



THE ROYAL BALLET SCHOOL

Policy on Criminal Records Bureau Checks

Introduction

This policy covers:

- Criminal Records Bureau checks
- The recruitment of staff with criminal convictions,
- The storage, handling, use, retention, and disposal of disclosures and disclosure information

Statutory requirements and Acts/Guidelines which are to be adhered to and have been used as a point of reference.

- Rehabilitation of Offenders Act 1974
- Data Protection Act 1998
- Section 124 of the Police Act 1997,
- Criminal Records Bureau – Code of Practice and Explanatory Guide
- National Minimum Standards for Boarding Schools
- Department for Education and Skills – Safeguarding Children and Safer Recruitment in Education.

Overview

The Royal Ballet School is a registered body of the Criminal Records Bureau (“CRB”) and uses the CRB Disclosure Service to obtain information to enable it to assess the suitability of applicants for employment in positions of trust. The Royal Ballet School complies fully with the CRB code of practice and does not discriminate unfairly against any subject of a CRB disclosure on the basis of conviction or other information revealed.¹

The Royal Ballet School is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.²

The Royal Ballet School has decided to carry out CRB checks on all staff to an enhanced level regardless to the level of contact they may have with persons under the age of 18. Therefore this policy applies to all staff groups at the Royal Ballet School.

¹ CRB Sample Policy on the recruitment on the recruitment of ex offenders. DIP 011

² CRB Sample Policy on the recruitment on the recruitment of ex offenders. DIP 011



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The School will not accept checks from other organisations regardless to how recently they were carried out. Copies of this policy are available from the Administration Manager.

Posts for which an enhanced CRB check is required include:

- Paid or unpaid workers
- Ballet teachers
- Academic teachers
- Unqualified instructors or teachers working at the school
- Peripatetic staff
- Work experience students
- Graduate trainees
- GAP students
- Administrative and clerical staff
- House staff
- First Aiders
- Caretakers
- Site managers
- Technicians
- Cleaners and catering staff
- Governors
- PTA committee members
- Volunteers
- Volunteer chaperones (parents)
- Support staff
- Temporary staff.

Arrangements for the supervision and CRB checking of temporary staff and contractors are explained in section 4 below.

Recruitment of Staff and Volunteers

This section covers all staff including ancillary staff and those on a contractual/seasonal basis and volunteers who work with boarders (as defined in the Criminal Justice and Court Services Act 2000).³

This written policy will be made available to all Disclosure Applicants at the outset of the recruitment process via the School's website. The School is

³ Pg 28 National Minimum Boarding standards. Paragraph 38.2 - 38.10



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committed to following the CRB's Code of Practice for Registered Persons. Where a Volunteer (parents, etc.) is to be engaged to work at the School this policy will be given to them when they express an interest in volunteering.

Adverts (either published or electronic) for vacancies within the School should include the following statement: *"The Royal Ballet School is committed to safeguarding and promoting the welfare of children. All successful applicants will be required to undertake an Enhanced CRB Disclosure check."*

An appointee will be asked to submit to a CRB disclosure request at offer stage. It will be stated on all application forms and in the terms and conditions that accompany the Job Description *'that successful candidates will be expected to complete a satisfactory enhanced check with the Criminal Records Bureau prior to confirmation of the appointment'* and in the Terms & Conditions it will also note that the successful candidate will also be expected to provide the names of two referees which is in accordance with the National Minimum Boarding Standards.

All efforts will be made to ensure that staff members do not begin work at the School until satisfactory completion of all checks and receipt of references. On some occasions, where this is not possible, arrangements will be made with the Line Manager to ensure that the new member of staff is supervised at all times or does not have substantial unsupervised access to the students until the relevant checks are completed. In any case, List 99 checks can and will be carried out within 24 hours as appropriate.

All staff are required to inform the Administration Assistant at the earliest opportunity of the possible appointment of staff, freelancers, etc. in order that the CRB checking process can begin with sufficient time to allow the checks to be completed before the start of employment. CRB checks typically take 4-6 weeks.

