee has been selected the company will confirm that the appointment is subject to DBS clearance and the contract will be issued with a clause to this effect.

These policies supplement your terms of employment but are not of contractual effect. Their purpose is to explain the Company's current policies and procedures but they may be subject to change without notice if changes are considered appropriate by the Company or if there are changes in relevant legislation.