

Disclosure and Barring Service (DBS) Risk Assessment Procedure

Policy Owner	Head of Learning and Quality
Policy Approver(s)	M.Ost Programme Committee; Academic Board and Health and Safety Committee
Related Policies	Disclosure and Barring Service (DBS) Policy
Storage Location	ESO Learning Zone, ESO Website
Effective Date	March 14 th 2014
Next Review Date	March 2015

DBS Risk Assessment Group

All DBS checks, for new or current students or applicants, which record a criminal conviction or caution, will result in invoking these procedures.

Membership

Head of Learning and Quality (Chair)
Vice Principal
Academic Registrar

DBS Risk Assessment Group Procedures

1. The Chair of the DBS Risk Assessment Group, will normally within three working days of the receipt of a positive DBS disclosure or Criminal Conviction, Caution, Reprimand or Warning Declaration, notify the student/applicant concerned that a risk assessment is being carried out.
2. If the Chair of the DBS Risk Assessment Group deems the offence committed to be highly serious/he will recommend to the Principal that the student is suspended until the group has made its recommendation. Any initial suspension would normally be a maximum of two weeks. The Chair may then request an extension if two weeks is not sufficient time to complete the Group's investigation/risk assessment.
3. The Chair will conduct an initial review of the content of the disclosure and complete the DBS Risk Assessment form (Appendix 1) in consultation with the Academic Registrar. Where the risk is deemed low or insignificant, the process will be deemed complete.
4. Where the initial review deems the risk to be medium or high, or where it is considered that further review would be helpful, the DBS Risk Assessment Group will be convened, normally within ten working days.
5. During this time, the Chair of the DBS Risk Assessment Group may request:
 - 5.1. A personal statement from the student/applicant about the offence, to include any relevant circumstances that may have impacted on their actions
 - 5.2. A brief, reflective personal statement from the student/applicant regarding the offence, including their perspective on the possible impact on their course of study
 - 5.3. A pre-sentence report
 - 5.4. A probation report
 - 5.5. A reference from a recognised outside body who knows the student/applicant in the light of the conviction or caution
 - 5.6. Comments from the Student Welfare Officer regarding what support can be provided for the student/applicant

6. During the meeting of the DBS Risk Assessment Group, the Group should ask and discuss the following questions:
 - 6.1. Based on the presented information, does the student/applicant continuation on the M.Ost programme pose any risk to:
 - 6.1.1. Patients
 - 6.1.2. Students
 - 6.1.3. Staff
 - 6.1.4. Members of the general public
 - 6.1.5. M.Ost Programme
 - 6.1.6. Property of the School
 - 6.2. Is there any risk of re-offence?
 - 6.3. Is there any evidence that any student, patient or staff member has raised any questions about the acceptability of his/her behaviour in the School?
 - 6.4. Is there anything the School can do to mitigate and manage any risk?
 - 6.5. Does the Group need to ask for further information to be able to make a decision on the risks involved?
 - 6.6. Are there any consequences for the Student Fitness to Practice Policy?
7. The Group should decide to agree which of the following courses of action is most appropriate:
 - 7.1. That the student may be asked to withdraw from the M.Ost programme or the applicant has their request for a place on the course declined
 - 7.2. That the student/applicant is allowed to continue with their course of study/programme admission process
 - 7.3. That the student/applicant is allowed to continue with their study/application to study with clearly defined requirements and support arrangements
8. The Group may also wish to discuss what action should be taken in relation to the student/applicant should his/her behaviour at the School not be of an acceptable level. The action may include:
 - 8.1. Whether the behaviour of the student/applicant should trigger the Student Fitness to Practice Policy
 - 8.2. Requirement to adhere to a support programme
 - 8.3. Other
9. The Group should also discuss and decide:
 - 9.1. If appropriate, who is responsible for monitoring the student/applicant's future behaviour
 - 9.2. Which staff should be informed of any special requirements or conditions that may be attached to the student/applicants continuing with the programme
 - 9.3. Who needs to be advised of the circumstances of the student's continuation or applicant's admission to the programme.
10. The Student/applicant will normally be advised of the Group's decision within five working days of its meeting.
11. Within five working days of the Group's decision, the student/applicant may appeal in writing to the Principal, stating the full grounds of the appeal. If, in the view of the Principal, the appeal letter casts doubt on the validity of the decisions, an appeal hearing will be convened to re-examine the case in the light of the student/applicant's additional evidence.
12. Appeal Panel
 - 12.1. Principal
 - 12.2. Head of Clinic
 - 12.3. A member of faculty (GOsC registered) who has not been involved in the case so far
13. The outcome of the appeal will normally be communicated to the student/applicant within five working days of the hearing and a copy of the letter will be sent to the Academic Registrar and held within the student/applicant's file