Overseas Applicants

If a potential employee has a substantial record of overseas residence, or has little or no previous residence in the UK, The Royal Ballet School will apply for a CRB Disclosure but will also apply for the equivalent of a disclosure in other countries if available. Applicants that fall into this category include United Kingdom Residents, whether British Nationals or otherwise with recent periods of overseas residence. Also in this category are those with little or no previous United Kingdom Residence.⁴

⁴ CRB Code of Practice pg 10 paragraph 3.2



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The Criminal Records Bureau can offer guidance to employers about the availability of criminal record checks in a variety of foreign countries. If the applicant falls into this category the Administration Manager will refer to the CRB for guidance.

Other Individuals for whom CRB Checks may be necessary

Recruitment and agreements between adults not employed by the School but that have contact with students

All practical steps will be taken so that boarders or any student under 18 years of age are not entrusted to adults who have not been checked through the CRB for journeys (eg Taxis) which involve giving such adults substantial unsupervised access.⁵

The Royal Ballet School has a written agreement between the School and any adult not employed by the School but living in the same building as boarding accommodation (for example adult members of staff households). This specifies the terms of their accommodation, guidance on contact with boarders, their responsibility to supervise their visitors, that their accommodation may be terminated if there is evidence that they are unsuitable to have regular contact with children, and the requirement that they notify an unrelated designated senior member of staff, if they are charged with or convicted of any offence⁶. A CRB check will be carried out on all such individuals.

Contractors, Temporary Staff and Visitors

All adults visiting any area of the school including boarding accommodation, (e.g. visitors, outside delivery and maintenance personnel) are to be kept under sufficient staff supervision to prevent substantial unsupervised access to boarders or their accommodation.⁷

Individuals who are working with the School on a short-term basis such as temporary staff or contractors but who have not been CRB checked by the School must be overseen by a CRB checked member of staff or more senior contractor. If the individual without a CRB check is in (or likely to be in) a dormitory area then there should be constant supervision by a CRB checked member of staff.

⁵ Pg 29 National Minimum Boarding standards Paragraph 38.2 - 38.10

⁶ Pg 30 National Minimum Boarding standards Paragraph 39.4

⁷ Pg 29 National Minimum Boarding standards Paragraph 38.2 - 38.10



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'Overseen' means checked upon intermittently but does not mean watched continually. This oversight role must be taken very seriously by the member of staff who takes responsibility for the temporary member of staff or contractor.

When the School is being used for external hire and events the guests/suppliers/contractors will be supervised at all times and when possible will only be allowed access to the building once the students have left the premises.

Other Adult Contact with Students

There may be other times when certain parents have marginal contact with students on an irregular basis; this may be in assisting with a production or at a fundraising event such as the Summer Fete. In these circumstances the Director or the Head of Lower School has discretion to make decisions on the need for parents requiring CRB clearance and may seek advice from the lead signatory or from one of the counter signatories.

Rehabilitation of Offenders Act 1974 & Employing workers with a Criminal Record.

The Rehabilitation of Offenders Act 1974 provides that ex-offenders are not required to disclose to prospective employers, convictions defined as 'spent' under the Act. It is The Royal Ballet School's policy to require applicants to disclose any unspent criminal convictions as part of their application, except in the case of applications for posts working directly with children, vulnerable adults or in positions of trust, where all convictions (spent and unspent) must be declared.

Having a criminal record will not necessarily bar an applicant from working with us. This will depend on the nature of the position and the circumstances and background of the offences.⁸ Unspent convictions for violence, assault or damage to property, however, are likely to be incompatible with working for the Royal Ballet School⁹. Any information revealed in a disclosure that is likely to lead to the withdrawal of a job offer will be discussed with the applicant before the offer is withdrawn.

