

EXECUTIVE BOARD

19.11.18

DISCLOSURE AND BARRING SERVICE (DBS) CHECKS – POLICY

Purpose: Policy for DBS checking (employment) to ensure the Council operates within DBS and other related statutory guidance/codes

Recommendations / key decisions required:
Endorsement of Policy

Reasons: The Council is a registered body with the DBS and must comply with the DBS Code of Practice and other relevant legislation. The Council's Policy has been updated to reflect changes in practice and to provide greater flexibility and portability of checks where possible, whilst maintaining safe recruitment practices.

Relevant scrutiny committee to be consulted NO

Exec Board Decision Required YES

Council Decision Required NO

EXECUTIVE BOARD MEMBER PORTFOLIO HOLDER:- Cllr Mair Stephens

Directorate: Chief Executives

Name of Head of Service:

Paul Thomas

Jake Morgan

Report Author: Alison Wood

Designations:

Assistant Chief Executive

Director of Communities

People Services Manager

Tel Nos. 4825/6152

PRThomas@carmarthenshire.gov.uk

AMWood@carmarthenshire.gov.uk

EXECUTIVE SUMMARY
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DISCLOSURE AND BARRING SERVICE (DBS) CHECKS – POLICY

Background

The Council's recruitment process is designed around safe recruitment practice. This is considered a priority and this policy and associated processes are put in place to ensure that any risk associated with employing people to work in schools, with children and/or vulnerable adults is minimised. DBS checks are only one part of the employment checking process and sit alongside references, interviews and "right to work" checks. The Council is a Registered Body with the Disclosure and Barring Service. This provides the Council with the ability to undertake DBS checks for employees who work in "regulated activity" eg schools or with vulnerable children and adults. Checks should only be undertaken where the role works regularly with the above groups, without supervision and there are different checks according to the groups with which the employee, volunteer or worker will be working.

The type of checks available to the Council are set out in paragraph 11 of the draft policy.

The DBS carry out compliance checks to ensure that we are undertaking our responsibilities correctly. The last compliance check was completed in August 2017.

Key Elements of the Policy

This revised policy introduces:

- Greater flexibility and portability of DBS checks for existing employees moving between the same or similar work and which requires the same type of check (paragraphs 17-19);
- Clarification around re-checking requirements for those occupations which require it (see paragraphs 15-16) including clarification that DBS re-checking costs must be paid by the employee;
- Further clarification around checks for School Governors and Elected Members (paragraph 4). (Corporate Safeguarding Group are not recommending a separate policy for checking Elected Members);

Executive Board is asked to consider and endorse the proposed Policy in particular:

- The change in policy in relation to the transferability of current DBS checks for existing staff moving between similar roles;
- The suggested policy in relation to re-checking ie re-checking is undertaken only where it is required by statute or professional registration;
- The suggested policy in relation to Elected members and School Governors;

DETAILED REPORT ATTACHED?

YES

IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Paul R Thomas

Assistant Chief Executive

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	YES	None	YES	YES	NONE

1. Policy, Crime & Disorder and Equalities

Change to existing Policy.

2. Legal

The Policy reflects current legal/statutory requirements.

3. Finance

Currently the Council provides a corporate budget for DBS checks required at recruitment. A separate report will be provided regarding ongoing funding / policy. The Policy provides for Employees/workers to be responsible for the costs of DBS re-checking. If this approach changes for any reason then an appropriate budget will have to be provided.

5. Risk Management Issues

This is a key policy in relation to safeguarding risk management. Failure to adopt the policy could result in removal of Registered Body Status by the DBS.

6. Staffing Implications

The Policy applies to all employees, workers and volunteers working with children, vulnerable adults or in regulated activity and will form part of the People Management Employment Policy library and will be kept under review to ensure it complies with the relevant legislation and guidance.

CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Paul R Thomas

Assistant Chief Executive

- 1. Scrutiny Committee** None
- 2. Local Member(s)** Not applicable
- 3. Community / Town Council** Not applicable
- 4. Relevant Partners** Not applicable
- 5. Staff Side Representatives and other Organisations** Not applicable

Section 100D Local Government Act, 1972 – Access to Information

List of Background Papers used in the preparation of this report:

THERE ARE NONE