

Desborough Town Council

Disclosure and Barring Services (DBS) Policy

The Criminal Records Bureau (CRB) Disclosure & Barring Service (DBS): The Code of Practice is published under section 122(2) of the Police Act 1997 (“the Act”) in connection with the use of information provided to registered persons (“Disclosure information”) under Part V of the Act.

The Code of Practice is intended to ensure (and to provide assurance to those applying for Standard and Enhanced Disclosures) that the information released will be used fairly. The Code also seeks to ensure that sensitive personal information is handled and stored appropriately and is kept for only as long as necessary. (The Code of Practice can be found on the DBS [website](#)).

Anybody, who receives Standard or Enhanced Disclosure information must abide by the Code of Practice, this includes: Registered Bodies; Umbrella Bodies; and, recruiters and others receiving such information.

Desborough Town Council uses the DBS checking service to help assess the suitability of applicants for positions of trust and complies fully with the CRB/DBS Code of Practice. The Council will require a satisfactory Enhanced Disclosure for any employee who has access or potential access to vulnerable people (children or adults) in an unsupervised manner. This policy defines the Town Clerk’s position as one in this category. Volunteer positions working under the umbrella of the Council will be considered on a case by case basis.

The Code of Practice states that Disclosure information should only be used in the context of a policy on the recruitment of ex-offenders, designed to protect applicants from unfair discrimination on the basis of non-relevant past convictions.

The Council’s Policy Statement on the Recruitment of Ex-Offenders is that:-

- as an organisation assessing applicants’ suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the Council complies fully with the [code of practice](#) and undertakes to treat all applicants for positions fairly;
- the Council undertakes to not discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed;
- the Council can only ask an individual to provide details of convictions and cautions that the Council is legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended);
- the Council can only ask an individual about convictions and cautions that are not protected;
- the Council 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;
- This written policy on the recruitment of ex-offenders, is made available to all DBS applicants at the start of the recruitment process;

- the Council actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcomes applications from a wide range of candidates, including those with criminal records;
- the Council selects all candidates for interview based on their skills, qualifications and experience;
- an application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position;
- the Council ensures that all those in the Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences
- the Council also ensures 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, the Council ensures 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;
- the Council makes every subject of a criminal record check submitted to DBS aware of the existence of the [code of practice](#) and makes a copy available on request;
- the Council undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.