Bolsover, Chesterfield and North East Derbyshire District Councils'

Internal Audit Consortium

Internal Audit Report

Authority:	**Bolsover District Council**
Subject:	**Disclosure and Barring Service (DBS) Checks**
Date of Issue:	**6th May 2026**
Assurance Level	**Limited Assurance**
Report Distribution:	**HR and Payroll Manager, Strategic Director Legal, Governance and Monitoring Officer, Strategic Director of Services, Director of Finance & S151 Officer, Chief Executive.**

Introduction

In accordance with the 2026/27 annual audit plan a review of the processes and controls in respect of DBS Checks has been undertaken. DBS checks were identified as an area for review in 2026/27 due to the Limited Assurance opinion provided in respect of the weakness of procedures in place identified during the Lifeline Scheme audit in August 2025.

The Council has a responsibility to safeguard the welfare of individuals using its services and a statutory duty of care towards vulnerable members of the community under the Safeguarding Vulnerable Groups Act 2006, as amended by the Protection of Freedoms Act 2012 and the Rehabilitation of Offenders Act 1974 (as amended in 2013). This duty must also be fulfilled in compliance with other relevant legislation, including the Data Protection Act 2018, the Human Rights Act 1998, and the General Data Protection Regulation (GDPR).

The DBS checks are part of fulfilling safeguarding responsibilities. DBS checks are required for individuals working with vulnerable groups (children or adults), in healthcare, leisure, education, or sensitive roles like finance and law. They are mandatory for specific jobs to ensure suitability, often requiring an enhanced check for positions involving direct, unsupervised care.

Internal audit work and reporting has been carried out in line with the requirements of the Global Internal Audit Standards in the UK Public Sector.

Executive Summary

Assurance Opinion	
Limited Assurance	Certain important controls are either not in place or not operating effectively. There is a risk that the system may not achieve its objectives. Some key risks were not well managed.

Appendices

For a full list of Assurance definitions linked to risk see Appendix 1. For definitions of High, Medium and Low risk recommendations see Appendix 2. For definitions of Root Cause Analysis see Appendix 3. For the Management Action Plan see Appendix 4.

Summary of Key Findings
Except for DBS renewals important controls are in place and are operating effectively. Fundamental control weaknesses were identified in respect of the DBS renewal process. 6 casual leisure employees and a leisure supervisor had out of date DBS checks.1 employee who joined leisure in July 2025 has still not provided a DBS check to the Council. 1 High Risk recommendation has been made. Reasons for renewals not taking place include, failing to subscribe to the update service and bank details having changed so the renewal application is rejected as payment cannot be taken. It should be noted that since the last audit, HR has implemented a clear role-by-role DBS register within the HR system, automated weekly reporting and a reminder and escalation process to service managers. Each week, reports are run centrally, employees are reminded

in advance of expiry, managers are notified where renewal does not take place, and escalation occurs where there is no response.

Although the front end of the process is now working well, there is still a failure in the renewal process at service manager level.

Scope, Objectives and Risks

1 Key objectives and risks were identified with management during the scoping of the audit and by review of the strategic and relevant operational risk register. The processes and controls in place have been assessed to provide assurance that risks are being managed effectively. If risks are not well managed, then the achievement of services objective/s may be threatened.

2 The risks considered are: -

- Failure to identify required renewal checks where employee changes bank details.
- Data security having regard to significant paper-based element in processing checks.
- Securing a replacement Umbrella DBS provider following termination by North East Derbyshire District Council

3 These risks have been considered within all areas of audit testing, as noted within the scope and objectives below. Recommendations mitigating these risks have been made within the relevant sections of this report.

4 The scope and objectives of the audit were to ensure that: -

- Previous recommendations have been implemented
- Arrangements are in place to ensure that DBS checks are undertaken for posts where required.
- Arrangements are in place to ensure that DBS checks are undertaken for new posts and starters.
- There is a system in place to ensure that DBS checks that require renewal are identified and renewed before the expiry of the current check.
- Data protection and storage security arrangements are in place.

Acknowledgements

5 The help and assistance of the HR and Payroll Manager and HR Business Partner was much appreciated during the review.

Effective Governance / Risk / Control Arrangements in Place

6 The following areas were identified as operating effectively: -

- The recruitment policy outlines clear recruitment procedures, including the requirement to determine the appropriate level of DBS check needed for each post.

- DBS check requirements for new starters are clearly defined in the DBS policy (the DBS policy is out of date (2019) however a new policy is out for consultation with the trade unions and then will go on to Council for approval).
- An up-to-date record of each role and its corresponding level of security clearance (i.e., basic or enhanced DBS) is maintained within CHRIS21, the HR system.
- A replacement for North East Derbyshire District Council as the Umbrella Provider for DBS Update Service has been secured.
- DBS storage arrangements are in place for the secure recording, storage, and retention of DBS information including the paper-based elements.

