

Date: 21/07/2014

**FREEDOM OF INFORMATION ACT 2000 - Ref: FOI/011887**

With reference to your FOI request in connection with 'criminal records' please see response below.

How many full time equivalent posts are there within your organisation?

As of 01/07/14, there are 4175.36 full time equivalent employees in post.

How many of these posts require an applicant to have passed a check with the Disclosure and Barring Service?

As of 01/07/14, there has been 2716.55 full time equivalent identified as needing a type of DBS check either on an cyclical basis or when commencing employment with the Trust or both.

How many members of staff have criminal records?

Guidance from NHS Employers states that criminal record information should not be retained for any longer than necessary. Once a decision has been made as to whether to appoint or not, it should be kept for no longer than six months from the check being completed, and six months from where the applicant has been unsuccessful to allow for the consideration and resolution of any disputes or complaints".

In each instance where a conviction is found, a full and through risk assessment is undertaken by the Trust Safeguarding Group.

Based on records held in line with this guidance, there have been 12 applications for employment where a DBS check revealed a conviction and after a full risk assessment being undertaken, it was determined that there was no risk and as such employment was offered.

How many applicants for posts have you rejected due to the results of the DBS check since December 1 2012

Guidance from NHS Employers states that criminal record information should not be retained for any longer than necessary. Once a decision has been made as to whether to appoint or not, it should be kept for no longer than six months from the check being completed, and six months from where the applicant has been unsuccessful to allow for the consideration and resolution of any disputes or complaints".

Based on records held in line with this guidance, there have been two instances where an offer of employment has been withdrawn after a risk assessment was undertaken with regards to a conviction/convictions by the Trust Safeguarding panel.

How many members of staff have been dismissed due to the results of a DBS check since December 1 2012?

There have been no instances where an employee has been dismissed due to the results of a DBS check.

If possible, please provide details of the types of criminal offence that would preclude someone from working for your organisation and of the types of offence that are permissible.

An electronic copy of any policy document you may have with regards to DBS checks would be fine.

In each instance where a conviction is found on a DBS check, a risk assessment is undertaken by the Trust Safeguarding Panel. Each risk assessment is treated on an individual basis and takes into account a wide range of factors. Decisions are not solely made based on the conviction revealed.

Please see below a copy of the risk assessment pro-forma used in each Safeguarding Panel risk assessment

# DBS RISK ASSESSMENT FOR APPLICANT/EMPLOYEE WITH A CRIMINAL CONVICTION

Employee Name:

Department:

Risk	Mitigation
Legal or regulatory requirements	
Nature of offence	
Relevance of offence for position concerned	
Length and type of sentence	
Age at the time of conviction	
Length of time since conviction	
Patterns of offending behaviour	
Change in behaviour demonstrated since the offence	
Employment references	
Circumstances surrounding the offence and the individuals explanation	

## Internal employee's only

Work history and performance			
Length of time in post			
Outcome	<table border="1"> <tr> <td>Satisfactory</td> <td>Unsatisfactory</td> </tr> </table>	Satisfactory	Unsatisfactory
Satisfactory	Unsatisfactory		

<b>Lead Signatory</b>	
<b>Deputy Director of Nursing</b>	
<b>Date</b>	