Appendix 4 - Risk Assessment Form (To be used in very exceptional circumstances only)

To be carried out and completed by Line Managers where an employee may, pending the outcome of this assessment, commence work prior to Disclosure and Barring Service (DBS) clearance being obtained.This is only applicable to posts where DBS clearance is required*.*

Definitions

* \*Children & Young People: this means under 18’s. Occasional contact such as with work experience students may not constitute contact with children.

|  |  |
| --- | --- |
| Position: |  |
| Line Manager: |  |
| Post title: |  |
| School / Department: |  |
| Will the role involve contact with children and young people?\* | Yes / No |
| Will the role involve contact with Vulnerable Adults\*\* | Yes / No |

* \*\* Vulnerable Adults: this means a person who is age 18 year or over, in receipt of social, healthcare or other services, which puts a person in close contact with them.

|  |  |
| --- | --- |
| Applicant/Employee Name: |  |
| Reason for RequestPlease provide clear and comprehensive details confirming why exceptional circumstances should be applied to the applicant/employee starting work without appropriate DBS clearance.Current UWL staff that move roles involving contact with and/ or supervision of Children, Young People and Vulnerable Adults will require a DBS check prior to taking up their new roles. |  |
| Risk AssessmentHas a risk assessment been undertaken? | Yes / No |
| Please provide details of risk evaluation undertaken, for example, no unsupervised contact with children, references seen, no previous unexplained gaps in work history or CV, previous clear disclosure seen including record of a DBS number (\*\*\*use the continuation space as required) |  |

|  |
| --- |
| \*\*\* Risk Assessment undertaken (continuation sheet) |

Declarations

Line Manager

|  |  |
| --- | --- |
| Signed: |  |
| Print name:  |  |
| Position: |  |
| Date: |  |

As the Line Manager I believe that any further delay in this employee undertaking their duties will have a serious impact on the School / Department’s ability to carry out its designated role. I understand the significance of the employee starting work prior to full disclosure being received in the context of the requirements of the [University's Safeguarding Policy and Procedures.](http://www.uwl.ac.uk/sites/default/files/Departments/About-us/Web/PDF/policies/safeguarding_children_updated_may16_final.pdf) I take ownership of accountability under these circumstances in ensuring that the employee is supervised when undertaking regulated activity.

|  |  |
| --- | --- |
| Two references seen? | Yes / No |
| Previous DBS clearance (less than 3 months old) seen? | Yes / No |

HR use only

|  |  |
| --- | --- |
| Required to DBS: | Enhanced / Standard |
| Date sent: |  |
| Date received: |  |
| Employee cleared to continue employment: | Yes / No |

Additional information

Further information can be found on The Department for Education published document “Keeping children safe in education - Statutory guidance for schools and colleges July 2015” can be viewed on the following link: ["Keeping children safe in education"](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/550511/Keeping_children_safe_in_education.pdf)

What is regulated activity?

In summary, a person will be considered to be engaging in regulated activity if as a result of their work they:

* will be responsible, on a regular basis for teaching, training instructing, caring for or supervising children (under 18-year-olds); or
* will carry out paid, or unsupervised unpaid, work regularly in a school or college (teaching institution) where that work provides an opportunity for contact with children (under 18-year-olds); or
* engage in personal care or overnight activity, even if this happens only once.

Similarly, if a person working at the school or college (teaching institution) moves from a post that was not regulated activity, into work which is regulated activity, the relevant checks for the regulated activity must be carried out.

When utilising agency workers – written information from the agency needs to be obtained to satisfy the enhanced DBS check requirement. In recruiting or engaging candidates that have worked abroad for a significant period – the Line Manager must make any further checks they think appropriate so that any relevant events that occurred outside the UK can be considered.

Where a School or College (teaching institution) allows an individual to start work in regulated activity before the DBS certificate is available, then the Line Manager should ensure that there is day to day and regular supervision of the individual.

In situations when staff or potential staff are engaging in regulated activity an enhanced DBS and barred list is required.

Additional information for Managers

There should be a number of safeguards to protect the University and students:

* A clear business case for the appointee to start prior to all the screening being completed given the possible safeguarding risks;
* There should be no unexplained gaps in the employment history or CV of the individuals concerned;
* That no relevant criminal convictions have been declared on the application for employment;
* The University have received all references to our satisfaction;
* Verification that that person is who they say they are and that appropriate checks have been made on identity with photographic evidence i.e. passport and birth certificate checks (in case there is a name change by deed poll – convictions will not show on the DBS check under a new name).Right To Work (RTW) check may cover this, speak to the relevant Human Resources Partner for additional information;
* Satisfactory qualifications check have been made (relevant to the job) – this would form part of the recruitment process already;
* There should be NO unsupervised 1:1 contact with students under 18 until the DBS has been cleared - the recruiting manager/line manager will need to undertake to ensure that this is the case.

Email the Head of Human Resources, with this Risk Assessment form for the appointee to start before the DBS check, has been completed (weighing up operational need for the resource with Safeguarding risks and how these can be managed). The relevant Human Resources Partner or Human Resources Co-ordinator will liaise with the recruiting manager/line manager thereafter.