Disclosure & Barring Service Staff and Volunteer Check Policy

Introduction

The Mustard Tree Foundation (Reading) (MTF) firmly believes that it is always unacceptable for a child, a young person or an adult at risk to experience abuse of any kind and recognises its responsibility to safeguard the welfare of all children, young people & adults at risk it engages with by a commitment to safe practice which protects them.

The Mustard Tree Foundation is therefore committed to:

- Listening to, relating effectively to and appropriately with children, young people and adults at risk whilst ensuring their protection within MTF activities.
- Ensuring that its staff and volunteers are given support and training.
- Having procedures in place for dealing with concerns about possible abuse or allegations against its staff and volunteers.
- Maintaining good links with the statutory authorities.

As part of this commitment, this document sets out how MTF will work with the Disclosure and Barring Service (DBS), and the expectations that this brings for both the organisation, and its staff and volunteers.

The Mustard Tree Foundation

- MTF will be using the DBS Update Service.
- MTF will do its best to ensure that the correct level of DBS Disclosure check is carried out, in line with the specific role that the individual in undertaking i.e., Adult Workforce, Child Workforce, or both; Basic, Standard, Enhanced or Enhanced with Barring List Check.
- MTF will record Information (Name, DOB & Level of Check) to enable them to check the progress of the application with the DBS.
- MTF will cover the cost of the initial DBS Disclosure (and admin fee) for paid staff (where applicable), and the cost of the individual's subscription to the DBS Update Service for the duration of their employment with MTF for the full year, or part thereof.
- There is no charge for a DBS Check or for the Update Service for volunteers. Any admin fee charged by our online provide will be paid for by MTF.
- MTF will record information (Applicant name, disclosure number, date of birth and disclosure check level) to enable the organisation to carry out online Disclosure status checks.
- Once registered with the DBS Update Service, MTF reserves the right to carry out an online Disclosure status check on an individual registered as working or volunteering for MTF at any time.
- When an individual stops working or volunteering for MTF, the organisation will no-longer carry out an online Disclosure status check.
- MTF has a legal duty to make a referral to the DBS if we have concerns regarding a person working in regulated activity with children or adults at risk if we believe that harm or risk of harm has occurred to a child or adult at risk. Employers must refer someone to the DBS if they:

- sacked them because they harmed someone
- sacked them or removed them from working in regulated activity because they might have harmed someone
- were planning to sack them for either of these reasons, but they resigned first

Individuals

- Individuals must be prepared to complete a DBS Disclosure Check
- It is strongly suggested that any individual with any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)' informs the Recruiting Manager, their Line Manager or the CEO of MTF of these details at the earliest opportunity in the process. Having any of these will not necessarily prevent an individual from working or volunteering for MTF. Each situation will be treated on a case-by-case basis according to any potential risk in relation to the role applied for, and the individual will be informed of the decision.
- Individuals are reminded that it remains a criminal offence for anyone on a Barring List to apply to work in regulated activity with that particular group of people.
- Under the DBS Disclosure process, the organisation no longer receives notification of any disclosures that may be revealed. This information only goes to the individual applicant.
- All staff will need to sign up with the Update Service - as soon as they receive their Disclosure Certificate, they MUST register for the DBS Update Service. Once the certificate is received, they will only have 30 days from the date of issue to do this. Failure to do so will render the certificate invalid, and the individual must complete a new Disclosure form, and the application process will be repeated. In this circumstance, the individual will be expected to pay for any subsequent charges, including any associated admin fee.
- All volunteers will be strongly urged to join the Update Service; if the individual knows that this will be difficult for them e.g., they do not have internet access, they may contact MTF Office as soon as possible on receipt of their Disclosure Certificate and arrange for assistance for this to be carried out. If a volunteer does not register with the Update Service, MTF's policy will be to renew the DBS Check every 2 years in order to ensure that information is up to date.
- By law, any individual who will be engaging in Regulated Activity must have the appropriate Disclosure Checks carried out before they start working or volunteering and MTF must also have seen a copy of the DBS Certificate.

