

APPENDIX 13 (a)

POSITIVE DISCLOSURES

1. The term “positive disclosure” refers to a disclosure containing information relating to convictions, cautions, reprimands, etc., plus “soft information” relating to non-convictions, but which police forces deem relevant. If a positive disclosure is received for an employee who has already commenced work, the individual should be immediately withdrawn pending further enquiries.
2. It is essential that School follow a consistent process for considering such disclosures and for making subsequent judgements regarding an applicant’s suitability for employment.
3. The following key stages must occur in the process:
 - Positive disclosure must be shared with the School’s HR team.
 - The head teacher will do an initial assessment of whether the offence(s) listed are sufficiently serious to cause concern. This assessment will be in accordance with the following checklist:
 - The seriousness and nature of the offence(s)
 - The nature of the appointment
 - Length of time since the offence(s) occurred
 - Number and pattern of offences
 - The applicant’s age at the time
 - Any explanation of the circumstances that may have already been given
 - Concealment of offences at application stage
 - If offences were not declared, this will automatically warrant an interview with the applicant.
 - Judgements at this stage will often err on the side of caution.
 - If the Head teacher recommends that the offence(s) is not sufficiently serious to warrant an interview, the decision to employ will be signed off by the Head teacher.
 - If it is judged that an interview is necessary, this should be undertaken between the relevant Head Teacher and the prospective employee. Another person should be present, such as an appropriate senior manager or an HR representative.
 - The meeting is an essential part of the process, as it is necessary to verify that the information contained on the disclosure does indeed relate to the individual concerned. This verification must be sought prior to any judgements being made. There have been occasions where DBS system errors have occurred and information supplied has been wrongly attributed to individuals.

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- At the meeting the disclosure should be discussed with the prospective employee. This will aid the decision-making process, and should again broadly focus around the following:
 - The seriousness and nature of the offence(s)
 - The nature of the appointment
 - Length of time since the offence(s) occurred
 - Number and pattern of offences
 - The applicant's age at the time, circumstances/explanation
 - Concealment of offences at application stage

- Based upon the findings of the interview, the Head Teacher will undertake a risk assessment with regard to the suitability of the employee. Judgements regarding suitability are not wholly confined to the disclosure revealing offences against children or vulnerable adults. Other types of offences may render a prospective employee unsuitable. In addition to convictions or cautions, this may also include having harmed or placed children or vulnerable adults at risk of harm; or having exhibited behaviour, which leads to the belief that there may be a child or vulnerable adult at risk of harm in the future.

- The Head Teacher should not take the decision in isolation, but will be accountable for it. There should be a clear record made of the decision, bearing the judgement, a copy should be forwarded to the School's HR Team. This judgement should not contain details of the offences.