Matters Arising and Recommendations

DBS Renewals

7 All employees requiring an enhanced DBS check were examined to ensure that timely renewals were taking place, testing revealed: -

- One employee who joined Leisure in July 2025 without a DBS and had not signed up for DBS update service as required by the DBS policy. In this instance the service area agreed with HR to engage the employee subject to supervision and management whilst the DBS was obtained and subscription to the update service took place. Despite a first reminder in August 2025 and subsequent reminders from HR to service area managers, it is still not clear whether the employee has a valid DBS check or has signed up to the update service. At the time DBS certificates were sent to the employee’s home address. This employee may now have a valid DBS but has failed to provide it. In view of this, it has been decided that in future, no employee will be allowed to start until a valid DBS is obtained and a subscription to the update service is in place.
- One employee was using the manual submission as they could not sign up for the update service.
- Ten postholders (8 Casual Workers in Leisure, a Supervisor in Leisure and a Scheme Manager in Housing) did not have in date DBS checks in place. This can be attributed to various reasons including the change of banking details by employees (if bank details have changed the renewal application will be rejected as payment cannot be taken).
- On the 18th February 2026, BDC were notified by North East Derbyshire District Council that they would no longer be able to provide DBS umbrella services, with immediate effect. This created an unavoidable gap while an alternative provider was sourced and implemented. Two of the expired DBS checks referenced below are directly attributable to this abrupt termination.
- Analysis of the cause was undertaken with findings as follows.

1 Casual Worker in Leisure	Employee is on extended leave and not expected to return for another 12 months.

	Check will be established on return to work - satisfactory.
1 Casual Worker in Leisure	DBS expired in March 2026. Delay unavoidable due to sourcing a replacement Umbrella DBS provider following termination by North East Derbyshire District Council.
6 Casual Workers in Leisure	Failure in the update service. Reason not clear but most likely to be non-payment for update service. Service Management have been reminded by HR on multiple occasions and asked to intervene, but no action is evident DBS expiry time from a reference point of 31 March 2026 is: Less than 30 days 1 120-150 days 2 240-270 days 1 300-330 days 1 Greater than 330 days 1
Supervisor in Leisure	The DBS expired in December 2024. Appears to have failed to pay for the DBS update service. Service Management have been reminded by HR and asked to intervene, but no action is evident.
Scheme Manager in Housing	DBS expired in January 2026. Delay unavoidable due to sourcing a replacement Umbrella DBS provider following termination by North East Derbyshire District Council.

8 HR are taking all reasonable action to ensure that renewals take place on a timely basis but rely upon service managers to take action when a DBS has expired and an employee has not taken the steps necessary to facilitate renewal including but not limited to failing to subscribe to the update service.

Recommendation	
R1	Out of date DBS checks and employees not subscribed to the update service must be escalated to the relevant Director for immediate appropriate action now and moving forward. **Risk: High**
Root Cause	**Process and procedures-:** the extent to which established processes are operating effectively and are supported by defined procedures.

Appendix 1

Assurance Level	Internal Audit Definition	Risk Register Link
Substantial Assurance	There is a sound system of controls in place, designed to achieve the system objectives. Controls are being consistently applied and risks well managed.	Minor / negligible impact
Reasonable Assurance	The majority of controls are in place and operating effectively, although some control improvements are required. The system should achieve its objectives. Risks are generally well managed.	Minor / moderate
Limited Assurance	Certain important controls are either not in place or not operating effectively. There is a risk that the system may not achieve its objectives. Some key risks were not well managed.	Moderate / Severe Impact
Inadequate Assurance	There are fundamental control weaknesses, leaving the system/service open to material errors or abuse and exposes the Council to significant risk. There is little assurance of achieving the desired objectives.	Catastrophic Impact

Appendix 2

Indicative Definitions of High Medium and Low Recommendations

<table>
<tr><th>Risk</th><th>Definition</th></tr>
<tr><td>High</td><td>Risks that can have a catastrophic / severe impact on the operation of the Council or service - Must take action to mitigate or terminate if not possible to do so: -

Death, extensive injury, major permanent harm
Unable to function without government or other agency intervention
Significant impact on service objectives
Inability to fulfil obligations
Short to medium term impairment to service capability
Adverse national publicity, highly damaging, loss of public confidence
Major adverse local publicity
High risk of fraud being able to occur e.g., key internal controls are not operating or are missing
Direct link to a strategic risk occurring
A serious breach of legislation/ legal requirements leading to substantial financial penalties or severe breach of data protection (report to ICO)
Substantial loss or damage to Council assets/or information
</td></tr>
<tr><td>Medium</td><td>Risks which have a noticeable impact on the service provided, will cause a degree of disruption to service provision / impinge on the budget - Check current controls and consider if others are required: -