- The DBS Update Service enables MTF to use DBS Disclosures where the individual is employed by, or volunteers with another organisation. This is 'portability'. If the individual is asked by MTF to carry out a DBS Disclosure check, and they have a current certificate, then providing that the level of check carried out is the same as required for the role within MTF, and the individual has maintained their Update Service Registration, then MTF can use this certificate.
- Before any Disclosure check is carried out by MTF, the individual is expected to complete and sign the form in Appendix 2 (page 6) of this document to indicate that they understand and agree to comply with the expectations set out on pages 1 and 2 of this document.
- Once registered, and if you retain your DBS Update Service Registration, you should not need to have another DBS Disclosure check carried out again. This will only change if MTF changes the level of DBS Disclosure you need to have.

If you have any questions, please do not hesitate to contact your Programme Manager or the Operations Administrator.

Procedure

1. Before any Disclosure check is carried out by MTF, the individual is expected to complete and sign the form in Appendix 2 (page 8) of this document to indicate that they understand and agree to comply with the expectations set out on pages 1 and 2 of this document.

2. Individuals will be emailed a link to start an online application for a DBS Check; once they have completed their part of the application, we will arrange to meet them to verify their identity by checking the required documentation. Once this has been done, we will complete and approve the online application. Individuals must determine for themselves what ID they can provide by using the DBS guidance, reproduced in Appendix 1.

3. It is strongly suggested that any individual with any convictions, cautions, reprimands or final warnings that are not "protected" as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013)' informs the Recruiting Manager, their Line Manager or the CEO of MTF of these details at the earliest opportunity in the process. Having any of these will not necessarily prevent an individual from working or volunteering for MTF. Each situation will be treated on a case-by-case basis, and the individual will be informed of the decision.

4. It remains a criminal offence for anyone on a Barring List to apply to work in regulated activity with that particular group of people.

5. An individual can register with the Update service within 30 days of the date of issue of the DBS Certificate. Staff who fail to register with the Update Service will render the certificate invalid, and the individual must complete a new Disclosure Check and the application process will be repeated. In this circumstance, the individual will be expected to pay for any subsequent charges, including any associated admin fee. Volunteers are also strongly urged to register with the Update Service but if they do not, MTF's policy will be to renew the DBS Check every 2 years in order to ensure that information is up to date. If it is difficult for the individual to sign up for the Update Service e.g., they do not have internet access, they must contact their Programme Manager or the Operations Administrator as soon as possible on receipt of their Disclosure Certificate and arrange for assistance for this to be carried out.

6. The individual must then present the Disclosure Certificate to the Programme Manager or Operations Administrator as soon as possible, for their name, certificate number, date of birth and Disclosure Check level to be recorded and checked online using the DBS Update Service.

7. The DBS Update Service enables MTF to use DBS Disclosures where the individual is employed by, or volunteers with, another organisation. This is 'portability'. If the individual is asked by MTF to carry out a DBS Disclosure check, and they have a current certificate, then providing that the level of check carried out is the same as required for the role within MTF, and the individual has maintained their Update Service Registration, then MTF can use this certificate.

The certificate should be presented to their Programme Manager, or Operations Administrator in line with point 7 above. Should the level of check required be different, then a new Disclosure check may have to be carried-out.

8. Once registered, and if you retain your DBS Update Service Registration, you should not need to have another DBS Disclosure check carried out again. This will only change if we change the level of DBS Disclosure you need to have.

9. Once registered with the DBS Update Service, MTF reserves the right to carry out an online Disclosure status check on an individual registered as working or volunteering for MTF at any time. It is anticipated that this may be carried out on a 6-monthly basis.

Appendix 1 - Documents the applicant must provide

The person going through a DBS check - 'the applicant' - must give their employer original documents proving their identity. The documents needed will depend on the route the application takes. **The applicant must try to provide documents from Route 1 first.**

An applicant who isn't a national of the UK or the European Economic Area (EEA) must use a different route to apply for paid work in the UK (please see **Applicants who aren't a national of the UK or the European Economic Area (EEA)).** They can use Route 1 for voluntary work.

Route 1
The applicant must be able to show:

- **1 document from Group 1**, below
- **2 other documents from either Group 1 or Group 2a or 2b**, below

At least 1 of the documents must show the applicant's current address.

We would suggest that the most common / easily available documents to be produced are as follows:

A current and valid Passport
Current driving licence – photo card
And either your marriage certificate or a bank/credit card statement or utility bill issued in the last 3 months.

If you are unable to provide 3 documents from the above, please contact your Line Manager, the Operations Administrator, or consult the table below for additional acceptable documentation. At least 1 of the documents must show your current address.

