



THE CHURCH  
OF ENGLAND

# Practice Guidance: Safer Recruitment

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## **Preface**

The Safer Recruitment practice guidance 2015 replaced the original joint guidance produced in June 2013 with the Methodist Church. It retained, at the beginning, a revised joint statement with the Methodist Church on safer recruitment. This update replaces and the Safer Recruitment Practice Guidance 2015

Safer recruitment practice is an essential part of the Church of England's approach to safeguarding. This policy and guidance sets out safer recruitment practices for people working or volunteering with children and adults. The guidance addresses two key areas – the recruitment process and criminal record checks (DBS). The guidance outlines who should undertake a criminal record check in accordance with their role with the Church of England and provides helpful templates for use within parishes, dioceses, cathedrals and other church organisations.

The House of Bishops commends this policy and practice guidance for use by parishes, dioceses, cathedrals and the National Church Institutions. Where relevant, it should also be applied to other Church of England Settings, for example religious communities and theological colleges. Failure to implement and adhere to this policy and guidance may invalidate your insurance.

I hope you find this useful in your practice.

Yours in Christ's fellowship,

+ *Paul*

**Bishop Paul Butler**  
Bishop of Durham

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## **Church of England and Methodist Joint Policy on Safer Recruitment**

### **Joint Policy Statement on Safer Recruitment**

The Church of England and Methodist Church are committed to the safeguarding and protection of all children, young people and adults, and the care and nurture of children within our church communities. We will carefully select, train and support all those with any responsibility within the Church, in line with Safer Recruitment principles.

This means that we will:

- Ensure that our recruitment and selection processes are inclusive, fair, consistent and transparent.
- Take all reasonable steps to prevent those who might harm children or adults from taking up, in our Churches, positions of respect, responsibility or authority where they are trusted by others.
- Adhere to safer recruitment legislation, guidance and standards, responding positively to changing understandings of good safer recruitment practice.
- Produce and disseminate practice guidance on safer recruitment for both Churches, ensuring that such practice guidance is compatible, and keep it updated.
- Always seek advice from human resources personnel to achieve best possible practice.
- Ensure training on safer recruitment practice guidance.
- Introduce systems for monitoring adherence to the Churches' safer recruitment practice guidance and review them regularly.

April 2015

+ *Paul*

*Liz*

**Bishop Paul Butler**

Bishop of Durham

Joint chairs of the joint safeguarding group

**Revd Dr Liz Smith**

Chair Leeds District

*“The danger is that too much reliance will be placed on CRB [now DBS] checks. There is a concern that many abusers do not have convictions and no intelligence is held about them. Therefore the selection and recruitment process if properly conducted is an important indeed essential safeguard”*

(The Richard Inquiry Report 2004)

## 1. Introduction

- 1.1. This guidance sets out safer recruitment practices for all Church Officers<sup>1</sup> working or volunteering in a Church of England setting with children and young people and adults experiencing, or at risk of abuse or neglect<sup>2</sup>. It replaces and updates the Safer Recruitment Practice Guidance 2015.
- 1.2. At a national level it is the House of Bishops which approves policy and practice guidance where it is judged that the Church of England should have common practice across the parishes, dioceses, cathedrals, religious communities and other church organisations e.g. National Church Institutions, theological training institutions.
- 1.3. This guidance must be followed for the appointment of all Church Officers for example members of the clergy authorised to officiate, churchwardens, licensed readers, lay workers<sup>3</sup>, youth workers and parochial church councils. The Church of England is a complex organisation with many different roles, paid as well as voluntary. As such, appointment processes may vary; nevertheless the principles and practice detailed in this guidance should, wherever possible, be made to apply to all positions in the Church of England. For the appointment of clergy it should be used in conjunction with the [Guidelines on Parochial appointments](#) 2015.
- 1.4. The Ecclesiastical Insurance Group has made it clear that their insurance cover is only valid where national safeguarding policy and practice guidance is being followed. In addition the Safeguarding and Clergy Discipline Measure 2016, once brought into force later in 2016, will require all clergy authorised to officiate; other relevant Church Officers (e.g. churchwardens) and parochial church councils to have ‘due regard’ to safeguarding policy and practice guidance issued by the House of Bishops. A duty to have ‘due regard’ to guidance means that the person under the duty is not free to disregard it but is required to follow such guidance unless there are cogent reasons for not doing so.
- 1.5. The guidance addresses two main areas the recruitment process and criminal records checks. The appendices offer model forms for use in parishes and other church organisations. It must not be forgotten that only a tiny percentage of adults who abuse get

