

Policy for DBS Checks for Elected Members

1. Purpose

The purpose of this policy is to ensure that all members undergo appropriate Disclosure and Barring Service (DBS) checks to maintain a safe and secure environment for all individuals associated with Leicestershire County Council

2. Scope

This policy applies to all members, with a particular focus on those who are involved in activities that require DBS checks as per the 2024 guidance issued by Simon Hoare MP¹, the then Minister for Local Government. The guidance confirmed that following the recommendation in Simon Bailey's Independent Review of the DBS Regime is supported by the Government:

I recommend that an enhanced criminal record check is made mandatory for all councillors in Unitary and Upper Tier Authorities who are being considered for appointment to any committee involved in decisions on the provisions of children's services or services for vulnerable adults. I accept that this would require legislation and therefore some inevitable delay, so I further recommend that these authorities are encouraged to adopt this procedure as best practice pending legislation.

3. Policy Statement

Leicestershire County Council is committed to safeguarding the welfare of all individuals, particularly children and vulnerable adults. To achieve this, the Council requires all members to undergo basic DBS checks. Enhanced DBS checks are required for specified members in accordance with the relevant legislation and the 2024 guidance.

4. Types of DBS Checks

There are three types of DBS checks that may be required:

Basic Check: This check reveals any unspent convictions.

Standard Check: This check includes details of both spent and unspent convictions, cautions, reprimands, and warnings.

Enhanced Check: This check includes the same information as the Standard Check, along with any additional information held by local police that is considered relevant to the role.

Enhanced Check with barred list: This check includes the same information as an Enhanced DBS certificate but will also include a check of one or both of the Children or Adults Barred Lists.

¹ https://assets.publishing.service.gov.uk/media/65a90d5a94c997000daeb9f1/2024-01-18_Min_Hoare_DBS_Checks_Leaders.pdf

5. Roles Requiring DBS Checks

All members are required to undergo a basic DBS check.

Enhanced DBS checks are mandatory for elected members involved in the following roles:

- Working with children or vulnerable adults
- Handling sensitive or confidential information
- Positions of trust or authority

In the context of the County Council's governance structure, this includes members in the following roles:

- Cabinet members
- Children and Families Overview and Scrutiny Committee members
- Adults and Communities Overview and Scrutiny Committee members
- Health Overview and Scrutiny Committee members
- Health and Wellbeing Board Members
- Member Champions for Children in Care.

6. Procedure

Application: Members will be invited to make an appointment with the Head of Member Services to complete the DBS application form. Members must provide the necessary identification documents at this appointment

Submission: The completed application form and identification documents will be submitted by the Head of Member Services to the DBS for processing.

Outcome: The County Council will receive the DBS certificate and review the information to determine the member's suitability for the role.

Renewal: DBS checks must be renewed every three years or as required by law.

7. Confidentiality

All information obtained through DBS checks will be treated with the utmost confidentiality and will only be shared with authorised personnel on a need-to-know basis.

8. Non-Compliance

Failure to comply with this policy will be referred to the Group Leaders in the first instance. An ongoing failure to comply with this policy will be reported to the Corporate Governance Committee.

9. Review

This policy will be reviewed annually or as required to ensure it remains up-to-date with current legislation and best practices.