

Request

From my understanding on the 19 at the full council meeting it was discussed that DBS checks will be mandatory for new and serving councillors.

With a warning that the leader expected full support for this.

As of right now there is no legal requirement for councillors to have a DBS.

- 1) I wish to know under what guidelines will you make it mandatory to have one.
- 2) What legal advice you have received on this regarding the legality of it as well as what type of DBS will you be requiring.
- 3) Also noting that Ashfield looked into this and found asking for an enhanced and barring would not be lawful.
- 4) Also with the mandatory DBS being rejected on a national level only last year how can you enforce this.
- 5) Also I would like confirmation that Cllr Molyneux was informed that any breaches the council would be liable thus ratepayers would be on the hook for costs if any breach took place.
- 6) Also can it be confirmed that it was then that a number need to be provided as proof of a basic DBS.
- 7) Also will the council be footing the bill for these DBS what safeguards are to be put in place to stop information if any on the DBS's doesn't get into the public domain or into councillors knowledge.

Response

I have attached a further copy of an email that was sent to you on 28th July that answered your questions. I have also attached a link to the cabinet Agenda for 31st August which includes a report on this issue ;

[Agenda details on public web site](#)

[Redacted]

From: [Redacted]
Sent: 28 July 2023 15:20
To: [Redacted]
Subject: RE: DBS for councillors

Dear [Redacted]

As Interim Monitoring Officer I am responding to your email below. I am afraid that I cannot share with you, as a member of the public, any legal advice that the Council has received as that is classed as privileged to the Council and not disclosable .

I can confirm that existing legislation does not require DBS checks to be undertaken by elected members . This does not prevent it being a voluntary act by elected members and indeed a number of elected members have done this . Political Group Leaders additionally may insist that their group members undertake DBS checks . The Council has through a previous motion written to the Government recognising DBS checks should be mandatory to offer assurance to residents about members calibre

[Redacted]

From: [Redacted]
Sent: Thursday, July 20, 2023 1:57 PM
To: [Redacted]
Subject: DBS for councillors

CAUTION External E-Mail: Take extra care before clicking links, attachments and actioning requests. Think Before you Click

Hello Alison.

From my understanding last night at the full council meeting it was discussed that DBS checks will be mandatory for new and serving councillors.

With a warning that the leader expected full support for this.

As of right now their is no legal requirement for councillors to have a DBS.

I wish to know under what guidelines will you make it mandatory to have one.

What legal advice you have received on this regarding the legality of it as well as what type of DBS will you be requiring.

Also noting that Ashfield looked into this and found asking for a enhanced and barring would not be lawful.

Also with the mandatory DBS being rejected on a national level only last year how can you enforce this.

Also I would like confirmation that Cllr Molyneux was informed that any breaches the council would be liable thus ratepayers would be on the hook for costs if any breach took place.

Also can it be confirmed that it was then that a number need to be provided as proof of a basic DBS.

Also will the council be footing the bill for these DBS what safeguards are to be put in place to stop information if any on the DBS's doesn't get into the public domain or into councillors knowledge.

PS I can make this via a FOI if you need but I'm sure it's better just to pass this info on here.

Kind regards



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