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<sup>1</sup> A “Church Officer” is anyone appointed by or on behalf of the Church to a post or role, whether they are ordained or lay, paid or unpaid

<sup>2</sup> A child is a person under 18 years of age. An adult is a person aged 18 or over. The Care and Support Statutory Guidance issued under the Care Act 2014 (14.2) by the Department of Health replaces the previously used term ‘vulnerable adult’ with ‘adults experiencing, or at risk of abuse or neglect’. However the term vulnerable adult is retained by the Disclosure and Barring Service (DBS) in its Guide to eligibility for DBS checks and by the Church of England in its Safeguarding and Clergy Discipline Measure 2016. Section 6 of that Measure defines a ‘vulnerable adult’ as a person aged 18 or over whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability or illness, old age, emotional fragility or distress, or otherwise; and for that purpose, the reference to being impaired is to being temporarily or indefinitely impaired.

<sup>3</sup> Lay worker – E7 and E8 of the Church of England Canons deal with lay workers. Lay workers can be licensed to carry out various duties as set out in Canon E7. Such duties could include, for example, leading public worship; exercising pastoral care; evangelising and instructing people in the Christian faith and preparing them to receive the sacrament.

caught and still fewer are convicted, so organisations must never rely solely on a criminal record check. Criminal record checks, although crucial, remain only one element of safeguarding and the safer recruitment process.

- 1.6. Please note that this guidance does not address the additional requirements of those working in schools, nor does it address the additional requirements of those working in childcare settings which are registered with Ofsted<sup>4</sup>, and where the childcare disqualification requirements<sup>5</sup> apply. (Ofsted and the government provide separate guidance in these situations). It does not address settings where Care Quality Commission (CQC)<sup>6</sup> requires registration e.g. where personal care, nursing care and specialist health and personal care services are provided.

#### Where to find this Practice Guidance

- 1.7. It will be distributed via email to all dioceses, cathedrals etc. The most up to date version of the policy will always be available on the Church of England website [National Policy and Practice Guidance](#). News of updates will be included in Safer newsletter, circulated by the National Safeguarding Team on a quarterly basis. Relevant information will be updated online, where the policy and associated practice guidance can be downloaded easily for local use, so that it is not necessary to supply large quantities of printed papers, which can become out of date all too quickly. Please note that the aim will be to move to a full electronic manual in 2017.

#### Reviewing the Practice Guidance

- 1.8. This guidance will be updated annually and fully revised every three years, or sooner if changes in the local or national safeguarding agenda require significant amendments to be made. As part of the update process information will be collected about what works well, and what could be improved.

In the meantime, where minor improvements and updates to the policy are needed the online version of the policy will be kept updated. Please note that measures are in place throughout the development of Safeguarding Policy and Practice Guidance (SGPPG) to ensure that errors are avoided as far as possible. However, on rare occasions errors may be found after publication of the SGPPG. These errors may not always warrant changes to the SGPPG, in which case they will be logged for consideration when the SGPPG is reviewed for updating. If an error is found, the National Policy Working Group has agreed the process that the National Safeguarding Team (NST) will use to determine whether changes are necessary. For further information please contact the NST.

## 2. The recruitment process

- 2.1. **Finding and recruiting** the right people to work with children and adults experiencing, or at risk of abuse or neglect can be difficult. What follows is a safer recruitment checklist to help make sure that dioceses and parishes recruit / appoint safely the most appropriate people as employees or volunteers. It is a criminal offence for an individual who is barred from working with vulnerable groups to apply for a regulated activity role<sup>7</sup> and it is a

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<sup>4</sup> [When to register with Ofsted](#)

<sup>5</sup> Disqualification under the [Childcare Act 2006](#)

<sup>6</sup> [When to register with CQC](#)

<sup>7</sup> Church roles that are in regulated activity are referred to in Appendix 8. Always check with the Diocesan Safeguarding Adviser.

criminal offence for an organisation to appoint a barred<sup>8</sup> person to a regulated activity role.

