

Report to: Cabinet



Date of Meeting 5 February 2025

Document classification: Part A Public Document

Exemption applied: None

Review date for release N /A

Councillor DBS checks and Safeguarding Protocol

Report summary:

To update Members on progress in relation to the introduction of Councillor basic Disclosure Barring Service ("DBS") checks since the Council adopted a Protocol introducing DBS checks for Members on 17 April 2024 .

Is the proposed decision in accordance with:

Budget Yes ☒ No ☐

Policy Framework Yes ☒ No ☐

Recommendation:

That Cabinet note the update.

Reason for recommendation:

The Council has decided as part of its Safeguarding Policy to undertake DBS checks for members. This report ensures that Cabinet are up to date in relation to the progress made in implementing that Protocol

Officer: Melanie Wellman, Monitoring Officer E mail melanie.wellman@eastdevon.gov.uk

Portfolio(s) (check which apply):

- ☐ Climate Action and Emergency Response
- ☐ Coast, Country and Environment
- ☒ Council and Corporate Co-ordination
- ☒ Communications and Democracy
- ☐ Economy
- ☐ Finance and Assets
- ☐ Strategic Planning
- ☐ Sustainable Homes and Communities
- ☐ Culture, Leisure, Sport and Tourism

Equalities impact Low Impact

Climate change Low Impact

Risk: Medium Risk; Adopting a policy to conduct DBS checks for members is a mitigation against safeguarding and other risks occurring.

Links to background information

Link to [Council Plan](#)

Priorities (check which apply)

- ☒ Better homes and communities for all
 - ☐ A greener East Devon
 - ☒ A resilient economy
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Report in full

1. At a meeting on 31 January 2024 the Cabinet approved a new Safeguarding Policy which required Basic Disclosure and Barring (“DBS”) checks for councillors. Council subsequently adopted a Protocol for the carrying out of those checks in April 2024.
 2. In the last nine months, the HR team have supported members in applying for those checks and most Members are now in receipt of a basic DBS which is valid for a period of 3 years. Now that significant progress has been made in ensuring that Members have undertaken their DBS check, it is intended to include a table on the website to reflect that those checks have been completed, to ensure that the Council is open and transparent.
 3. Attached at Appendix A, is a list of all 60 Council members and an indication as to whether they are now in receipt of a basic DBS check paid for by this Council. It is proposed that this same table is added to the website with effect from February 2025. Work will continue with those members who are not yet in receipt of a DBS check to encourage them to complete the process.
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Financial implications:

A budget of £3000 has been approved by Full Council for the carrying out of the DBS checks

Legal implications:

Disclosure Barring Service checks are not legally mandated for Local Authority councillors, however many authorities are, in light of high profile cases, making the decision to undertake at least basic DBS checks. Simon Bailey conducted a review of the Disclosure and Barring Regime in April 2023 concerning the eligibility of local councillors for criminal record checks. The purpose of the review, commissioned by the Home Office, was to provide assurance to Ministers about the effectiveness of the disclosure and barring regime in safeguarding children and vulnerable adults. Part of the review considered the regime with regard to eligibility of local councillors for criminal record checks provided by the Disclosure and Barring Service. With specific reference to local authorities, the review made the following recommendation:

Recommendation 5: Local councillors *I recommend that an enhanced criminal record check is made mandatory for all councillors in Unitary and Upper Tier Authorities who are being considered for appointment to any committee involved in decisions on the provisions of children’s services or services for vulnerable adults. I accept that this would require legislation and therefore some inevitable delay, so I further recommend that these authorities are encouraged to adopt this procedure as best practice pending legislation.*

As this Council is not a Unitary or Upper Tier authority, this recommendation does not apply and since the Council does not carry out social services functions, we cannot legally conduct an enhanced check. There is, however, the ability to invite all members to undergo a basic DBS

check. Whilst this is not mandatory, by including this Protocol in the Constitution, it will mean that failure to comply will result in a member being in potential breach of the Code of Conduct.

It is important to reflect that a basic DBS Certificate is a snapshot in time and is only up to date at the time of issue.

Appendix A

Councillor	DBS Certificate
Cllr Paul Arnott	Yes
Cllr Aurora Bailey	Yes
Cllr Brian Bailey	Yes
Cllr Jessica Bailey	Yes
Cllr Ian Barlow	Yes
Cllr Kevin Blakey	Yes
Cllr Kim Bloxham	Yes
Cllr Violet Bonetta	Yes
Cllr Colin Brown	Yes
Cllr Jenny Brown	Yes
Cllr Alasdair Bruce	Yes
Cllr Christopher Burhop	Yes
Cllr Sarah Chamberlain	Yes
Cllr Maddy Chapman	Yes
Cllr Iain Chubb	Yes
Cllr Bethany Collins	Yes
Cllr Roy Collins	Yes
Cllr Olly Davey	Yes
Cllr Tim Dumper	Yes
Cllr Peter Faithfull	Yes
Cllr Paula Fernley	Yes
Cllr Charlotte Fitzgerald	Yes
Cllr Steve Gazzard	Yes
Cllr Mike Goodman	Yes
Cllr Del Haggarty	Yes
Cllr Anne Hall	Yes
Cllr Matt Hall	Yes
Cllr Marcus Hartnell	Yes
Cllr Sam Hawkins	Yes
Cllr Paul Hayward	Yes
Cllr John Heath	Yes
Cllr Nick Hookway	Yes
Cllr Mike Howe	Yes
Cllr Stuart Hughes	Yes
Cllr Ben Ingham	Yes
Cllr Sarah Jackson	Yes
Cllr Richard Jefferies	Yes
Cllr Vicky Johns	Yes
Cllr Geoff Jung	Yes
Cllr Jamie Kemp	Yes
Cllr Dan Ledger	Yes
Cllr Yehudi Levine	Yes
Cllr John Loudoun	Yes
Cllr Duncan Mackinder	Yes
Cllr Melanie Martin	Yes
Cllr Tony McCollum	Yes
Cllr Cherry Nicholas	Yes
Cllr John O'Leary	Applied for
Cllr Todd Olive	Yes

Cllr Helen Parr	Yes
Cllr Sophie Richards	Applied for (awaiting one document)
Cllr Henry Riddell	Yes
Cllr Marianne Rixson	Yes
Cllr Eleanor Rylance	Yes
Cllr Simon Smith	Yes
Cllr Andrew Toye	Yes
Cllr Susan Westerman	Yes
Cllr Joe Whibley	Yes
Cllr Daniel Wilson	Yes
Cllr Eileen Wragg	Yes