

Safeguarding in Outreach Settings: Disclosure and Barring Service (DBS) Guidance and Procedures:

Summary of key points

- As part of their induction to the role, all student ambassadors have appropriate safeguarding training and hold a QMUL safeguarding certificate
- In most instances, our student ambassadors delivering outreach activities must be supervised. The only exception to this are when Queen Mary have provided written confirmation that the ambassador has undertaken a DBS check and agreed to an ambassador working in an unsupervised capacity.
- The University is unable to distribute sensitive information about any DBS check including the disclosure number.

Introduction

Queen Mary employs current undergraduate and postgraduate student ambassadors to support outreach activities within schools, colleges and community settings. Student Ambassadors may undertake a combination of supervised and regulated unsupervised activity*.

In order to comply with government policy, school, college or community group, staff within the outreach setting **must** supervise Student Ambassadors, unless previously agreed, in writing with Queen Mary staff. Queen Mary will only agree to Student Ambassadors working in unsupervised regulated activity once the ambassador has undertaken appropriate safeguarding checks in the form of an enhanced Disclosure and Barring Check.

Ordinarily, Queen Mary will only perform Disclosure and Barring Service checks on Student Ambassadors who:

- support online mentoring
- support summer schools (both residential and non-residential)
- support specific outreach programmes that would constitute regulated activity
- have been successfully appointed as a Senior Student Ambassador and undertaken appropriate training to support them to deliver regulated activity.

All student ambassadors, regardless of whether they have been subject to a DBS check will have undertaken appropriate safeguarding training and hold a QMUL safeguarding certificate prior to starting work.

For all activity bookings, we request that institutions observe this DBS guidance, which complies with statutory guidance on the safeguarding of children in education.

In line with legislation and the Data Protection Act 2018 which protects sensitive information including '*the commission or alleged commission of an offence by an individual*¹', the University does not permit schools or colleges to request to view, photocopy or scan the DBS certificate. The University is also unable to distribute sensitive information including the disclosure number.

Where we have agreed to Student Ambassadors engaging in unsupervised regulated activity, we will supply written confirmation of the names of the ambassadors who are due to work so that schools are in a position to check their identity on arrival. To further support identity checking, ambassadors will carry a Queen Mary lanyard and Student ID with them.

Procedure

The following outlines our procedure with regard to carrying out DBS checks and the appropriate disclosure of this information to third parties.

¹http://www.legislation.gov.uk/ukpga/2018/12/pdfs/ukpga_20180012_en.pdf

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1. In order for student ambassadors to engage in unsupervised activity, permission must be obtained in writing from Queen Mary.
2. When agreed, students that we employ to work in outreach settings on regulated activity will all be subject to a DBS check.
3. Where a disclosure indicates that a student has a criminal record that does not directly involve the safeguarding of children or vulnerable adults we will take the following steps:
 - a. We will discuss the disclosure with Queen Mary's HR department
 - b. We will discuss the disclosure with the applicant
 - c. If they wish to proceed with their application to work in schools we will then gain their consent to share the relevant details of their disclosure with the Headteacher / Head of programme/provision on a confidential basis
 - d. The Headteacher/appropriate Head will be asked to use their discretion as to whether they will allow the student to work in their school/other setting. We ask that the decision is put in writing so that the University can maintain an accurate and confidential record.
4. Where a disclosure indicates that a student has a recorded offence deemed to relate to the safeguarding of children, we will discuss this with Queen Mary's Human Resources department, and the individual.
5. Should a student have any recorded offence that is directly relating to safeguarding of children or vulnerable adults, the individual will NOT be allowed to work in schools, colleges or with vulnerable adults.

Keeping children safe in education: statutory guidance for schools and colleges: September 2020

The guidance regarding DBS checks on student ambassadors complies with statutory advice regarding the use by schools and colleges of agency and third-party staff. The guidance states (part 3, point 158-159) that:

Schools and colleges must obtain written notification from any agency, or third-party organisation they use that the organisation has carried out the checks (in respect of the enhanced DBS certificate, written notification that confirms the certificate has been obtained by either the employment business or another such business), on an individual who will be working at the school or college that the school or college would otherwise perform.

Where the position requires a barred list check, this must be obtained by the agency or third party prior to appointing that individual. The school or college must also check that the person presenting themselves for work is the same person on whom the checks have been made.²

*Regulated activity

The full legal definition of regulated activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006 as amended by the Protection of Freedoms Act 2012.

Regulated activity includes teaching, training, instructing, caring for or supervising children if the person is unsupervised, or providing advice or guidance on physical, emotional or educational well-being, or driving a vehicle only for children if "it is carried out frequently by the same person" or if "the period condition is satisfied".

Paragraph 10 of Schedule 4 to this Act says the "period condition" is satisfied if the person carrying out the activity does so at any time on more than three days in any period of 30 days and, it is also satisfied if it is done at any time between 2am and 6am and it gives the person the opportunity to have face to face contact with children.

²https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/835733/Keeping_children_safe_in_education_2019.pdf