- 2.2. **Be clear about who is responsible for appointments.** While there will always be local variations, responsibility for appointing clergy and licensed or approved lay ministers normally rests with the Bishop. Responsibility for paid posts, in the diocesan office, is usually with the Diocesan Secretary. In cathedrals the responsibility for appointments is governed by the Cathedrals Measure 1999 and/or the constitution of the relevant cathedral. In the case of religious communities because they are independent charities appointments will be governed by their constitutions. In local Churches the responsibility for appointments and approval of paid officers and volunteers rests with the PCC.

In each case it is important that each of these bodies is clear about who is responsible for the recruitment process. Responsibility can be delegated but it is important that the person to whom it is delegated is capable, competent and trained in safer recruitment and is also able to keep personal matters confidential. You must seek advice if it is unclear who has the responsibility for appointments.

- 2.3. **Have a policy statement on the recruitment of ex-offenders.** Applicants for paid and volunteer positions must be clear about how they will be treated if they are ex-offenders. The Disclosure and Barring Service (DBS) has published a sample policy statement on the recruitment of ex-offenders<sup>9</sup>.
- 2.4. **Ensure that there are safeguarding policies in place.** The Church of England has a range of national safeguarding policies<sup>10</sup>. The joint statement of safeguarding principles, which appears in all national safeguarding policies must be used in the recruitment process to ensure the applicant is aware of the safeguarding approach of the Church of England. Have a clear job description or role, which sets out what tasks the applicant will do and what skills are required. The job description or job role will also say whether it is eligible for and requires a criminal records check, and if so the level of the check (See Section 1) If it is a paid role this must be a formal job description / person specification. If it is a voluntary role, a simple job role may be used. A model template for a volunteer is shown at Appendix 2.
- 2.5. **Job description or role and Criminal Record Checks** - In broad summary, it is the policy of the Church of England that all those who work regularly with children and / or adults experiencing, or at risk of abuse or neglect, including those on a rota, must have, where appropriate, an enhanced criminal record check (with / without a check of the barred list, as appropriate). In addition, those who work only occasionally with vulnerable groups will also be asked to apply for enhanced checks, provided they are eligible. Those who manage or supervise those who work with vulnerable groups and those in a leadership capacity who carry responsibility for safeguarding, will also be required to obtain enhanced check, provided they are eligible. For more details please refer to the table at Appendix 7 and 8.
- 2.6. **Application form / references**\_ An application form will always be necessary in a paid role to assess the person's suitability for the role. An application form will also be good practice when recruiting for a voluntary role. A model template application form for a volunteer can be found at Appendix 3. Always ask for and take up references. Ask referees specifically about an individual's suitability to work with vulnerable people. Ensure that you carefully examine application forms and references and make sure that the

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<sup>8</sup> There are two barring lists held by the DBS. One holds details of those barred from working with children and the other holds details of those barred from working with vulnerable adults.

<sup>9</sup> [DBS sample policy on the recruitment of ex-offenders](#)

<sup>10</sup> [National Policy and Practice Guidance](#)

information that has been provided is consistent and the organisation is provided with a satisfactory explanation for any discrepancies and / or any gaps in an applicant's personal history and / or career. If anything is unclear in the reference, contact the referee to clarify the position. A model template reference request letter for volunteers can be found at Appendix 4.

