Andover Town Council

Item No.

Members are recommended to:

- Note the contents of this report.
- Recognise that the proposed DBS Policy addresses a long-standing gap in the Council's policy framework.
- Acknowledge that DBS checks are not automatically required for councillors, employees or volunteers and should only be undertaken where there is a lawful basis and operational justification.
- Consider the financial benefits of avoiding unnecessary DBS expenditure while maintaining appropriate safeguarding arrangements.
- Recommend adoption of the Disclosure and Barring Service (DBS) Policy to Full Council.

To: Policy and Resources	By: Town Clerk	Date of Report: 15/06/2026

Purpose of the report

The purpose of this report is to present a proposed Disclosure and Barring Service (DBS) Policy for consideration and adoption by the Policy & Resources Committee.

The policy has been developed to provide clarity regarding the circumstances in which DBS checks may lawfully and appropriately be undertaken by Andover Town Council and to ensure a consistent approach to safeguarding, recruitment and volunteer management.

2. Background

The Council currently does not have a standalone DBS Policy.

Whilst safeguarding principles are reflected in existing working practices, the absence of a formal policy has the potential to create uncertainty regarding:

- When DBS checks may be requested.
- Which roles require DBS checks.
- The position of Town Councillors in relation to DBS requirements.
- The Council's legal obligations under safeguarding legislation.
- The appropriate use of public funds in relation to DBS applications.

The introduction of this policy addresses a long-standing gap within the Council's governance framework and brings the Council's arrangements into line with current legislative requirements and recognised good practice.

3. Key Features of the Proposed Policy

The policy clarifies that:

Councillors Are Not Automatically Required to Hold DBS Certificates

Town Councillors are elected office holders and are subject to statutory qualification and disqualification requirements before taking office.

Candidates must confirm they are eligible to serve and are not disqualified under local government legislation.

Certain criminal convictions and other statutory restrictions may prevent an individual from serving as a councillor.

Consequently, a DBS check is not required merely because an individual is elected to office. [electoralc...ion.org.uk], [legislation.gov.uk]

DBS Checks Must Have a Legal Basis

The policy confirms that DBS checks may only be undertaken where there is a legal entitlement to do so.

Contact with children or vulnerable adults does not, of itself, create a requirement for a DBS check. The relevant legal test is whether an individual is undertaking regulated activity as defined within safeguarding legislation.

In most Town Council activities, including civic events, public engagement activities, community events and ceremonial functions, DBS checks are unlikely to be required where suitable supervision arrangements exist and individuals are not exercising sole responsibility for children or vulnerable adults.

Safeguarding Remains Paramount

The policy does not diminish the Council's safeguarding responsibilities.

Instead, it promotes good safeguarding practice through appropriate supervision arrangements and encourages the presence of at least two responsible adults when activities involve children or vulnerable adults.

The policy also makes clear that where an employee, volunteer or councillor undertakes unsupervised regulated activity, the Council will consider the appropriate level of DBS check in accordance with legislation and DBS guidance.

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4. Financial Implications

The proposed policy seeks to ensure that DBS checks are undertaken only where they are required or justified by law and operational need.

Whilst individual DBS checks may represent a relatively modest cost, requiring checks for employees, volunteers or councillors where there is no statutory requirement could result in unnecessary expenditure of public funds and create an ongoing administrative burden for the Council.

The policy therefore supports the principles of:

- Proportionality.
- Value for money.
- Proper stewardship of public funds.
- Compliance with safeguarding legislation.

By identifying clearly when DBS checks are and are not required, the policy helps ensure that Council resources are directed appropriately and that unnecessary costs are avoided.

5. Options Available to Members

Option 1 – Approve the Policy

Approve the proposed DBS Policy as presented.

This option provides the Council with a clear, legally informed framework which reflects current legislation, safeguarding requirements and good governance principles.

Option 2 – Amend the Policy

Members may choose to amend aspects of the policy before recommending adoption.

Option 3 – Require DBS Checks Beyond Legal Requirements

Members may wish officers to investigate whether a wider programme of DBS checking could lawfully be implemented and what costs and implications would arise.

Should Members be minded to pursue this approach, officers would need to investigate:

- Whether the proposed checks are legally permissible.
- The level of checks that could lawfully be requested.
- The anticipated financial implications.
- Administrative and operational impacts.

A separate report detailing the associated costs and practical implications would then be presented to Full Council for consideration and approval before any such scheme could be implemented.

6. Recommendation

Members are recommended to:

1. Note the contents of this report.
2. Recognise that the proposed DBS Policy addresses a long-standing gap in the Council's policy framework.
3. Acknowledge that DBS checks are not automatically required for councillors, employees or volunteers and should only be undertaken where there is a lawful basis and operational justification.
4. Consider the financial benefits of avoiding unnecessary DBS expenditure while maintaining appropriate safeguarding arrangements.
5. Recommend adoption of the Disclosure and Barring Service (DBS) Policy to Full Council.

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