Route 2
This route can only be used if it's impossible to process the application through Route 1.

If the applicant isn't a national of the UK and is applying for voluntary work, they can't use Route 2.

If the applicant doesn't have any of the documents in Group 1, then they must be able to show:

- **1 document from Group 2a**
- **2 other documents from either Group 2a or 2b**

At least 1 of the documents must show the applicant's current address. The organisation conducting their ID check must then also use an appropriate external ID validation service to check the application.

Route 3
Route 3 can only be used if it hasn't been possible to process the application through Routes 1 or 2.

For Route 3, the applicant must be able to show:

- **a birth certificate issued after the time of birth** (UK, Isle of Man and Channel Islands) and
- **1 document from Group 2a and**
- **3 further documents from Group 2a or 2b**

At least 1 of the documents must show the applicant's current address. If the applicant can't provide these documents, they may need to be fingerprinted.

Group 1: Primary identity documents	**Notes**
Passport	Any current and valid passport
e-Visa	Accessed via the 'View and Prove' service. The share code requested by the applicant should be an 'immigration status' share code.
Biometric residence permit	UK
Application Registration Card (ARC)	Issued by the Home Office. Must be checked against the Home Office Employer Checking Service.
Current driving licence photo card (full or provisional)	UK, Isle of Man, and Channel Islands ~~and EEA~~ From 8 June 2015, the paper counterpart to the photo card driving license will not be valid and will no longer be issued by the DVLA
Birth certificate – issued within 12 months of birth	UK, Isle of Man and Channel Islands – including those issued by UK authorities overseas, e.g., embassies, High Commissions and HM Forces
Adoption certificate	UK and Channel Islands

Group 2a: Trusted government documents	**Notes**
Current driving licence photo card (full or provisional)	All countries outside the UK (excluding Isle of man and Channel Islands)
Current driving licence (full or provisional) – paper version (if issued before 1998)	UK, Isle of Man, Channel Islands
Birth certificate – issued after time of birth	UK, Isle of Man and Channel Islands
Marriage/civil partnership certificate	UK and Channel Islands
Immigration document, visa or work permit	Issued by a country outside of the UK. Valid only for roles whereby the applicant is living and working outside of the UK. Visa/permit must relate to the non UK country in which the role is based.
HM Forces ID card	UK
Firearms licence	UK, Channel Islands and Isle of Man

Group 2b: Financial and social history documents	**Notes**	**Issue date and validity**
Mortgage statement	UK	Issued in last 12 months
Bank or building society statement	UK and Channel Islands	Issued in last 3 months
Bank or building society statement	Countries outside of the UK	Issued in the last 3 months – branch must be in the country where the applicant lives and works
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK	Issued in last 3 months

Financial statement, e.g., pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Letter of sponsorship from future employment provider	Non-UK valid only for applicants residing outside of the UK at time of application	Must still be valid
Utility bill	UK – not mobile telephone bill	Issued in last 3 months
Benefit statement, e.g., Child Benefit, Pension	UK	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, e.g., from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
HMRC self-assessment letters or tax demand letter	UK	Issued in last 12 months
EEA National ID card		Must still be valid
Irish Passport Card	Cannot be used with an Irish Passport	Must still be valid
Cards carrying the PASS accreditation logo	UK, Isle of Man and Channel Islands	Must still be valid
Letter from head teacher or college principal	UK – for 16- to 19-year-olds in full time education - only used in exceptional circumstances if other documents cannot be provided	Must still be valid

Applicants who aren't a national of the UK

An applicant who wants to do paid work and isn't a national of the UK must be able to show

- one primary document
- 2 supporting documents

If an applicant is unable to provide this documentation, they can't submit a DBS check. This is because the right to work in the UK can't be established. They can't use any other route.

Applicants for voluntary work who aren't UK MUST use Route 1.

Non UK nationals who are eligible for a DBS check and receiving payment for work, even if it is an allowance e.g., a foster carer must use the paid work route.

However, Route 1 can be used by adult household members:

- in a fostering household
- in a childminding household
- in a host family
- living where 'work with children' takes place e.g., living in a boarding school

Documents for non UK nationals doing paid work
The documents must be originals, not copies.
At least one of the documents from either the primary or supporting documents list must show the applicant's current address.

