

**Community Car Scheme – DBS Checks**

**Background**

1. The Parish Council now has a level of direct responsibility for the Community Car Scheme which up until now has been organised at arms length by the volunteer co-ordinator for the scheme. Gerry Walsh has kindly agreed to take over the role of co-ordinator for the time being. The Scheme has been suspended up to now because of the COVID 19 restrictions, and it is hoped to be able to restart the scheme soon.
2. However, before we can do so it will be necessary to do various checks on the volunteer drivers. Gerry is happy to do the administration regarding medical checks, car insurance etc, which are now due to be carried out for all drivers.
3. Disclosure and Barring Service (DBS) checks also need to be carried out. These have to be requested by a named person on behalf of the “employing” organisation, and that is not a role that can be fulfilled by a volunteer. It has, therefore been agreed that I would undertake the role as Parish Clerk

**CBR Business Solutions**

4. Breckland Council have recommended CBR business solutions as the third party to process our DBS checks. The Parish Council is not a large enough organisation to request these checks direct. They will charge us £15 + vat per application for paper applications. There are home office fees on top which are waived for volunteers.
5. The first step is to enter into a DBS agreement with CBR. A copy of the standard form is attached for information as Appendix A.

**New Policies required**

6. Before CBR can process the agreement and for the Parish Council to become a Registered Body, we are required by the DBS’s Code of Practice to have a written policy on the correct handling and safekeeping of DBS Certificate information. It also obliges Registered Bodies to ensure that a body or individual, on whose behalf they are countersigning applications, has a written policy on the recruitment of ex-offenders.
7. Therefore, I have attached as appendices B and C, policies for both of the above, based on the sample policies provided by CBR.

**Recommendation:**

That the Policies on Handling of DBS Certificate information, and on the recruitment of ex offenders be adopted.

Trevor Wenman  
Parish Clerk



**DBS Agreement**

**Name of Organisation:**

**Postal Address:**

**Postcode:**

**Email:**

**Telephone:**

**Named Person:**

**Position of Named Person:**

**Invoice Email Address:**

1. I hereby declare that the above named organisation, the above named person, and any other necessary and relevant members of staff, who are involved in Disclosures and Disclosure information, will comply with the DBS Code of Practice.
2. I, the above named person, will be responsible for ensuring that any relevant members of staff are fully informed of the procedures for checking applicant's ID and documents and it is our responsibility to verify the identity of the applicant.
3. In the event of withdrawing my services as a named person, I will provide CBR Business Solutions immediately with the name of my replacement and a new signed agreement.
4. We will adhere to our organisation's policies on 'Recruitment of Ex-Offenders' and 'The Secure Storage, Handling, Use, Retention and Disposal of Disclosures and Disclosure Information' (both policies are enclosed), which will be made available to all our applicants where a Disclosure is requested.
5. CBR Business Solutions reserves the right to visit our organisation and withdraw their services as an umbrella organisation or refer us to the DBS should we be in breach of the above.
6. CBR Business Solutions has no responsibility for any decisions made by us on the receipt of a disclosure.

**Signature:**

**Date:**

Please supply some information about the sort of roles you will be checking. For instance, if the activity is 'Receptionist – dental surgery', then the type of check could well be 'Standard, Adult & Child Workforce, No barred lists' and the reason 'NHS setting, non-healthcare role, patient-facing'.

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| <b><u>Activity:</u></b>   |
| <b><u>Type of Check:</u></b> (Level, 'Workforce', Barred List entitlements) |
| <b><u>Legislative Reason for Check:</u></b>                                 |

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| <b><u>Activity:</u></b>   |
| <b><u>Type of Check:</u></b> (Level, 'Workforce', Barred List entitlements) |
| <b><u>Legislative Reason for Check:</u></b>                                 |

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| <b><u>Activity:</u></b>   |
| <b><u>Type of Check:</u></b> (Level, 'Workforce', Barred List entitlements) |
| <b><u>Legislative Reason for Check:</u></b>                                 |

## Handling of DBS Certificate information

**Name of Organisation:** New Buckenham Parish Council

(Referred to as **'the organisation'** throughout this policy)

### **Secure Storage, Handling, Use, Retention & Disposal of Certificates and Certificate information.**

1. It is a requirement of the DBS's Code of Practice that all Registered Bodies must have a written policy on the correct handling and safekeeping of DBS Certificate information. It also obliges Registered Bodies to ensure that a body or individual, on whose behalf they are countersigning applications, has a written policy.

