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**COMMUNITY HEALTH PARTNERSHIPS**

**and**

**SUPPLIER**

**Provision of Soft FM Building Services**

**REF: RM6232**

**Lot 3C**

**Call-Off Schedule 18 (Background Checks)**

1. **When you should use this Schedule**

This Schedule should be used where Supplier Staff must be vetted before working on Contract.

As an employer the Supplier may request a DBS check on employees as part of its internal recruitment policy and in line with the relevant legislation.   For certain roles, a check will include information held on the Children’s and Adults’ Barred Lists, alongside any information held by local police forces, that is considered relevant to the role.

The Supplier should ensure that its has access to all of the information available to make safer recruitment decisions and it is the responsibility of the Supplier to ensure the level of checks requested is in line with the DBS eligibility guidance. The Code of Practice is issued under section 122(2) of the Police Act 1997. Organisations using the DBS checking service must comply with this code of practice as it is there to ensure that organisations are aware of their obligations, and that the information released will be used fairly.

Access to Standard, Enhanced, and Enhanced with Barred List(s) DBS checks is only available to employers who are entitled by law to ask an individual to reveal their full criminal history, including spent convictions. The Supplier should ensure any actions or processes are in line with the relevant legislation including the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Data Protection Act 2018.

1. **Definitions**

**“Relevant Conviction”** includes all unspent convictions assessed in accordance with the timelines set out in The Rehabilitation of Offenders Act 1974. (Or any replacement or amendment).

1. **Relevant Convictions**
   * 1. The Supplier must ensure that no person who discloses that they have a Relevant Conviction, or a person who is found to have any Relevant Convictions (whether as a result of a police check or through the procedure of the Disclosure and Barring Service (DBS) or otherwise), is employed or engaged in any part of the provision of the Deliverables without Approval.
     2. Notwithstanding Paragraph 2.1.1 for each member of Supplier Staff who, in providing the Deliverables, has, will have or is likely to have access to children, vulnerable persons or other members of the public to whom the Buyer owes a special duty of care, the Supplier must (and shall procure that the relevant Sub-Contractor must):
        1. carry out a check with the records held by the Department for Education (DfE);
        2. conduct thorough questioning regarding any Relevant Convictions; and
        3. ensure a police check is completed and such other checks as may be carried out through the Disclosure and Barring Service (DBS),

and the Supplier shall not (and shall ensure that any Sub-Contractor shall not) engage or continue to employ in the provision of the Deliverables any person who has a Relevant Conviction or an inappropriate record.