

**Excerpt of the Minutes of the Corporate Overview and Scrutiny Committee
held on 17 September 2015**

14. Review of DBS Checks Policy and Register of Interests Process for Members

The Senior Democratic Services Officer introduced the report which set out the current policy regarding Thurrock's approach to undertaking DBS (Disclosure and Barring Service) checks and maintaining a register of interests for Elected and Co-Opted Members, and explained the new policy that was proposed for introduction, detailed in Appendix 1.

The Committee welcomed the proposal to introduce enhanced DBS checks for all Councillors and any Co-Opted Members who were members of a Committee or Board which discharged an education or social services function.

The Committee were informed that the results of the DBS checks would be carefully managed and a record maintained by the Monitoring Officer, which would also include the date of when a check was requested, a date a response was received and a list of all those to whom the disclosure or disclosure information had been revealed.

Members were advised that it was not possible to disclose the outcome of the DBS check on Councillor's individual web page, even if individual Councillor's wanted to disclose their result voluntarily to the public, as the Council would be in breach of the DBS Code of Conduct and that any breach could result in deregistration, imprisonment or a considerable fine.

Councillor Liddiard asked whether Election Candidates standing for office could be required to undertake a DBS Check before the election, and questioned how Councillors should disclose interests relating to siblings or those of their sons or daughters.

In response the Senior Democratic Services Officer explained that the proposed policy recommended that newly Elected Members complete a DBS check application form on taking up office following an election as part of their induction, which would be assisted by Members Services and the HR team.

Members were advised that having a criminal conviction did not automatically disqualify a person from being eligible to be a Councillor, but this information and the reasons for disqualification were well-documented in the elections guidance process for candidates and agents which all potential candidates should be aware of. The Committee were advised that it would be difficult to require all candidates to undertake a DBS check, which would also have a cost implication for the authority, rather election candidates standing for a political group were subject to an application and selection at group level.

The Senior Democratic Services Officer advised that under the Localism Act Elected Members were required to register any disclosable pecuniary

interests of themselves or a civic partner who they live with, within 28 days of taking up office, and that it was a criminal offence if a Councillor failed to declare such interests to the Monitoring Officer. It was further reported that upon receipt of the completed register of interest form its contents were uploaded to the respective Councillor's webpage online and therefore was available for public view at any time.

The Senior Democratic Services Officer added that any interests relating to siblings or offspring should be declared as part of the pecuniary or non-pecuniary interest process, documented in the Council's constitution, at the start of meetings where appropriate, depending on the relevance of reports and decisions being considered. The Committee were assured that Democratic Services could offer guidance on each particular circumstance should Members require it.

Councillor Hebb felt that political groups should act if they had any concerns regarding the eligibility or suitability of a candidate to stand for election and undertake due diligence before a person was selected to represent that political party.

The Committee were advised that the matter would be referred to the Standards and Audit Committee, as the appropriate decision making body, at its next meeting.

RESOLVED:

- 1. The Standards and Audit Committee are recommended to approve Option 1 below (3.14); that enhanced DBS checks are carried out for all Councillors and any Co-Opted Members who are members of any Committee or Board which discharges education or social services functions in line with the proposed policy detailed at Appendix 1.**
- 2. That the current approach to maintaining and publishing Members Register of Interests be endorsed.**