

**To the Chair and Members of the
AUDIT COMMITTEE**

**COMPLETION OF DISCLOSURE AND BARRING SCHEME (DBS) CHECKS FOR
NEW STARTERS**

EXECUTIVE SUMMARY

1. The purpose of this report is to update members on the process for completion of DBS checks for new starters following concerns highlighted through the audit of recruitment processes undertaken during 2013.

RECOMMENDATIONS

2. It is recommended that Members note the contents of the report and comment as appropriate.

WHAT DOES THIS MEAN FOR THE CITIZENS OF DONCASTER?

3. Completion of all appropriate checks required through the recruitment and selection process ensures that appropriately qualified and experienced people are appointed to undertake roles. Undertaking adequate checking processes minimises the risk of people obtaining posts for which they are unsuitable.

BACKGROUND

4. The Disclosure and Barring Service (DBS) merged the functions previously carried out by the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) and was established under the Protection of Freedoms Act 2012. This service enables organisations to make safer recruitment decisions by identifying candidates who may be unsuitable for certain work, especially posts which involve working closely with children, vulnerable adults or in certain positions of trust such as senior finance and legal posts (posts which are exempt from the Rehabilitation of Offenders Act (ROA)).
5. The purpose of a DBS check is to allow employers to make recruitment decisions in relation to eligible posts, ie, posts which are included in the ROA exceptions order, for example working with vulnerable adults. The DBS searches police records and, in relevant cases, barred list information, and then issues a DBS certificate to the applicant which they can provide to a prospective employer to help them make an informed recruitment decision. Employers should only arrange a DBS check on a successful job applicant. They can withdraw a job offer if the results show anything that would make the applicant unsuitable. There is no legislative requirement to renew a DBS check, however a new check may be required if an individual moves into a

different eligible post with the same employer. An employer can decide to renew checks throughout an individual's employment at agreed intervals (eg every 3 years), however the Council has not adopted such a procedure currently.

6. Following migration from the Council's old payroll system onto the new HR portal during 2012, an audit of recruitment processes was undertaken during 2013. The audit highlighted an issue whereby posts indicated as requiring a DBS check on the HR Portal did not show a check having been completed for the incumbent postholder.
7. Some elements of the recruitment process are undertaken by the HR Service Centre at Rotherham as part of the shared service arrangement for transactional HR functions. While no issues were highlighted by the audit in relation to checks being carried out for new starters, the HR Service Centre were experiencing some difficulties in having to chase recruiting managers to ensure they provided completed recruitment packs in a timely manner. As a result a process was agreed and implemented in June 2014 whereby recruiting managers have a period of 8 weeks during which to obtain and return all relevant documents, including confirmation of a satisfactory DBS check. Previously the employer would receive a copy of the DBS check, changes in this procedure means that this is no longer the case and the check outcome is only returned to the individual. It is therefore down to the manager and individual to communicate over the check and determine a satisfactory (or otherwise) outcome and record it. During the 8 week period the recruiting manager will be sent a number of reminders by the HR Service Centre and if a complete pack of information has not been returned by the end of the 8th week a list of outstanding packs are provided to Doncaster's HR team who then follow up with the relevant managers, escalating to a higher level manager where required. The new process is in its infancy but will be monitored to assess compliance and the level of cases requiring escalation.
8. An issue was highlighted by Audit about the number of existing employees who are recorded on the HR Portal as being in a post which requires a DBS check where there is no indication of whether a check has been completed. Historical data prior to the implementation of the HR Portal was not maintained in a structure that allowed it to be migrated into the portal. A manual exercise will be required to check records for existing staff where there is currently no indication on the HR portal that a check has been completed.
9. An assessment of the work required has concluded that 59% of the 15,600 posts on the HR portal require a DBS check. Of these posts 33% are posts in schools. Most schools keep their own documents and personal files and are not obliged to follow any advice or guidance provided by the Council. The remaining 26% are council posts. There are no significant concerns that DBS checks have not been completed, only that the system does not reflect that they have. Currently only new starters in eligible post have their DBS check recorded on the HR portal.

OPTIONS CONSIDERED

10. The options considered were:

- Do nothing;
- Adopt an appropriate process for new starters to ensure appropriate checks are undertaken;
- Undertake a manual process to check records for existing employees.

REASONS FOR RECOMMENDED OPTION

11. An appropriate process has been agreed and adopted for all new starters to ensure that DBS checks are undertaken where required and escalated to senior managers where there are concerns about compliance. This minimises the likelihood of recruiting people who are unsuitable for eligible roles.
12. A manual process to check either the historical electronic database or the paper personal file will require a significant amount of work. It is estimated that this work would take several months to complete, particularly if undertaken by current staff around existing priorities and workloads and could take in the region of 9-12 months to complete.

IMPACT ON THE COUNCIL'S KEY PRIORITIES

13.

	Priority	Implications
	<p>We will support a strong economy where businesses can locate, grow and employ local people.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Be a strong voice for our veterans</i> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	<p>Recruitment and selection processes adhere to relevant legislation and risks of appointing inappropriate people are minimised.</p>
	<p>We will help people to live safe, healthy, active and independent lives.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	
	<p>We will make Doncaster a better place to live, with cleaner, more sustainable communities.</p>	

	<ul style="list-style-type: none"> • <i>Mayoral Priority: Creating Jobs and Housing</i> • <i>Mayoral Priority: Safeguarding our Communities</i> • <i>Mayoral Priority: Bringing down the cost of living</i> 	
	<p>We will support all families to thrive.</p> <ul style="list-style-type: none"> • <i>Mayoral Priority: Protecting Doncaster's vital services</i> 	
	<p>We will deliver modern value for money services.</p>	
	<p>We will provide strong leadership and governance, working in partnership.</p>	

RISKS AND ASSUMPTIONS

14. There are no significant concerns that DBS checks have not been completed, only that the system does not reflect that they have. Not undergoing a DBS check could result in the appointment of individuals into roles for which they are unsuitable.

LEGAL IMPLICATIONS

15. An employer may request a criminal records check processed through the Disclosure and Barring Service (DBS) as part of its recruitment process.

For certain roles the check will also include information held on the DBS's children and adults barred lists, together with any information held locally by police forces that is reasonably considered to be relevant to the applied for post.

These checks are, for some appointments, a legal obligation where a satisfactory DBS check must be obtained before employment can commence. It is recommended that the Government Guidance that deals with the obtaining of DBS checks is followed.

FINANCIAL IMPLICATIONS

16. There are no financial implications arising specifically from this report which asks members to note its contents and comment. Should any costs arise from this report they would have to be contained within existing HR Strategy budgets.

HUMAN RESOURCES IMPLICATIONS

17. Covered within the body of the report.

EQUALITY IMPLICATIONS

18. There are no specific implications as DBS checks are job specific.

CONSULTATION

19. Consultation has taken place between the HR Service Centre at Rotherham and Doncaster HR to agree appropriate processes and with Doncaster Audit in relation to the original audit and progress.

This report has significant implications in terms of the following:

Procurement		Crime & Disorder	
Human Resources	✓	Human Rights & Equalities	✓
Buildings, Land and Occupiers		Environment & Sustainability	
ICT		Capital Programme	

BACKGROUND PAPERS

20. Audit Report – Recruitment Processes Review, 2013

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