

Our Contact: Licensing Team
Direct Dial: 01684 272271
E-Mail: licensing@tewkesbury.gov.uk
Our Ref:

11th September 2018

Dear Sir/Madam,

Safeguarding Disclosure and Barring Service Check (DBS check)

I am writing to you as a licensed street trader within Tewkesbury borough, to seek your views on a proposed change to the Council's Street Trading Policy.

The Council is considering adding a requirement to the Policy that all street traders be required to undertake an **Enhanced Disclosure and Barring Service check** as a condition of being issued with a street trading licence.

Background

The Council has a safeguarding responsibility to protect children and vulnerable individuals from harm. As a part of this, the Council continually reviews its policies and procedures in order to ensure that this responsibility is reflected in all the services that it provides.

One of the services that the Council provides is a licensing function, which includes the licensing of street traders. It is already a requirement that taxi drivers undertake an enhanced DBS check prior to being licensed as a taxi driver. The Council are now considering whether to include this requirement as part of the street trading policy and would welcome your comments.

What is Safeguarding?

The term safeguarding is used to define actions taken to protect vulnerable groups from harm. Groups include children and vulnerable adults. The term harm includes ill treatment and neglect, where ill treatment includes non-physical treatment such as exploitation. Further information on safeguarding can be found at:

<https://www.gov.uk/government/publications/safeguarding-children-and-young-people/safeguarding-children-and-young-people>

What is a Disclosure and Barring Service?

The Disclosure and Barring Service is a public body whose responsibility is to assist employers make safer recruitment decisions by carrying out background checks on individuals who work with children and vulnerable individuals. Further details about the Disclosure and Barring Service and the checks they carry out, can be found at:

<https://www.gov.uk/government/organisations/disclosure-and-barring-service/about>

What is a DBS Check?

A DBS check provides details of convictions and conditional cautions that are considered to be unspent under the terms of the Rehabilitation of Offenders Act (ROA) 1974. The applicant receives a Certificate setting out what information is listed for that individual. This information is used by employers to assess the suitability of an individual for a particular role.

What is an Enhanced DBS Check?

The enhanced check is generally applied to those working with vulnerable individuals or children. In addition to the information contained on the standard DBS document, it may also include spent convictions, other non-conviction advice (such as warnings and reprimands) and whether the individual is barred from working with certain groups of people.

Prior to any decision being made and a formal consultation process taking place, I would welcome your initial thoughts on the potential inclusion in the Street Trading Policy of the requirement for an Enhanced DBS check to be undertaken prior to a Street Trading License being granted.

Any comments you may have can be forwarded to the Council by the following means:

By E-mail: Licensing@tewkesbury.gov.uk

By Post: Licensing, Tewkesbury Borough Council, Gloucester Road, Tewkesbury
Gloucestershire, GL20 5TT

If you need any further information, please contact the number at the top of this letter.

I would appreciate your comments by the **2nd of October 2018**.

Regards

Environmental Health Manager