

St Mellion Parish Council

Policy on Criminal Record Checks for Parish Councillors

Approved: 12.1.16

1. Background

1.1 On 21.7.15, Cornwall Council resolved to undertake basic criminal record checks (CRCs) on all Members and co-opted persons, and enhanced Disclosure and Barring Service (DBS) checks (without a barred list check) on Members who sit on the Cabinet (because the Cabinet discharges education and social care functions). In addition, and as part of the National Minimum Standards for Fostering and Adoption, Cornwall Council undertakes enhanced CRCs on all members of associated panels.

1.2 In September 2015, Cornwall Council's HR Safeguarding Team published the following guidance: "Town and Parish Councils will be mindful of the public trust that is placed in their Councillors by virtue of their membership of their Councils and you are therefore urged to consider whether criminal checks should be undertaken on your Councillors."

1.3 This matter was discussed at the St Mellion Parish Council meeting of 8.12.15 and it was agreed that a policy be drafted for Councillor consideration and subsequent approval.

2. Criminal Record Check Requirements

2.1 St Mellion Parish Council requires all its Councillors, whether elected or co-opted, to undertake a basic CRC.

2.2 Where Councillors hold CRCs in a separate capacity (e.g. in their employment, as a school governor, as a counsellor, etc.) this will be accepted by the Parish Council as long as (a) the Councillor agrees to provide the original CRC certificate for verification; and (b) the check was completed within the preceding ten years.

2.3 For those Councillors to whom 2.2 does not apply, a basic CRC will be run via Cornwall Council and at the expense of the Parish Council.

2.4 For newly elected or co-opted Councillors, the basic CRC check must be undertaken within 28 days of their signing the declaration of acceptance.

2.5 Any check (whether under 2.2 or 2.3) will be considered as expired if it not renewed within ten years.

3. Cost of Criminal Record Checks

3.1 As at September 2015, Cornwall Council's fees for running CRCs are as follows.

Initial set-up fee £40 (+VAT)

Basic check £25 (no VAT) per Councillor

Admin fee £10 (+VAT) per Councillor

3.2 A budget for CRCs will be agreed at time of setting the annual precept (i.e. during December for approval in January).

3.3 In an election year, the budget for precept will contain a reserve fund for CRCs for no less than six (i.e. all) Councillors.

4. Application of the Criminal Record Check

4.1 Where a CRC reveals information of concern, particularly in relation to the Parish Council's Code of Conduct, advice will be sought from Cornwall Council.

4.2 Details from CRC certificates will be held on electronic file only, will be treated as confidential, and governed by the Parish Council's approved Publications Scheme and Document Retentions Policy.

4.3 Any hard or soft copies of original CRC certificates will be destroyed after six months, as per recommended practice under the Data Protection Act (personal information).