Medical treatment required, semi-permanent harm up to 1 year
Short term disruption to service capability
Significant financial loss
Some adverse publicity, needs careful public relations
Isolated personal details compromised
Risk of fraud being able to occur
Direct link to identified operational risks occurring
A serious breach of organisational policies and procedures
A breach of legislation / legal requirements leading to a moderate financial impact
Loss or damage to Council assets, information
Previously agreed medium internal audit recommendations remain outstanding
</td></tr>
</table>

Low	Risks where the impact and any associated losses will be minor • First Aid treatment, non- permanent harm up to 1 month, no obvious harm or injury • Minor / negligible impact on service objectives • Financial loss that can be accommodated at service level / minimal • Some public embarrassment, no damage to reputation, unlikely to cause any adverse publicity / internal only • Minimal risk of fraud • No direct link to operational or strategic risks • A minor breach of organisations policies and procedures • A minor breach of Legislation / legal requirements • Low risk of loss or damage to Council assets

Appendix 3

ROOT CAUSE ANALYSIS DEFINITIONS

Resources, Competencies and Training

Definition: the extent to which the service has sufficient resources and competent (trained, experienced or qualified) staff, enabling it to carry out all aspects of its operational duties efficiently and effectively.

Examples: functions that have been carried out by a now non-existent post(s) have fallen through the gaps; services have only enough resources to carry out key aspects of operational delivery, meaning some lower priority tasks are not executed, lack of or ineffective training, poor recruitment; poor training materials / guidance.

ICT Systems

Definition: the extent to which ICT systems are fit-for-purpose and support the service to carry out its operations effectively.

Examples: system capabilities are ineffective, resulting in discrepancies or workarounds to get the required outcome, system processes are circumvented or duplicated manually. Processes are carried out manually where ICT system processes would be more efficient.

Governance, Accountability, Standards and Policies

Definition: the extent to which the service is governed by a clear structure that sets out the roles and responsibilities of officers, and the service is supported by appropriate policy, strategy, risk management and control systems.

Examples: lack of assigned responsibility and accountability; failure to act / ignorance; intentional misleading by management to protect themselves; underqualified / trained Board members, no policy / procedure to follow, policy / strategy out of date and / or not reviewed regularly.

Process & Procedures

Definition: the extent to which established processes are operating effectively and are supported by defined procedures.

Examples: failure to follow set procedures (take care re materiality/proportionality); lack of separation of duties; controls being bypassed.

Assurance & Monitoring

Definition: the extent to which internal and/or external checking controls exist to monitor the effectiveness of, and provide assurance to, the service.

Examples: unclear responsibility; not identifying and/or taking action on recurring problems; checking the wrong things; under-sampling.

Human Error

Definition: relating to people and their actions, error caused by stress, fatigue, carelessness, communication breakdown, accidental, forgetfulness.

Examples: Spreadsheet formulas are wrong, figures transposed / typed in wrong, data taken from or entered in the wrong fields.

Appendix 4

Management Action Plan

Report Title:	Disclosure and Barring Service (DBS) Checks	Report Date: 6th May 2026
		Response Due By Date: 28th May 2026

	Findings and Risk identified	Recommendations	Risk (High, Medium, Low)	Agreed	To be Implemented By:		Comments
					Officer	Date	
R1	Testing undertaken revealed that not all employees had a current DBS check in place. **Risk** Failure to ensure that employees hold valid and in-date DBS checks exposes the Council to a significant safeguarding risk. Individuals without the appropriate level of clearance may undertake regulated activity, potentially placing vulnerable service users at risk of harm and	Out of date DBS checks and employees not subscribed to the update service must be escalated to the relevant Director for immediate appropriate action now and moving forward.	**High**	Y	Oliver Fishburn	Immediate	We are strengthening the way the policy is applied in practice. This includes making explicit within communications and management instructions that failure to maintain a valid DBS will result in immediate suspension from regulated duties and that such non-compliance will be managed through the disciplinary framework where

	Findings and Risk identified	Recommendations	Risk (High, Medium, Low)	Agreed	To be Implemented By:		Comments
					Officer	Date	
	resulting in legal, financial, and reputational consequences for the Council.						appropriate. This approach strengthens enforcement, removes reliance on informal local discretion, and directly addresses the root cause identified by the audit.

Please tick the appropriate response (✓) and give comments for all recommendations not agreed.

Signed Head of Service:		Date:	

Note: In respect of any High Risk recommendations please forward evidence of their implementation to the Internal Audit team as soon as possible.