### **General principles**

2. As an organisation using the Disclosure and Barring Service (DBS) service to help assess the suitability of applicants for positions of trust **'the organisation'** complies fully with the DBS Code of Practice regarding the correct handling, use, storage, retention and disposal of Certificates and Certificate information. It also complies fully with its obligations under the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Certificates and Certificate information and has a written policy which is available to those who wish to see it on request.

### **Storage and Access**

3. Certificate information should be kept securely, in lockable, non-portable, storage containers with access strictly controlled and limited to those who are entitled to see it as part of their duties.

### **Handling**

4. In accordance with Section 124 of the Police Act 1997, Certificate information is only passed to those who are authorised to receive it in the course of their duties. We maintain a record of all those whom Certificates or Certificate information has been revealed and it is a criminal offence to pass this information to anyone who is not entitled to see it.

### **Usage**

5. Certificate information is only used for the specific purpose for which it was requested and for which the applicant's full consent has been given.

### **Retention**

6. Once a recruitment (or other relevant) decision has been made, we do not keep Certificate information for any longer than is necessary. This is generally for a period of up to six months, to allow for the consideration and resolution of any disputes or complaints. If, in very exceptional circumstances, it is considered necessary to keep Certificate information for longer than six months, we will consult the DBS about this and will give full consideration to the Data Protection and Human Rights of the individual before doing so. Throughout this time, the usual conditions regarding the safe storage and strictly controlled access will prevail.

## Disposal

7. Once the retention period has elapsed, we will ensure that any Certificate information is immediately destroyed by secure means, i.e. by shredding, pulping or burning. While awaiting destruction, Certificate information will not be kept in any unsecure receptacle (e.g. a waste bin or confidential waste sack). We will not keep any photocopy or other image of the Certificate or any copy or representation on the contents of the certificate. However, notwithstanding the above, we may keep a record of the date of issue of the Certificate requested, the position for which the Certificate was requested, the unique reference number of the Certificates and the details of the recruitment (or other relevant) decision taken.
8. This Policy Statement was formally adopted by New Buckenham Parish Council on 13th April 2021

| <b>Date:</b> | <b>Organisation Name:</b>    | <b>Name:</b>                            | <b>Signature:</b> |
|--------------|------------------------------|---|-------------------|
|              | New Buckenham Parish Council | Trevor Wenman (Clerk<br>to the Council) |                   |

## Policy Statement on the Recruitment of Ex-Offenders

**Name of Organisation:** New Buckenham Parish Council

(Referred to as **'the organisation'** throughout this policy)

It is a requirement of the DBS's Code of Practice that all Registered Bodies must treat DBS applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed. It also obliges Registered Bodies to have a written policy on the recruitment of ex-offenders; a copy of which can be given to Disclosure applicants at the outset of the recruitment (or other relevant) process.

### **Policy Statement**

- As an organisation using the DBS checking service to assess applicants' suitability for positions of trust, **'the organisation'** fully complies with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a DBS check on the basis of a conviction or other information revealed.
- **'The organisation'** is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We have a written policy on the recruitment of ex-offenders, which is made available to all DBS applicants at the outset of the recruitment (or other relevant) process.
- We actively promote equality of opportunity for all applicants with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- A DBS check is only requested after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a DBS check is required, all applications, job advertisements and recruitment briefs will contain a statement that a DBS check will be requested in the event of the individual being offered the position.
- Where a DBS check forms part of the recruitment process, we encourage all applicants called for interview to provide details of their criminal record at an early stage in the application process. We request that this information is sent under separate, confidential cover to a designated person within **'the organisation'** and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process.
- Unless the nature of the position allows **'the organisation'** to ask questions about applicants' entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.
- We ensure that all those in **'the organisation'** who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- We make every subject of a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request.

- We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar applicants from working with **'the organisation'**.

This will depend on the nature of the position and the circumstances behind applicants' offences.

This Policy Statement was adopted by New Buckenham Parish Council on 13<sup>th</sup> April 2021

| <b>Date:</b> | <b>Organisation Name:</b> | <b>Name:</b> | <b>Signature:</b> |
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