

Member Criminal Record Checks

1. Aim

- 1.1 To provide an updated position statement on the uptake of criminal record checks for elected members since its last discussion at Standards Committee on 2nd October 2023.

2. Summary

- 2.1 At the time of writing 55 Members had a valid basic or enhanced criminal record check and the remaining 5 Members had been contacted by Democratic Services to advise what steps they would need to take to complete their check.

3. Recommendations

That:

- 3.1 the information available on the current number of complete DBS checks for Members be noted; and
- 3.2 the Committee receives a further update on the uptake of voluntary DBS checks by elected Members at their meeting in April.

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 because 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 originally 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 On 18th September 2023 Council approved the recommendation made by Standards Committee at their last meeting that members of the Health and Wellbeing Board, the Social Care and Health Overview and Scrutiny Committee and the Portfolio Holders for Adult Social Care, Wellbeing, Leisure and Public Services and the Deputy Leader (Resilient Communities) all undertake an enhanced adult DBS check. Following discussions with the Monitoring Officer and Leader it has subsequently been agreed that the Cabinet will all undertake enhanced DBS checks covering both children's and adult's barred lists. Democratic Services is working with all affected members to update their DBS certificates.
- 4.4 Members are required to complete a DBS check every four years. As of 10th January 2024 there are 55 Members who have a valid basic or enhanced criminal record check which has been registered by the Monitoring Officer. This is an improvement on 50 Members holding a valid criminal record check when this was last discussed at Standards Committee on 2nd October 2023. One further Member has submitted their documents and is awaiting the result of their check.
- 4.5 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 scanned or 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.
- 4.6 The remaining 5 Members 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 have been contacted by Democratic Services and support has been offered to assist them to complete the process.
- 4.7 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. Paperwork has recently been sent to all Members to ask them to complete these and uptake data will be available at the next meeting of the Standards Committee.
- 4.8 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 11th January 2024.
- 4.9 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.
- 4.10 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. It has also been identified as best practice in a recent independent review of the Disclosure and Barring Service commissioned by the Home Office.

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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