

Appendix B

Disclosure & Barring Service (DBS) Application Process

As part of the application process, the council will undertake a check of your criminal record. A failure to declare a conviction, caution or pending police action on your application form will be taken into account and may have a significant impact on how your application will be determined, or whether your licence will continue.

The Hackney Carriage / Private Hire application pack includes a Disclosure & Barring Service (DBS) Application form (this is a white and pink form). It will also include a DBS "Applicants Guide" booklet. The booklet will help you fill in the DBS application form and to provide the correct documents for identification. The DBS also have a "code of practice" a copy of this document is available on the DBS website <https://www.gov.uk/government/organisations/disclosure-and-barring-service> or on request from RMBC.

Complete the DBS application form accurately and in **BLACK** pen. If you fill it in in another colour the Licensing Assistant acting on behalf of the DBS will have to reject it and will pass it back and ask for a new form to be completed. Any missing information or errors on your form will mean the DBS will reject the form and you will have to do another one and pay the fee again.

You should bring this form back to the Licensing Office with the correct fee and all documents required to prove your identity. You must bring this form back in person. If you post it, the form cannot be accepted. **DO NOT POST THIS FORM DIRECTLY TO THE DBS.**

Where information is contained on documents or required on forms e.g. last name, first name, address(es) then this information must be identical on all the forms and all the documents that you supply. (So your surname, first & second name(s) must be the same on your hackney carriage / private hire driver licence application and your DBS Application, passport and DVLA Licence.)

You will have to complete the DBS Application when you make your first application for a hackney carriage/private hire driver licence and then every time you renew your licence.

If your licence lapses you will have to start the whole application process again which will mean doing another DBS record check.

Once the council has received your DBS application form, and verified the documentation that you have provided, it will submit the form to the DBS for processing. You are able to track your application online via the DBS website (address above).

Once the DBS have completed all relevant checks, they will send you your Enhanced Disclosure Certificate in the post. The council will not be provided with a copy of the certificate by the DBS.

Once you have received your certificate from the DBS you must provide it to the council so that it can be reviewed and considered as part of the application process. The council will use the information contained within your Disclosure Certificate (along with other information) to assess whether you are a fit and proper person to hold a driver licence, it will do this with reference to council's "Policy relating to the relevance of previous convictions and other relevant information".

Your application will not progress until the council has received the Enhanced Disclosure Certificate for you.

The Disclosure & Barring Service (DBS) has asked the Licensing Section to include a copy of the authority's statement of policy for the recruitment of ex-offenders, this policy statement is below for you to read. However it is important that you should understand that the Licensing Section does NOT employ or recruit any person for the purposes of becoming licensed to driver hackney carriage and/or private hire vehicles.

RMBC Policy Statement on the Recruitment of ex-Offenders

- As an organisation using the Disclosure & Barring Service (DBS) service to assess applicants' suitability for positions of trust, Rotherham Metropolitan Borough Council complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a disclosure on the Basis of conviction or other information revealed.
- Rotherham Metropolitan Borough Council is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.
- We actively promote equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. We select all candidates for interview based on their skills, qualifications and experience.
- A Disclosure is only requested after a risk assessment has indicated that one is both proportionate and relevant to the post concerned. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a disclosure will be requested in the event of the individual being offered the position.
- Where a Disclosure is part of the recruitment process, we require all applicants called for interview to provide details of their criminal record at an early stage in the application process.
- Unless the nature of the position allows Rotherham Metropolitan Borough Council to ask questions about your entire criminal record we only ask about "unspent" convictions as defined in the Rehabilitation of Offenders Act 1974.
- We ensure that all those in Rotherham Metropolitan Borough Council who are involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences. We also ensure that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders e.g. the Rehabilitation of Offenders Act 1974
- At Interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position sought could lead to withdrawal of an offer of employment
- We make every subject of a DBS Disclosure aware of the existence of the DBS Code of Practice and a copy is available on request.
- We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily bar you from being licensed by us. This will depend on the nature of the position, the nature of the offence, how long ago and what age you were when it was committed and any factors which may be relevant.

Failure to declare a conviction, caution or pending police action, will be taken into account and may have a significant impact on how your application will be determined, or whether your licence will continue.