ANDOVER TOWN COUNCIL

Disclosure and Barring Service (DBS) Policy 2026

1. Purpose

Andover Town Council is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults. The Council recognises its responsibility to ensure that appropriate safeguarding measures are in place where its activities involve contact with children or vulnerable adults.

This policy sets out the Council's approach to Disclosure and Barring Service (DBS) checks and clarifies when such checks may be required for employees, volunteers and councillors.

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2. Scope

This policy applies to:

- Employees of Andover Town Council.
- Elected Members (Councillors).
- Volunteers.
- Contractors and agency workers engaged by the Council where appropriate.

The Council will request DBS checks only where it is legally entitled to do so and the role meets the relevant safeguarding and DBS guidance criteria.

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3. Councillors and DBS Checks

Being elected as a Town Councillor does not automatically require a DBS check.

Councillors are elected office holders and will not routinely be subject to DBS checks solely because they hold elected office.

Before election, candidates must confirm that they are qualified to hold office and are not disqualified under local government legislation, they are subject to the qualification and disqualification provisions contained within the Local Government Act 1972 and other relevant legislation.

Councillors are required to ensure that they remain legally qualified to hold office throughout their term and must notify the Proper Officer if they become subject to a statutory disqualification. [electoralc...ion.org.uk], [legislation.gov.uk]

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1.1 (26)	1 July 2026		Policy and Resources	every three years, or sooner if legislation, DBS guidance or Council requirements change.
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Andover Town Council will not routinely require DBS checks for councillors, as councillors must already satisfy the statutory eligibility requirements for election.

A DBS check will only be sought where a Councillor undertakes a separate role or activity for the Council for which there is a legal entitlement to request a DBS certificate.

A DBS check will not usually be required solely because an individual is a councillor, unless they undertake a separate role or activity that meets the relevant legal criteria.

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4. When a DBS Check Is Required

The Council will only request DBS checks where there is a legal entitlement to do so.

A DBS check is not required simply because an employee, volunteer or councillor has contact with children or vulnerable adults. The legal requirement depends upon whether the individual is undertaking regulated activity as defined by safeguarding legislation.

For safeguarding purposes, a DBS check is generally only required where an individual is carrying out regulated activity with children or vulnerable adults. This will typically involve unsupervised activities such as teaching, training, caring for, supervising, advising or otherwise having sole responsibility for children or vulnerable adults.

Examples may include:

- Running activities for children without appropriate supervision.
- Providing one-to-one support or supervision to vulnerable adults.
- Transporting children or vulnerable adults alone as part of Council activities.
- Activities that meet the statutory definition of regulated activity.

DBS checks will not normally be required for Council activities where appropriate supervision is in place and individuals do not have sole or unsupervised responsibility for children or vulnerable adults.

The Council's preferred safeguarding practice is that at least two responsible adults are present during activities involving children or vulnerable adults. However, the presence of two adults is a safeguarding measure rather than a legal exemption. The Council will always consider:

- The nature of the activity.
- The level of supervision.
- Whether any contact is supervised or unsupervised.

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- The frequency and intensity of contact.
- Whether the role falls within the statutory definition of regulated activity.
- Current safeguarding legislation and DBS guidance.

A DBS check will only be sought where there is a legal entitlement to request one and where the role meets the relevant criteria, for example; where an employee, volunteer or councillor undertakes unsupervised activity, provides one-to-one support, has sole responsibility for children or vulnerable adults, or carries out duties that meet the statutory definition of regulated activity.
The Council will, where reasonably practicable, organise activities to ensure appropriate supervision, reduce safeguarding risks, and protect participants and those delivering Council activities.

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5. Determining Whether a DBS Check Is Required

The Town Clerk, having regard to DBS guidance and safeguarding legislation, shall determine whether a DBS check is required and may seek external professional advice where appropriate.

The Town Clerk will consider:

- The nature of the role.
- The level of contact with children or vulnerable adults.
- Whether the activity is supervised or unsupervised.
- Whether the role falls within the legal definition of regulated activity.
- Current DBS guidance and safeguarding legislation.

The Council will not request DBS checks simply as a matter of routine.

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6. Recruitment and Appointment

Where a DBS check is required:

1. The requirement will be identified before recruitment begins.
2. The level of DBS check will be specified in recruitment documentation.
3. Any offer of employment or appointment may be conditional upon receipt of a satisfactory DBS certificate.

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4. The Council may also carry out additional recruitment checks, including references and identity verification.

A criminal record will not automatically prevent an individual from working or volunteering with the Council. Each case will be assessed individually, fairly and proportionately.

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7. Existing Employees, Volunteers and Councillors

The Council may require a DBS check where:

- An individual moves into a role involving regulated activity.
- Safeguarding responsibilities change significantly.
- Legislative requirements change.
- There are safeguarding concerns that justify reviewing suitability, where legally permissible.

Individuals are expected to disclose any matter that may affect their suitability for a role involving safeguarding responsibilities.

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8. Assessing Criminal Record Information

Where criminal record information is revealed, the Council will consider:

- The relevance of the offence to the role.
- The seriousness of the offence.
- The age of the offence.
- The age of the individual at the time of the offence.
- Any pattern of offending behaviour.
- Evidence of rehabilitation.
- The safeguarding risks associated with the role.

Each case will be considered individually, fairly and proportionately.

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9. Storage, Handling and Disposal of DBS Information

The Council will comply with DBS requirements and data protection legislation.

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DBS information will:

- Be treated as confidential.
- Be accessible only to authorised officers.
- Be retained only where necessary.
- Be securely disposed of when no longer required.

The Council will not normally retain copies of DBS certificates beyond the period permitted under DBS guidance.

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10. Data Protection

All DBS-related information will be processed in accordance with:

- UK General Data Protection Regulation (UK GDPR).
- Data Protection Act 2018.

The Council will process all information lawfully, fairly and securely.

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11. Responsibilities

Town Clerk

The Town Clerk is responsible for:

- Determining whether DBS checks are appropriate.
- Maintaining confidential records.
- Ensuring compliance with safeguarding and data protection requirements.

Managers and Activity Leads

Managers and activity leads are responsible for:

- Identifying safeguarding risks.
- Ensuring appropriate supervision arrangements are in place.
- Reporting safeguarding concerns.

Employees, Volunteers and Councillors

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Individuals are responsible for:

- Providing accurate information when requested.
- Complying with safeguarding procedures.
- Reporting any matter that may affect their suitability for safeguarding-related duties.

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12. Related Policies

This policy should be read alongside:

- Safeguarding Policy
- Recruitment and Selection Policy
- Equality and Diversity Policy
- Data Protection Policy
- Volunteer Policy
- Code of Conduct for Councillors

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