14. Where a student/applicants appeal is successful, the case will be referred back to the DBS Risk Assessment Group, who will reconsider the case in the light of the appeal panel's comments and representation from the student/applicant
15. Where the student/applicants appeal is unsuccessful, the decision of the appeal panel will be final and will bring the ESO's investigation to a close. The Student/applicant will receive a Completion of Procedures letter along with the Panel's response.



Disclosure and Barring Service (DBS) Risk Assessment Form

Part 1:

Student/Applicant Name:		Contact details:	
ID Banner/USCA number:		Year:	
Date DBS received:		Date student/applicant notified:	

Part 2:

What was/were the offence(s)?			
Did the student/applicant disclose the past conviction, cautions, reprimands or warnings on their UCAS form?	Yes		
	No	When was the information received?	
		Mitigating circumstances exist	Yes Disclosed? Y/N
Has the student/applicant submitted a statement reflecting on the offence(s) committed?	Yes		
	No	Procedure paused to allow student/applicant to provide statement. Date statement received:	

Part 3:

Risk Level Assessment

What was the sentence?		High Custodial	Medium Suspended, community, conditional discharge	Low Warning, caution, reprimand, fine, absolute discharge
When was the offence committed?		High In the past three years	Medium Between 3 – 10 years	Low More than 10 years ago

Part 4:

Additional information

Is the type/nature of the offence directly relevant to the programme	Yes	In what way?	High Yes	Medium Some link between offence and aspects of the programme study	Low No
	No				
Is there a pattern of specific offences?	Yes	What is the nature of the problem?	High Yes	Medium Some instances	Low No
	No				

Part 5:

Overall Risk Assessment

Overall risk assessment	High	<ul style="list-style-type: none"> Consider if further references are required (external bodies who have known the student/applicant in a professional capacity in the full knowledge of the
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	Medium	offence(s) committed • Convene a full meeting of the Risk Assessment Group
	Low	Declaration and decision (page 6 Part 7)

Part 6:

RISK ASSESSMENT GROUP

Additional references received?	Yes	Additional notes:	High	Medium	Low
	No				
Do the referee(s) declare the applicant suitable for attendance at the School and participation in the life of the School?	Yes		Referees declare applicant unsuitable	Referees share some reservations	Referees declare applicant suitable
	No				
Any aggravating factors to take into account? (e.g intent/harm/exploitation/breach of trust):			What has changed since the offence occurred? (i.e. treatment)		
			Applicant's attitude towards offence(s)?		
Who supplied additional references? (partner agencies/probation officer/former employer)	Name:		Name:		Name:
	Position:		Position:		Position:
	Date:		Date:		Date:

Part 7:

Declaration and Decision

The Group has read and understands the ESO's Admissions Policy, Disclosure and Barring Policy and the DBS Risk Assessment Procedure. The Group confirms that they have followed School policy and procedures related to this risk assessment.

After a review and consideration of all the evidence gathered throughout the risk assessment, the Group is of the opinion that:

1. The student/applicant should leave the course/have their offer of a place rescinded
2. The student/applicant should be allowed to continue with or begin their course of study
3. The student/applicant should be allowed to continue with or begin their course of study subject to certain other requirements and support arrangements, which are:
 - i)

Justification for the decision reached:

You have the right of appeal against this decision. If you feel this decision is unfair you may appeal to the Principal, see paragraph 11. The decision of the appeal panel, if held, is final.

Signed: _____
(Chair)

Date: _____

Date student/applicant informed: _____