



Cyngor Castell-nedd Port Talbot
Neath Port Talbot Council

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Cabinet Board

13th November 2024

Report of Head of Engineering and Transport - David W. Griffiths.

Matter for Decision.

Wards Affected: All Wards

1. Report Title:

Disclosure and Barring Services (DBS) Policy and Procedures for Home to School and Social Services Transport Providers.

2. Purpose of the Report:

To seek Members approval to introduce the Disclosure and Barring Services (DBS) Policy and Procedures for Home to School and Social Service Transport Providers.

3. Executive Summary:

The Learner Travel Wales Measure requires all Drivers and Passenger Assistants employed by contractors operating Council home to school and social services passenger transport contracts must undergo a pre-employment vetting process when checking the

people to ensure they are suitable and do not pose a risk. An enhanced Disclosure and Barring Services (DBS) check every three years is one method of assessing their suitability for positions of trust.

The Passenger Transport Unit currently use the criteria set out in the taxi licencing policy in assessing the suitability of contractor staff however a more specific policy along with guidance for applicants is necessary that best meets the requirements of home to school and social services transport provision which guides the contractor and their employees through the DBS application process.

4. Background:

The Protection of Freedoms Act 2012 sets out the pre-employment vetting processes that must be followed by local authorities when checking the records of people who want to work with vulnerable groups, this includes children, to ensure they are suitable and do not pose a risk.

The DBS helps the Council make safer recruitment decisions and prevent unsuitable people from working with children and vulnerable groups, through its criminal record checking and barring functions.

The checking service allows the Council to access the criminal record history of people working or seeking to work with children or adults. The DBS issues three types of disclosure, each representing a different level of check. The level of check is determined by the duties of the particular position or job involved. Jobs that involve caring for, supervising or being in sole charge of children or adults require an enhanced DBS check.

All passenger transport providers and their employees that work on Council home to school and social services passenger transport contracts undergo an enhanced DBS check every three years as one method of assessing their suitability for positions of trust.

The Passenger Transport Unit currently utilises the taxi licencing policy when determining the suitability of the transport staff however it will no longer be suitable to use the taxi licencing policy due to the introduction of a different criteria for taxi drivers who have regular contact with vulnerable children and adults, referred to as “contract work.” In addition to taxi drivers there are also Coach Drivers and Passenger Assistants employed on home to school and social service transport contracts and hence alternative suitability checks are required.

There are no changes to the strict offences criteria that are already in place and considered as part of every application. The Rehabilitation of Offenders Act 1974 (Exceptions) (Amendment) Order 2002, allows the Authority to consider all convictions recorded against an applicant, whether spent or not. Therefore, the Authority will have regard to all relevant convictions, particularly where there is a long history of offending or a recent pattern of repeat offending.

Introducing the Policy and Procedures aims to provide a concise and clear guidance for transport providers to follow from initial application through to acceptance to work on Council transport contracts.

The proposal to introduce this policy and procedures document in both English and Welsh, will have no negative impact on any other services within the Council. Only positive impact in ensuring a more robust DBS check procedure is in place and a more structured process for transport providers to follow.

5. Financial Impacts:

There are no financial implications by introducing the DBS Policy and Procedures document.

6. Integrated Impact Assessment:

A first stage impact assessment has been undertaken to assist the Council in discharging its legislative duties (under the Equality Act 2010, the Welsh Language Standards (No.1) Regulations 2015, the Well-being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016. The first stage assessment has indicated that a more in-depth assessment is not required. A summary is included below.'

After completing the assessment, it has been determined that this proposal does not require a full (second stage) Impact Assessment. The introduction of the DBS Policy and Procedures will be a positive contribution to meeting current and future service needs. This is an internal admin process which will have a positive impact on our contractors and the passengers that we aim to protect.

7. Valleys Communities Impacts:

There are no implications on the Valley Communities associated with this report.

8. Workforce Impacts:

There are no negative implications to the workforce by introducing the DBS Policy and Procedures.

9. Legal Impacts:

There are no legal impacts other than those identified in the substantive section of this report.

10. Risk Management Impacts:

There are no risks associated with implementing the proposed Policy and Procedures, the practicalities of which are already in place. This is an operational enhancement to current practices.

11. Consultation:

There is no requirement for external consultation on this item. This is an operational policy and procedures document and does not affect the public.

12. Scrutiny Observations:

This item was not subject to scrutiny.

13. Recommendations:

It is recommended that having due regard to the integrated impact screening assessment that:

Members approve the introduction of the Disclosure and Barring Services (DBS) Policy and Procedures for Home to School and Social Service Transport Providers.

Delegate authority to the Head of Engineering and Transport and Passenger Transport Manager to assess the suitability of home to school and social services transport providers and their staff prior to working on Council Passenger transport contracts via the DBS Policy and Procedures Document as set out within Appendix A.

14. Reasons for Proposed Decision:

Introducing the Policy will assist the Council in making safer recruitment decisions and prevent unsuitable people from working

with children and vulnerable groups, through the Disclosure and Barring Service's criminal record checking and barring functions.

15. Implementation of Decision:

The decision is proposed for implementation after the three day call in period.

16. Appendices:

Appendix A Disclosure and Barring Services (DBS) Policy and Procedures for Home to School and Social Services Transport Providers.

17. List of Background Papers:

First Stage Impact Assessment: Disclosure and Barring Service.

Taxi Licensing Policy.

18. Officer Contact:

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