# Disclosure of Criminal Records Policy

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| Version | 2.0 |
| Date Policy Reviewed | August 2026 |
| Policy Reviewed by | Head of Compliance |
| Date of Next Review | August 2027 |

## 1. Policy Statement

TP Tutors is committed to safeguarding children and young people and ensuring the suitability of all tutors working in positions of trust. As an organisation using the Disclosure and Barring Service (DBS), TP Tutors complies fully with the DBS Code of Practice, the Data Protection Act, and all relevant legislation relating to the handling, use, storage, retention and disposal of disclosure information.

## 2. Purpose

This policy sets out how TP Tutors obtains, uses, stores, retains and disposes of criminal records information. It also outlines the DBS and criminal clearance requirements for tutors undertaking regulated activity and supports compliance with safeguarding and safer recruitment obligations.

## 3. Scope

This policy applies to all tutors engaged by TP Tutors who undertake regulated activity, as well as employees and authorised personnel responsible for recruitment, vetting, safeguarding and compliance activities.

## 4. Definitions

- **DBS:** Disclosure and Barring Service.
- **Enhanced DBS Check:** The highest level of criminal record check available for regulated activity.
- **Update Service:** DBS subscription service that allows DBS certificates to be kept up to date.
- **Regulated Activity:** Work that involves specific activities with children or vulnerable groups as defined in legislation.

## 5. Roles and Responsibilities

TP Tutors is responsible for conducting appropriate vetting checks, handling disclosure information securely and maintaining compliance with DBS requirements. Tutors are responsible for providing accurate information, maintaining DBS compliance and declaring any relevant changes to their circumstances.

## 6. Policy Requirements

- Tutors are charged the full enhanced disclosure fee for processing a new DBS application.
- Disclosure information will only be accessed by authorised individuals in the course of their duties.
- Disclosure information will only be used for the purpose for which it was requested and with the tutor's consent.
- TP Tutors accepts an enhanced DBS disclosure registered with the Update Service and, where applicable, an overseas criminal clearance.
- Alternatively, an enhanced DBS disclosure processed through Teaching Personnel and dated within 12 months may be accepted.
- Annual status checks are completed for tutors subscribed to the Update Service. Tutors not subscribed will be required to undertake an annual enhanced DBS check.
- A new DBS check will be required following a break in service of 12 weeks or more, or where concerns are raised regarding suitability to work with children.

## 7. Procedures

- **Storage and Access:** Disclosure information is stored securely as an electronic copy on the tutor record within internal systems.
- **Handling and Usage:** Disclosure information is only shared with authorised personnel and only for its intended purpose.
- **Retention:** Disclosure information is retained only as long as necessary, generally for up to three years following a recruitment decision, to allow consideration of disputes or complaints while balancing data protection and human rights considerations.
- **Disposal:** Following the retention period, disclosure information is securely destroyed and remains protected until deletion.
- **Childcare Disqualification:** Tutors must declare that they are not disqualified from working in childcare under the Childcare (Disqualification) Regulations 2018. Any individual who is disqualified must not work in applicable settings unless a waiver has been granted by Ofsted.

## 8. Training and Communication

Relevant employees involved in recruitment, safeguarding and compliance activities will be made aware of this policy. Tutors will be informed of DBS requirements and associated safeguarding obligations during onboarding and through ongoing compliance communications.

## 9. Monitoring and Compliance

Compliance with this policy will be monitored through safer recruitment processes, compliance audits, DBS status checks, safeguarding reviews and periodic policy reviews. The policy will be reviewed annually or sooner where legislative or operational changes require it.

## 10. Non-Compliance

Failure to comply with this policy may result in suspension from assignments, termination of engagement, safeguarding investigation, disciplinary action where applicable, or referral to relevant authorities where required by law.

## 11. Version Control

| Version | Date | Author | Summary of Changes | Approved By | Next Review Date |
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| 2.0 | August 2026 | Head of Compliance | New policy format | Senior Leadership Team | August 2027 |