- 2.7. **The Confidential Declaration.** At the start of the process, where an individual is going to work or volunteer with vulnerable people, ask him / her to complete a 'Confidential Declaration' which, in broad summary, asks if there is any reason why he / she should not be working with children and adults experiencing, or at risk of abuse or neglect. It can also help to identify any issues that might need resolving at an early stage. Having a criminal record may not necessarily be a bar to working with children or adults experiencing, or at risk of abuse or neglect. The Diocesan Safeguarding Adviser is there to provide advice to the person responsible for the appointment and must be contacted if an applicant discloses any information in the Confidential Declaration. A copy of the Confidential Declaration is to be found at Appendix 5. Should the applicant not wish to complete the Confidential Declaration, which is entirely his / her choice, the application must not proceed further and must be terminated.
- 2.8. **Interview / discussion.** Have a face-to-face interview or discussion with pre-planned and clear questions to assess a person's suitability for a role. Check the Confidential Declaration and the references. In paid roles (and sometimes in volunteering roles) the candidate's identity will need to be checked by asking him / her to bring photographic ID as well as evidence of his / her relevant qualifications. Include questions about an applicant's values, attitude to working with children and adults experiencing, or at risk of abuse or neglect and motives for wanting to engage in such work. Always ask if he / she knows of any reason why he / she should not be working with children or adults experiencing, or at risk of abuse or neglect or if there are any pending cases / issues which could affect him / her or his / her ability to carry out the role. If the applicant discloses any matter during the interview that relates to children and / or adults experiencing, or at risk of abuse or neglect and which may affect the applicant's suitability for the role, then this must be referred to the Diocesan Safeguarding Adviser for advice. A model interview / discussion template for volunteers can be found at Appendix 6.
- 2.9. **Asking for a Criminal Record Check.** If the person / chair of the interview panel conducting the interview / discussion is minded to recommend approval then the applicant must be asked to carry out an appropriate criminal record check. A list of roles, which are eligible for, enhanced criminal record checks are outlined in Appendix 8. Special arrangements apply to overseas applicants, (see paragraph 2.10 below). Provided they are eligible, an enhanced criminal record check must always be required in relation to people sent abroad to work with vulnerable groups (children or adults experiencing, or at risk of abuse or neglect) as part of the UK recruitment process. Should the applicant not wish to apply for a criminal record check, which is entirely his / her choice, the application must **not** proceed further and must be terminated.
- 2.10. **Overseas applicants.** If a candidate/applicant etc. for a position that is eligible for a DBS check is coming from overseas who, either has never lived in the UK or spent a period of time (i.e. lived abroad), the person making the appointment should request an additional check and ask the applicant to obtain criminality information (also known as a certificate of good conduct/character) from his/her relevant embassy/high commission (or police force). This means that in addition to the DBS check, the candidate/applicant must seek this additional check to cover the time he/she spent abroad. (Further advice can be found on the Home Office website).<sup>11</sup>

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<sup>11</sup> [Home Office advice on overseas applicants.](#)

If such information is not available from the embassy/high commission etc. or if there are concerns about the reliability of the information provided, the person(s) making the appointment should take extra care when taking up references and checking any previous employment record. In such cases, additional references should be sought and at least one reference from a previous employer should be contacted by telephone as well as by letter.

- 2.11. **Approval.** The decision to appoint to voluntary or paid work must be made only by those who have that responsibility, (see paragraph 2.2 above). The start date or appointment must **not** be confirmed until the relevant criminal record check is received and examined. While local practice may vary, most criminal record checks are received and examined by the criminal records (i.e. DBS) administrator. Criminal record checks that are not clear (i.e. which contain information of, for instance, criminal convictions or cautions or additional information such as arrests) must always be referred to the Diocesan Safeguarding Adviser for advice – see 4.4 below. All paid posts will receive a letter of appointment. It is also good practice for volunteers to receive a letter of appointment, which can set out both an organisation's commitment to its volunteers and what it hopes from its volunteers. A model template can be found at Appendix 9. Included with the appointment letter should be a copy of the "Statement of Safeguarding Principles" (see Appendix 10) and a copy of the "What to do if..." guidance (see Appendix 11).
- 2.12. **Induction.** Employees or volunteers whose roles involve working with children and adults experiencing, or at risk of abuse or neglect must receive relevant safeguarding training from the Diocese after starting their role, regardless of previous experience. They must also attend regular updates every three years.
- 2.13. **Probationary / settling in Period.** It is good practice to have a period of probation, (for instance, 6 months) for any paid role or a settling in period for volunteers when the volunteer and the organisation can see whether the volunteer is suited to the particular role. During these periods relevant training can be planned and support can be arranged. In addition, regular meetings with the supervisor can be organised to discuss any issues etc. that arise. For paid roles, at the end of the probationary period a person must be confirmed in his / her role in writing.
- 2.14. **Supervision and regular review.** All paid posts will be subject to management, supervision and appraisal. For all volunteer posts, working with children and adults experiencing, or at risk of abuse or neglect, it is good practice to ensure regular supervision and conduct a review regularly, as the role requires, (e.g. annually) so that volunteers feel supported and issues can be discussed and/or resolved.

