

The Castle Players Disclosure and Barring Service Checking Policy

Reviewed October 2018

This policy is designed as a guide to decisions regarding Disclosure and Barring Service (DBS) checks for adults involved in the work of The Castle Players Limited ("the Castle Players") in any capacity. In conjunction with The Castle Players' Child Protection Policy, it sets out systems to safeguard all children and vulnerable adults participating in the activities of the Castle Players.

Decisions taken in devising this policy are based on guidance available on the DBS website <https://www.gov.uk/guidance/dbs-check-requests-guidance-for-employers>.

DBS Guidance

The DBS offers the following guidance regarding Standard and Enhanced Disclosures:

Standard Disclosures

This is primarily available to anyone involved in working with children or vulnerable adults, as well as certain other occupations and entry into professions as specified in the Exceptions Order to the Rehabilitation of Offenders Act (ROA) 1974.

Enhanced Disclosures

This is the highest level of check available to anyone involved in regularly caring for, training, supervising or being in sole charge of children or vulnerable adults. It is also available in certain licensing purposes and judicial appointments. Enhanced Disclosures contain the same information as the Standard Disclosure but with the addition of any relevant and proportionate information held by the local police forces.

Barred List Checks and changes to "Regulated Activity"

From 10th September 2012 only people engaged in the revised definitions of "Regulated Activity" with children **(see note)*, which includes close and unsupervised contact with children, and vulnerable adults, will be eligible for checks against the Children's and Adults' Barred Lists. The Castle Players will still be able to request Standard and Enhanced DBS checks but our access to the section, showing whether someone is or is not barred from working with children and/or vulnerable adults, will be limited to applications where we state that the person is in regulated activity with a specific group.

*[Regulated Activity with children: i) Unsupervised activities: teach, train, instruct, care for or supervise children, or provide advice/guidance on well-being, or drive a vehicle only for children.

ii) Work for a limited range of establishments ('specified places'), with opportunity for contact: for example, schools, children's homes, childcare premises. Not work by supervised volunteers.

Work under (i) or (ii) is regulated activity only if done regularly, where regularly is defined as - "Care or supervision of children if carried out by the same person frequently (once a week or more often), or on 4 or more days in a 30-day period or overnight. Ref. <https://www.estyn.gov.wales/faq/what-does-new-definition-%E2%80%98regulated-activity%E2%80%99-mean-relation-children>

Structure of the Castle Players

The Castle Players is a community theatre company registered as a charity and as a company limited by guarantee.

Involvement in the group is open to all and new participants are encouraged to become involved for individual productions or for a sustained period. This open door policy allows the Castle Players to fulfil its role as an educational charity, but makes it impractical to carry out any checks on the entire group of adult participants. However, most participants will have little direct contact with children or vulnerable adults in the day to day activities of the group. Furthermore, 'blanket' checking all individuals regardless of their level of involvement with vulnerable groups is identified as 'bad practice' by the Office of the Third Sector and may lead to sanctions for the Castle Players or the umbrella body responsible for checks. The risk assessment found at the end of this policy therefore sets out guidelines for establishing which participants within the Castle Players should be subject to DBS checks, and at what level.

Responsibility for fulfilling the requirements of this policy lies with the Directors of the Castle Players.

Assessment Criteria

The main criteria for assessing the need to complete a DBS check on an individual within the Castle Players will be:

- Whether he or she has regular contact with children or vulnerable adults
- Whether he or she is in a position of responsibility regarding those children or vulnerable adults
- Whether he or she will at any time be alone with groups of, or individual, children or vulnerable adults.

The Castle Players' Child Protection Policy states that participants must be aged 16 or above unless a parent/carer or nominated adult is also participating/present in the same production.

Children under 16 may also be involved in Castle Players productions, provided that the signed consent of a parent/carer is received for this specific activity and that they are accompanied by a parent or a named adult at any given time.

The following section provides guidelines for assessing which individuals within the group should be subject to DBS checks but recognises the need for the board of directors to use some discretion in assessing any new situation. Where doubt arises, advice may be sought from the DBS.

Assessment Guidelines

A DBS check should be sought if the answer to either of the following questions is 'yes':

- Will the individual ever assume lead responsibility for young people working on site?
- Will the individual ever attend residential/overnight events or regularly attend off-site visits with unaccompanied members of the Castle Players aged under 18?

Existing Checks

DBS checks for the Castle Players will be carried out by a suitably accredited umbrella body. Where an individual already holds a disclosure certificate, it will be accepted by the Castle Players if:

- It is the same or a higher level of disclosure to that required by The Castle Players
- The DBS Update Service status check confirms that the information on the DBS certificate remains the same
- The applicant is able to provide proof of identity (including current address) which matches that shown on the Disclosure

The DBS has introduced an Update Service which allows organisations to perform a status check on whether a previously issued DBS check remains up to date. This is an annual subscription service that people have to opt in to use at the time of obtaining a DBS check. The person being checked should provide the interested organisation with their original disclosure certificate, their consent for the update service to be checked and their identifying number to be used online.

The Update Service will confirm whether the information on the certificate remains the same. If the information on the certificate is no longer up to date, or the proposed new role is working within a different sector (e.g. they previously worked with vulnerable adults and now wish to work with children), or the details do not match, then the system will advise that a new check is required.

Renewing Checks

DBS Disclosures completed for the Castle Players will be renewed every three years should individuals still be involved in a capacity which requires checking.

Positive Disclosures

In the event that information relating to an applicant's criminal record or entry onto relevant lists is revealed by a DBS check, guidance will be sought from local agencies or the DBS.

Should a positive disclosure be returned, the individual will be offered the opportunity to discuss its content with a minimum of three Trustees of The Castle Players. These Trustees will make a balanced decision on whether they are satisfied to allow that individual to be involved with the work of The Castle Players in the planned capacity, based on the following criteria:

- Whether he/she is barred from working with vulnerable people by their inclusion on the Children's Barred List or the Adults' Barred List
- Whether the conviction is relevant to the role
- The circumstances surrounding the offence, and any explanations provided by the Applicant
- The seriousness of the offence
- The length of time since the offence occurred
- Whether there is a pattern to the offending behaviour, or whether it was a one-off
- Whether the applicant's circumstances have changed
- Whether the applicant disclosed the conviction(s)/cautions, warnings or reprimands at application or at interview stage
- What level of supervision the applicant will receive in his/her role
- Whether the role involves responsibility for finance or items of value
- Whether the nature of the role might allow the applicant potentially to reoffend.

The Board of Trustees will make the overall decision about the capacity in which the individual should be allowed to work within The Castle Players. The decision and the reasons for it will be recorded, signed by all those involved in the decision and retained with company records. In the event that it is decided that an individual is not suitable for his/her preferred role, this will not prevent him or her from remaining involved in The Castle Players in a more suitable role which will be unaffected by the offence, taking into account the points listed in the risk assessment criteria above.

Date: 22nd Nov 18

 Chair, The Castle Players