



Divine Buzz Disclosure & Barring Service (DBS) Policy

RELEVANT CHAPTER

Safe Recruitment Policy

Recruitment of Ex-Offenders Policy

RELATED INFORMATION AND GUIDANCE

Rehabilitation of Offenders Act 1974

Data Protection & GDPR

Safeguarding Vulnerable Groups Act 2006.

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Scope and Purpose

The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children. It replaces the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).

This document outlines Divine Buzz's policy on the use of DBS checks and the recruitment of staff or volunteers with criminal convictions or those barred from working with vulnerable groups.

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

This policy refers to vulnerable groups, including children and adults. A child is anybody under the age of 18. An adult is considered vulnerable during the time which they require services including; health care; personal care; social care; assistance with cash, bills and shopping; assistance with the conduct of their affairs and conveying (transport in relation to health, personal or social care provision).

Disclosure of criminal convictions

It is Divine Buzz policy to require applicants to disclose any 'unspent' criminal convictions as part of their application.

Under the Rehabilitation of Offenders Act 1974 (amended) ex-offenders are not required to disclose to prospective employers, convictions defined as 'spent' under the Act. However certain posts, particularly those working with vulnerable groups, in positions of trust or sensitive areas are exempt from these provisions, and in these cases all convictions must be declared and DBS clearance obtained prior to starting employment.

Divine Buzz will not discriminate unfairly against applicants with a criminal record. Having a criminal record will not necessarily bar an applicant from working for Divine Buzz; 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 unspent convictions for violence, assault or damage to property, which are likely to be incompatible with working for Divine Buzz or; a person who is barred from working with vulnerable



groups. It is a criminal offense to employ a person in a 'regulated position' where they have been barred from working with vulnerable groups.

Where a conviction has been disclosed in an individual's application for a post at Divine Buzz, a discussion will occur at the end of the interview regarding the offense 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. [Please, check spent & unspent convictions list here](https://dbsdirect.co.uk/resources/Unspent%20Convictions.pdf)

<https://dbsdirect.co.uk/resources/Unspent%20Convictions.pdf>

All staff are required to disclose criminal convictions acquired during employment at Divine Buzz that may be relevant to their position or relate to violence, assault or damage to property. Disclosure is to be made confidentially to the line manager, who will consider the effect of the offence on the employee's post.

Examples of convictions relevant to positions include a driving offense for a driver position, theft or fraud for a finance position, and convictions relating to vulnerable groups. Disclosures relating to vulnerable groups will be referred to a Divine Buzz Children's Designated Safeguarding Officer (DSO), Richard Nyarko, who will consider whether a referral to the Disclosure and Barring Service is necessary.

Staff may wish to join the DBS update service if they will likely require another check in the future. Applicants may sign up for the service, for a fee of £13 per annum, which is payable by the applicant. Applicants must sign up within 19 days of the certificate being issued.

If the individual is already registered with the update service, they should contact the Head office to make an appointment to bring their original certification and confirmation of their permission to Divine Buzz to perform the DBS Update Service.

Disclosure & Barring Service

Divine Buzz uses the Disclosure and Barring Service (DBS) checking service to help assess the suitability of applicants. We comply fully with the code of practice regarding the correct handling, use, storage, retention, and disposal of certificates and certificate information.

Divine Buzz also complies fully with its obligations under the Data Protection Act 1998 and GDPR 2018, and other relevant legislation pertaining to the safe handling, use,



storage, retention, and disposal of certificate information and has a written policy on these matters, which is available to those who wish to see it on request.

Divine Buzz engages an umbrella body to process its DBS checks. An umbrella organisation is a body that is registered to countersign applications and receives certificate information on behalf of other employers or recruiting organisations. Divine Buzz takes all reasonable steps to satisfy itself that the umbrella organisation will handle, use, store, retain, and dispose of certificate information in full compliance with the DBS Code of Practice and in full accordance with this policy.

Divine Buzz will ensure anybody or any individual at whose request applications for DBS certificates are countersigned has such a written policy and, if necessary, will provide a model policy for that body or individual to use or adapt for this purpose.

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

In accordance with Section 124 of the Police Act 1997, the certificate information is only passed to those who are authorised to receive it in the course of their duties. Divine Buzz maintains a record of all those to whom certificates, or information have been revealed, and it is a criminal offense 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 has been obtained.

Retention - Once a recruitment (or other relevant) decision has been made, keep certificate information for as long as you are in contract with us. For those who terminate their contracts with us, we will only keep the certificate information for generally a period of up to six months to allow for the consideration and resolution of any disputes or complaints.

If, in very exceptional circumstances, it is considered necessary to keep certificate information for longer than six months, we will consult the DBS about this and give full consideration to the Data Protection and Human Rights of the individual before doing so.

Throughout this time, the usual conditions regarding safe storage and strictly controlled access will prevail.



Disposal - Once the retention period has elapsed, Divine Buzz will ensure 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
- the details of the recruitment decision taken

will, however, be securely stored for monitoring purposes.

The DBS logo is protected by crown copyright; copying and use of the DBS logo are not permitted without the prior approval of the DBS.

Divine Buzz will accept the portability of DBS checks, which individuals may have from previous employers, as proof of satisfactory clearance when:

The disclosure is at the correct level, i.e., Enhanced, / Enhanced + Barred list

Free from any offences that would prevent them from being employed by Divine Buzz, and the individual has subscribed to the update service, which states that there is no change to the certificate.

An applicant's clearance must be in place before they start work or, for existing employees, any project or a new role involving regulated activity.

Review

Last updated: 30/01/2025

Review Date: 30/01/2026