### 3. Criminal Record Checks

#### 3.1. Who is eligible?

There are four types of criminal record checks:

- **Basic** – This checks for unspent criminal conviction information only. This is currently obtained from Disclosure Scotland;
- **Standard** - This checks for spent and unspent convictions, cautions, reprimands and final warnings. This is obtained from the DBS.
- **Enhanced** - This includes the same as the standard check plus any additional information held by local police that's reasonably considered relevant to the role being applied for. This is obtained from the DBS; and
- **Enhanced with barred list checks** -this is like the enhanced check, but includes a check of the DBS barred lists. This is also obtained from the DBS.

Good safeguarding practice requires those who work closely with children and / or adults experiencing, or at risk of abuse or neglect to have an enhanced criminal record check.

The eligibility criteria for enhanced criminal record checks is complicated but put simply one can ask “are you over 16 and does the role include activities that allow regular/ substantial contact with children or adults experiencing, or at risk of abuse or neglect?” If the answer is “Yes” then you may be eligible for an enhanced criminal record check.

Details as regards eligibility for enhanced criminal record checks, as set out in the legislation, can be found in Appendix 7. Information on how this relates to Church roles can be found in Appendix 8. Those in self-help groups or family and friends arrangements are not eligible for an enhanced criminal record check.

3.2. **What does it cost?** Criminal record checks are free to volunteers but there is a cost for those in employment or those training for a role where they could be paid e.g. **all** clergy. The DBS update service<sup>12</sup>, which ensures that DBS checks are up to date attracts an additional annual fee, (see paragraph 5). Dioceses have their own arrangements for paying for criminal record checks.

3.3. **3.3 How long do criminal record checks last in the Church context?** The House of Bishops has decided that criminal record checks must be renewed every five years. (Should there ever be a delay in obtaining the criminal record check, the person is **not** approved by the Church to act and must stand down pending completion of the process).

#### 4. Criminal Record Checks outcome

4.1. **Only a single paper disclosure certificate is sent to the applicant as** individuals have ownership over their own information. They can choose when they want to share and with whom. Employing and volunteering organisations will not receive a copy of the certificate unless the application is in the update service and certain conditions apply.<sup>13</sup> They will need to ask to see the applicant’s copy if this is required. In terms of copying the certificate and retaining copies of certificates, the DBS has stated that where an applicant provides a copy of his / her DBS certificate to the employing or volunteering organisation they must comply with its obligations under the Data Protection Act 1998<sup>14</sup>.

4.2. **The electronic criminal records system.** Some dioceses subscribe to a variety of electronic service providers which allow applicants to apply on-line and for the church to receive the results back electronically. The electronic service is efficient and usually obtains the results in days rather than weeks. It electronically informs the organisation if the disclosure is clear or if the certificate needs to be seen, (i.e. it contains information – for instance, conviction information). (Subscribing to an electronic DBS service is a matter of choice for each diocese as there is an additional cost involved). With the electronic system the DBS / criminal records administrator will know when a certificate is clear and can inform the person responsible for the appointment. In such circumstances the

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<sup>12</sup> References in this guidance to the “update service” are to the DBS update service only because that will be the most relevant service for safeguarding purposes.

