

Policy on Disclosure and Barring Service (“DBS”) Checks for Councillors

Background

1. This policy is introduced to support the resolution by Councillors passed on..... to introduce Disclosure and Barring Service (DBS) Checks for all Councillors.
2. This policy replaces all previous policies, decisions and/or precedents relating to criminal records checks for Gedling Borough Councillors.
3. All Councillors have resolved to obtain a basic DBS check. This policy sets out the process for such checks and how information will be processed.

The Process

4. Within two months of the date of this Policy being approved and thereafter within two months of taking office following election or re-election, Councillors will be required to apply for a basic DBS check.
5. Members will request a DBS check themselves and the cost of the check will be met by the Council.
6. The relevant Councillor will be provided directly with a DBS certificate issued by the DBS. The Councillor will be required to provide a full copy of the DBS certificate to the Monitoring Officer within 28 days of the date of issue of the DBS certificate, unless the content of the DBS certificate is disputed and the dispute is raised with the DBS within 3 months of the date of issue, in which case the certificate must be provided to the Monitoring Officer within 28 days following the outcome of the dispute.
7. The Monitoring Officer will maintain a record of the date a check was requested, and the date a response was received.
8. The DBS certificate and information therein (Disclosure Information) will only be used for the specific purpose of compliance with this policy.
9. Where Disclosure Information is made available this will be stored securely and destroyed within six months in line with the DBS Code of Practice.
10. Once the retention period has elapsed, any Disclosure Information will be destroyed by secure means. While awaiting destruction, Disclosure Information will remain secure. No photocopy or other image of the disclosure or any copy or representation of the contents of a disclosure will be kept. As stated above however, the Monitoring Officer will maintain a

register of the date of the request for, and issue of a disclosure, the name of the subject and the detail of any decision taken as a result of the disclosure.

The Use of Disclosure Information

11. The existence of a criminal record or other information revealed as a result of a basic DBS check will not debar a Councillor from holding office.
12. In the event that the disclosure information received raises issues of concern, the Chief Executive advised by the Monitoring Officer and in consultation with the relevant Group Leader (where applicable), will discuss with the individual Councillor whether any changes to the individual Councillor's role may be required.
13. This policy will be reviewed following every borough election and/or updated as and when required as a result of changes in the law.
14. Failure to comply with this policy may amount to a breach of the Code of Conduct.

Change in Circumstances

15. Where there is any change of circumstances of a Councillor between obtaining a DBS check and the next election, in that the Councillor is convicted of an offence which would appear on a basic DBS check. The Councillor should notify the Monitoring Officer of the conviction within 28 days. Any information obtained will be treated as Disclosure Information for the purposes of this policy.