

Report to Council

18 March 2025

Subject:	Disclosure and Barring Service (DBS) Checks for Members
Director:	Assistant Director Legal and Assurance and Monitoring Officer – Mike Jones Mike_jones1@sandwell.gov.uk
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1 Recommendations

- 1.1 That the Monitoring Officer and Assistant Director Legal and Assurance be authorised to amend the Disclosure and Barring Service Checks (DBS) for Members Protocol so that the frequency of repeat DBS checks are undertaken on a three-year basis.

2 Reasons for Recommendations

- 2.1 At its meeting on 2 October 2024, the Ethical Standards and Member Development Committee received an update on the progress of obtaining DBS checks for members in accordance with the DBS protocol.
- 2.2 It was noted that undertaking DBS checks on an annual basis was labour intensive for officers due to the significant timescales involved with the DBS process.
- 2.3 As a result, the Committee resolved to recommend to Full Council that the DBS protocol should be amended so that DBS renewals were undertaken every three years; this would also be in line with the Council's DBS protocol for Officers.

3 How does this deliver objectives of the Council Plan?

Growing Up in Sandwell	
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Living in Sandwell	The Council's ethical governance framework and arrangements support the Council toward achieving its strategic objectives and ambition.
Thriving Economy in Sandwell	
Healthy in Sandwell	
One Council One Team	

4 Context and Key Issues

- 4.1 The Ethical Standards and Member Development Committee has oversight of the Council's ethical governance framework, which includes oversight of the implementation of the DBS Protocol for Members.
- 4.2 On 28 March 2023, the Council approved the protocol for DBS checks for members, which requires the following:
- Subject to them meeting the DBS eligibility criteria, enhanced DBS checks for the following members:
 - The Leader
 - Deputy Leader
 - Cabinet for Adults and Childrens
 - All Members of Children's Services and Education Scrutiny Board and Health and Adults Social Care Scrutiny Board
 - Members of the Corporate Parenting Board
 - Members of the Health and Wellbeing Board, and
 - Any other Member who comes into contact with children or vulnerable adults as part of their Council role and meet the frequency of contact set forth in legislation.
 - Basic DBS checks for all other members

4.3 The DBS protocol and accompanying processes have been in place since its approval at Full Council on 28 March 2023, it is important that the implementation and compliance of the protocol is reviewed to ensure that it is meeting objectives.

4.4 At the meeting of the Ethical Standards and Member Development Committee on 2 October 2024, members were minded to approve that the frequency of DBS checks for members should be carried out every three years. Although this was a deviation from the initial protocol, the Council already operated on a three-yearly basis for officers.

5 Alternative Options

5.1 Whilst there is no official guidance on how often a DBS check should be repeated, many organisations, including the Council, undertake renewals every 3 years.

5.2 Consideration could be given to the DBS protocol for members being updated so that checks are undertaken at a different frequency.

6 Implications

Resources:	Significant officer time is undertaken to carry out annual DBS checks for members. There is no fee for the DBS checks.
Legal and Governance:	Section 27 of the Localism Act 2011 requires local authorities to promote and maintain high standards of conduct by members and co-opted members of the authority. DBS checks of members promotes such high standards.
Risk:	There is a risk that not all members will comply with the protocol and there is no statutory requirement for members to undergo DBS checks.
Equality:	There are no direct equality implications arising from this report.
Health and Wellbeing:	There are no direct health and wellbeing implications arising from this report.
Social Value:	There are no direct social value implications arising from this report.
Climate Change:	There are no direct climate change implications arising from this report.
Corporate Parenting:	There are no direct Corporate Parenting implications arising from this report.

7. Appendices

None.

8. Background Papers

Ethical Standards and Member Development Committee – 2 October 2024