<sup>13</sup> <https://www.gov.uk/db-update-service>

<sup>14</sup> Under the Fifth Principle contained in the Data Protection Act 1998, it is essential to show that personal data are being held for a reason, i.e. processed for a purpose. If a sufficient reason cannot be shown, then the Fifth Principle imposes an obligation to get rid of the data. Thus, whilst it is possible for the applicant to provide a copy of his/her certificate to a registered body, the registered body must be able to justify its retention of such data and once the purpose of the processing has been exhausted, it must dispose of the certificate. Therefore, it may be possible to retain a copy of a DBS certificate for longer than 6 months but you would have to be able to justify why you are doing so, (just in case it might be useful at some point in the future would not be sufficient justification).

certificate does not need to be seen. If a criminal record disclosure is not clear (e.g. it reveals a conviction for a criminal offence or other relevant information) see paragraph 4.4 below.

4.3. **The paper criminal records system.** In dioceses or other church organisations which use a paper system the DBS online tracking response will advise when a certificate has been issued. How best to proceed after it is known that the certificate has been issued will be a matter of local determination. Indeed, what might work in an urban setting may not work in a rural one where the structures and arrangements are different. By way of example, what follows is an outline suggestion. The criminal record administrator, or someone else, locally determined, could ask the person responsible for the appointment to contact the applicant to see if the certificate can be seen and to confirm to the criminal record administrator that it is clear so that the application can proceed or if the disclosure is not clear see 4.4 below.

4.4. **If a criminal record disclosure is not clear**, the applicant will be asked to present the original disclosure to the person responsible for the appointment. A copy may also be requested but please note a copy must not be requested in substitute for the original, the original disclosure **must** always be seen. The disclosure must be cross-referenced with the Confidential Declaration (paragraph 2.8) to see if there are any discrepancies. The disclosure will be passed to the Diocesan Safeguarding Adviser for a risk assessment. The Diocesan Safeguarding Adviser is qualified to identify and assess the relevance and circumstances of offences and the risk. If the issues are complex he or she will ask for assistance from the Local Safeguarding Children or Adults Safeguarding Board. In very complex cases the advice of an independent specialist may be required. The Diocesan Safeguarding Adviser will make a recommendation concerning the suitability of the applicant to the person responsible for the appointment in line with the diocese's local arrangements. Should the applicant not wish the confidential declaration and / or the criminal record disclosure to be seen, which is entirely his / her choice, the application must **not** proceed further and must be terminated.

## 5. The DBS on line update service (for full details see [DBS update service](#))

5.1. For an annual subscription applicants can have their criminal record certificate kept up-to-date and take it with them from role to role. (However, if the certificate relates to work with children and an individual's role changes to working with adults experiencing, or at risk of abuse or neglect, or vice versa, then a new criminal record application must be made as the basis on which the original certificate was issued has changed.) To apply for the update service an applicant must apply within 19 days of the criminal record certificate being issued. Apply at the [DBS update service](#). The DBS update service is very useful to those who have multiple roles where a criminal record certificate is required.

5.2. The DBS update service can be very useful for organisations to check someone's criminal record certificate status online and receive a result straight away. There is no registration process or fee for organisations to check a certificate online, but organisations must:

- Be legally entitled to carry out a check, (e.g.. the role must be eligible for an enhanced/standard (as appropriate) criminal record check); and
- Have the individual's permission.

5.3. Applying for the annual update services, which carries with it a number of benefits for the individual and the organisation, is a matter of individual choice for the applicant and a matter of local financial determination by the diocese or other church organisation

## 6. DBS Portability

- 6.1. Portability is the term employed for using a criminal record check obtained in one role, for a new role.
- 6.2. **Portability within the Church of England.** Anyone applying for a new role in a Church of England organisation within the diocese where he/she currently works or applying for a new role in the cathedral where he/she currently works does not require a second criminal record check (i.e. his/her current check will be portable), provided the result of the criminal record check has been seen, does not need renewing (see 3.3) and the new role is: -
- With the same “workforce” (i.e. either working with children or working with adults experiencing or at risk of abuse or neglect); and
  - Eligible for the same/lower level of criminal record check as the previous role.
- 6.3. **When will portability not apply within the Church of England?** Portability will not apply and a new criminal record check will **always** be required where:
- A person moving into a role in the Church of England from an external organisation e.g. a volunteer with Scope (the disability charity) wants to volunteer in a church or a youth worker, working in a local authority, applies for a role in the Church; or
  - An individual is seeking ordination, reader or lay ministry training; or
  - A person moves to a new job or role in a new diocese or cathedral; or
  - A person moves roles to work with a different workforce. For example from working with children to working with adults experiencing, or at risk of abuse or neglect and vice versa ;or
  - The level of check required changes to a higher level (e.g. in his / her new role a person is eligible for an enhanced plus barred list check; but in his / her previous role he /she was only eligible for an enhanced check without a check of the barred list).