Where a conviction has been disclosed in an individual's application for a post at The Royal Ballet School, a discussion will take place at the end of the interview regarding the offence and its relevance to the position. Failure to reveal information relating to unspent convictions could lead to withdrawal of an offer of employment.

⁸ St Paul's School policy statement on the recruitment of ex offenders.

⁹ Pre 2007 School CRB policy



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Factors that are taken into account will be

- Whether the conviction or other matter revealed is relevant to the position in question.
- The seriousness of any offence or other matter revealed
- The length of time since the offence or other matter occurred
- Whether the applicant has a pattern of offending behavior or other relevant matters, and
- The circumstances surrounding the offence and the explanation(s) offered by the convicted person.¹⁰

Secure Storage, Handling, Use, Retention & Disposal or Disclosures and Disclosure Information

The Royal Ballet School complies with the CRB Code of Practice regarding the correct handling, use, storage, retention and disposal of CRB Disclosures and Disclosure information. The School also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters, which is available to those that wish to see it on request.

Storage, Access and Handling

CRB disclosure information will not be stored on an employee's personnel file but will be stored separately in lockable storage with access limited to those who are entitled to see it as part of their duties.

In accordance with section 124 of the Police Act 1997, Disclosure information is only passed to those who are authorized to receive it in the course of their duties. We maintain a record of all those whom disclosures or disclosure information has been revealed and it is a criminal offence to pass this information on to anyone who is not entitled to receive it¹¹.

Those members of staff at The Royal Ballet School who are entitled to see the information are the Director, the Chief Administrative Officer, the Academic & Pastoral Principal, the Head of White Lodge, the Administration Manager and the Administration Assistant.

¹⁰ CRB Code of Practice pg 11

¹¹ Dip 012 CRB sample policy on secure storage



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Usage

CRB disclosure information will only be used for the specific purpose for which it was requested and for which the applicant's full consent will have been obtained.¹²

Retention

Once a recruitment (or other relevant) decision has been made, CRB disclosure information will not be stored for longer than is necessary. This is generally for a period of up to six months to allow for consideration and resolution of any disputes or complaints. If, in exceptional circumstances, it is considered necessary to keep such information for longer than six months, consideration will

be given to the Data Protection and human rights of the individual before doing so.

Disposal

Once the retention period has elapsed, The Royal Ballet School will ensure that any CRB disclosure information is destroyed by secure means, i.e. shredding, pulping or burning. While awaiting destruction, CRB disclosure information will be kept securely. We will not keep any photocopy or other image of the Disclosure or any copy or representation of the contents of the Disclosure. Notwithstanding the above we may keep a record of the date of issue of a disclosure, the name of the subject, the type of disclosure requested, the position for which the disclosure was requested, the unique reference number of the disclosure and the details of the recruitment decision taken. These details will be securely stored for monitoring purposes.

Renewal of CRB Checks

The Royal Ballet School has decided that CRB checks will be treated as valid for a period of no more than 4 years. Arrangements for re-checking staff, volunteers, etc. will be begin approximately 3 years after the date of the most recent Disclosure and a new disclosure must have been received no later than 4 years after the date of the most recent disclosure.

Acting as an Umbrella Body

Before acting as an Umbrella Body (one which countersigns applications and receives Disclosure information on behalf of other employers or recruiting

¹² Dip 012 CRB sample policy on secure storage



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organisations), we will take all reasonable steps to satisfy ourselves that they will handle, use, store, retain and dispose of Disclosure information in full compliance with the CRB Code and in full accordance with this policy. We will also ensure that any body or individual, at whose request applications for Disclosures are countersigned, has such a written policy and, if necessary will provide a model policy for that body or individual to use or adapt for this purpose.¹³

Approved by: Academic & Pastoral Committee
Date: 13 May 2008
Date for review: Spring 2011

This document will be revised in line with changes in best practice and legislation. These changes will be notified to all concerned. Questions or comments should be directed to the appropriate member of the Senior Management Team.

¹³ Dip 012 CRB sample policy on secure storage