The primary document list contains the range of documents that are acceptable for a person who has a permanent or temporary right to work in the UK.

Primary Documents

A current passport or passport card showing that the holder is a national of the Republic of Ireland.

A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.

A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.

Online evidence of immigration status. Either via the View and Prove service or using the BRP or BRC online service. Issued by the Home Office to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question. Must be valid. Note: this includes the EUSS digital status confirmation.

A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.

A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.

A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom for a time limited period and to do the type of work in question.

A frontier worker permit issued under regulation 8 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020.

A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person's permanent National Insurance number and their name issued by a government agency or a previous employer.

A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.

An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.

A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

Supporting documents

The applicant must be able to show 2 documents from any of these groups in addition to a primary document

Group 1: Document	**Notes**
Passport	Any current and valid passport
Biometric residence permit	UK
Current driving licence photo card (full or provisional)	UK, Isle of Man, Channel Islands
Birth certificate – issued within 12 months of birth	UK, Isle of Man and Channel Islands – including those issued by UK authorities overseas, e.g., embassies, High Commissions and HM Forces
Adoption certificate	UK and Channel Islands

A passport or biometric residence permit can only be used as a supporting document if it's not already been used as a primary document.

Group 2a: Document	**Notes**
Current driving licence photo card (full or provisional)	All countries outside the UK (excluding Isle of man and Channel Islands)
Current driving licence (full or provisional) – paper version (if issued before 1998)	UK, Isle of Man, Channel Islands
Birth certificate – issued after time of birth	UK, Isle of Man and Channel Islands
Marriage/civil partnership certificate	UK and Channel Islands

Immigration document, visa or work permit (for applicants living and working outside the UK)	Issued by the country where the role is based
HM Forces ID card	UK
Firearms licence	UK, Channel Islands and Isle of Man

All driving licences must be valid.

Group 2b: Document	**Notes**	**Issue date and validity**
Mortgage statement	UK	Issued in last 12 months
Bank or building society statement	UK and Channel Islands	Issued in last 3 months
Bank or building society statement (for applicants living and working outside the UK)	Countries outside of the UK	Issued in the last 3 months – branch must be located in the country in which the applicant lives and works
Bank or building society account opening confirmation letter	UK	Issued in last 3 months
Credit card statement	UK	Issued in last 3 months
Financial statement, e.g., pension or endowment	UK	Issued in last 12 months
P45 or P60 statement	UK and Channel Islands	Issued in last 12 months
Council Tax statement	UK and Channel Islands	Issued in last 12 months
Letter of sponsorship from future employment provider	Non-UK only – valid only for applicants residing outside of the UK at time of application	Must still be valid
Utility bill	UK – not mobile telephone bill	Issued in last 3 months
Benefit statement, e.g., Child Benefit, Pension	UK	Issued in last 3 months
Central or local government, government agency, or local council document giving entitlement, e.g., from the Department for Work and Pensions, the Employment Service, HMRC	UK and Channel Islands	Issued in last 3 months
EEA National ID card		Must still be valid
Cards carrying the PASS accreditation logo	UK, Isle of Man and Channel Islands	Must still be valid
Letter from head teacher or college principal	UK – for 16- to 19-year-olds in full time education - only used in exceptional circumstances if other documents cannot be provided	Must still be valid

Appendix 2 - Agreement Form

Name: _____

I confirm that I have read and understood The Mustard Tree Foundation Disclosure and Barring Service (DBS) Policy, and agree to comply with the expectations contained within it, most notably:

- That I will complete the DBS Disclosure application, and provide the necessary evidence of ID, within 3 weeks from the date of receiving the online link.
- **For paid Staff** - I understand that I must register for the DBS Update Service online within 30 days of the date of issue of the certificate, and that should I fail to do this, then I will be expected to pay for any subsequent charges, including any associated admin fee. If this is difficult, I will contact the Programme Manager or the Operations Administrator as soon as possible on receipt of the Disclosure Certificate, and arrange for this to be carried out*
- **For Volunteers** – I understand that MTF's policy will be to renew the DBS Check every 2 years if I do not register with the Update Service*
- I understand that MTF reserves the right to carry out an online Disclosure status check on me at any time during my time working/volunteering for the Organisation

Signed: _____

Date: _____

*Please delete as appropriate