## 7. Referral to the Disclosure and Barring Service<sup>15</sup>

- 7.1. The Safeguarding Vulnerable Groups Act 2006 (SVGA) places a duty on organisations where people work or volunteer with children or vulnerable adults in regulated activity<sup>16</sup> to make a referral to the DBS in certain circumstances to protect vulnerable people from harm. This is when an organisation has dismissed or removed a person from working / volunteering with children or vulnerable adults in regulated activity (or would or may have removed such a person if the person had not left or resigned etc.) because the person has:
- Been cautioned or convicted of a relevant offence (e.g. a serious sexual or violent offence); or
  - Engaged in relevant conduct in relation to children and / or vulnerable adults, (i.e. an action or inaction (neglect) that has harmed a child or vulnerable adult or put them at risk of harm as defined under the SVGA); or
  - Satisfied the harm test in relation to children and / or vulnerable adults, (i.e. there has been no relevant conduct (i.e. no action or inaction) but a risk of harm to a child or vulnerable adult still exists as defined under the SVGA).

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<sup>15</sup> Please note, the term “vulnerable adult(s)” is still employed in the Safeguarding Vulnerable Groups Act 2006 in relation to the provisions which govern referrals to the DBS for barring.

<sup>16</sup> See Table at paragraph 8 – Column A

7.2. Detail about how to refer can be obtained from the DBS<sup>17</sup> and advice must always be obtained from the Diocesan Safeguarding Adviser.

## APPENDIX 1

### 1. Safer Recruiting in the parish - executive summary and models of good practice

- 1.1. These Appendices summarise the steps to safer recruiting for parishes and PCCs and contain models of good practice to support safer recruiting in the Church of England.
- 1.2. An executive summary is provided here to make the link between the models of good practice and the main guidance.
- 1.3. Finding and recruiting the right people to work with children and adults experiencing, or at risk of abuse or neglect can be difficult. What follows is a safer recruitment checklist to help make sure that dioceses and parishes recruit / appoint appropriate people as employees or volunteers. It is a criminal offence for an individual, who is barred from working with vulnerable people (children and adults experiencing, or at risk of abuse or neglect), to apply for a regulated activity role and it is a criminal offence for an organisation to appoint a barred person to a regulated activity role. A DBS check is the **end** of the process when the appointer / appointing body is minded to appoint. A DBS check **is not the start** of the process and should not be the only check of suitability.

### 2. The steps to Safer Recruiting: an executive summary

1.	<b>Be clear about who is responsible for appointments.</b> In local Churches this rests with the PCC. Responsibility can be delegated but the person must have been safely recruited him / herself, be capable and competent in recruitment and be able to keep personal matters confidential.
2.	<b>Have a policy statement on the recruitment of ex-offenders.</b> Applicants must be clear about how they will be treated if they are ex-offenders. The DBS has published a sample policy statement on the recruitment of ex-offenders <sup>18</sup> .
3.	<b>Ensure that there are safeguarding policies in place.</b> The parish must have adopted the House of Bishops' safeguarding policies <sup>19</sup> .
4.	<b>Have a clear job description or role</b> which sets out what tasks the applicant will do. A model template is shown at Appendix 2.
5.	<b>Application form / references.</b> A model template application form can be found at Appendix 3. Always ask for and take up references. Ask referees specifically about an individual's suitability to work with vulnerable people. Ensure that you carefully examine application forms and references and make sure that the information that has been provided is consistent and the organisation has a satisfactory explanation from the applicant in relation to any discrepancies and any gaps in the applicant's personal history and/or career. A model template reference request letter can be found at Appendix 4.
6.	<b>The Confidential Declaration.</b> Asks if there is any reason why an applicant should

<sup>17</sup> [Referral to DBS](#)

