

Update on Member Criminal Record Checks

1. Aim

- 1.1 To provide a position statement on uptake of criminal record checks for elected members following a decision by Council in 2016 for all Members to undergo a criminal record check at least every four years.

2. Summary

- 2.1 This report is to present to Standards Committee, for information, an up-to-date situation in relation to Members criminal record checks and the uptake thereof. At the time of writing 29 Members had a valid basic or enhanced criminal record check, two were awaiting the results of their check and the remaining 29 Members did not have a valid check within the last four years.

3. Recommendations

The committee is recommended:

- 3.1 to review the information available;
- 3.2 to comment upon any assistance that could be provided to Members to complete regular criminal record checks;
- 3.3 that a further report be received by the committee in six months' time.

4. Report Detail - Know

- 4.1 As part of a desire to maintain transparency and high standards of behaviour Council agreed at its meeting on 25th May 2016 to ask all Members to undergo criminal record checks at least every 4 years and to make an annual declaration to the Monitoring Officer in the intervening years on any changes to their criminal record. This decision was made following a recommendation of the Standards Committee which had investigated methods to improve accountability and protection of Members as a result of concerns that arose out of multiple national abuse enquiries.
- 4.2 Dependant on their Committee membership Members are asked to either complete a basic disclosure or an enhanced DBS (Disclosure and Barring Service) check. It was agreed by Council that members of a committee or panel or portfolio holders that manage issues relating to children should have further accountability and protection through the enhanced process.

- 4.3 Members are only required to complete these applications every four years. As of 20th January 2023 there are 29 Members who have a valid basic or enhanced criminal record check which has been registered by the Monitoring Officer. Currently 3 Members have submitted their criminal record check applications and are awaiting the results of their check.
- 4.4 In the intervening years Members are also asked to confirm, in the form of an annual declaration, if there have been any changes to their criminal record since their last check was conducted. As of 20th January 2023 there are 9 Members out of a possible 24 who have duly completed this form.
- 4.5 This leaves 31 Members who do not have a valid criminal record check because either they have not completed the process or more than four years have passed since the last time they did. All of these Members were contacted on 29th December 2022 and informed. As mentioned above two of these Members have completed the process and are awaiting their results.
- 4.6 The criminal record check process consists of completing an online form and providing 3 forms of identification from a list of acceptable ID which is circulated to all Members by email when requesting that they complete the check. The identification is to be brought into the Democratic Services Team to be scanned and verified. If it is not provided within 6 months of the online form being completed the form expires and a new form will have to be completed.
- 4.7 Members are requested on a six-monthly basis to take any required action in relation to their criminal record check. The last such emails were sent out on the 29th December 2022, requesting that Members take any relevant action before the 20th January 2023 for inclusion in this report.
- 4.8 If Members require any further assistance with the process Democratic Services Officers can respond to any queries by phone or email or schedule an appointment to complete the online form with the Member.
- 4.9 Once the criminal record check has been successfully completed the certificate is sent to the Member at their home address. This process can take up to 15 working days.

5. Financial information

- 5.1 A single basic disclosure check costs £24.47 and an enhanced disclosure check costs £40.22.

6. Legal implications

- 6.1 The Council is not legally required to undertake criminal record checks of all Members but as stated above doing so provides Members with further

accountability and protection whilst also maintaining transparency and high standards of behaviour.

7. Decide

- 7.1 The committee is asked to review the information available and is invited to comment upon any improvements that could be made to assist Members in completing the process.

8. Respond

- 8.1. The Monitoring Officer and Democratic Services team will continue to request Members complete any required actions in relation to their criminal record checks on a six-monthly basis. The Monitoring Officer will register all criminal record checks received.

9. Review

- 9.1 It is recommended that the committee continues to monitor the status of Members' criminal record checks.

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