<sup>18</sup> [DBS sample policy on the recruitment of ex-offenders](#)

<sup>19</sup> [House of Bishop's Safeguarding Policies](#)

	not be working with children and adults experiencing, or at risk of abuse or neglect. The Diocesan Safeguarding Adviser is there to give advice and must be contacted if an applicant discloses any information in his / her Confidential Declaration. A copy of the Confidential Declaration is to be found at Appendix 5.
7.	<b>Interview / discussion. Have a face-to-face interview or discussion with pre-planned and clear questions to assess a person's suitability for a role.</b> Check the Confidential Declaration and the references. A model interview / discussion template can be found at Appendix 6. Questions must assess the values, motives, behaviours and attitudes of those applying for roles, which work with vulnerable groups. If the person / chair of the interview panel conducting the interview / discussion is minded to recommend approval then the applicant must be asked to complete an appropriate criminal record check, if eligible (see Appendix 7&8). Special arrangements apply to overseas applicants, (see section 2.10). An enhanced criminal record check must <b>always</b> be required in relation to people sent abroad to work with vulnerable people (children or adults experiencing, or at risk of abuse or neglect) as part of the UK recruitment process.
8.	<b>Approval.</b> The decision to appoint to voluntary or paid work must be made by those who have the responsibility for appointments, (see 1 above). A model letter of appointment template can be found at Appendix 9
9.	It is good practice to <b>induct</b> a new volunteer, ensure supervision and support is in place and conduct a <b>review regularly</b> as the role requires.

## APPENDIX 2

### Model Job Role

This is a simple model role outline template for a volunteer which can be used, amended or substituted by a local model as required.

### Name of Church

#### **Volunteer Worker (Children and /or adults experiencing, or at risk of abuse or neglect)**

The Church takes the safety of everyone within the church very seriously and expects that everyone will work within the church safeguarding policy. In particular, the Church expects anyone who becomes aware of a safeguarding risk or of actual abuse, to immediately report it.

### Principles

Workers with children and/or adults experiencing, or at risk of abuse or neglect must have a commitment to:

- Treat individuals with respect;
- Recognise and respect their abilities and potential for development;
- Promote their rights to make their own decisions and choices, unless it is unsafe;
- Ensure their welfare and safety;
- The promotion of social justice, social responsibility and respect for others; and
- Confidentiality, never passing on personal information, except to the person to whom you are responsible, unless there are safeguarding issues of concern (e.g. allegations of abuse). Safeguarding issues of concern must **always** be reported to the Police or Social Care services and Diocesan Safeguarding Adviser.

### **Responsible to (named contact for support and resolution of any difficulties):**

The Priest (or his / her named representative) and through them to the PCC.

### **Key responsibilities and accountabilities:**

- To work with vulnerable people (children and adults experiencing, or at risk of abuse or neglect ) in a way that meets and develops their personal, spiritual and social needs, exercising active pastoral concern.
- To represent the needs and views of vulnerable people to the PCC or, where appropriate, enable them to do this for themselves.
- To maintain a link with parents and carers.
- To work in accordance with the church's policy on safeguarding.
- To undertake any other work that has been agreed and is seen to be appropriate.

### **As a volunteer you can expect that we will do our best to ensure that:**

- We provide a supportive, inclusive and positive environment that ensures you enjoy your volunteering and that you are treated with respect and courtesy and provided with training.

### **Person specification**

1. Able to demonstrate an ability to work with people who are /may be vulnerable; and
2. A willingness to develop their skills and training

As a volunteer working regularly with people who are/may be vulnerable, this post may be eligible for a criminal record check which will be renewed at least every five years.

This letter is binding in honour only; it is not intended to create a legally binding contract between us and it may be cancelled at any time at the discretion of either party. Neither of us intend any employment relationship to be created either now or at any time in the future.

-----  
This can be supplemented by reference to specific roles e.g. Crèche Assistant (supervising babies and toddlers in a separate room during Sunday services), Sunday School Teacher (teaching children away from the main service), Pastoral Assistant (who visits people with special needs who cannot get to church.) Children or Youth Worker (running activities on church premises). Outreach Worker (working with vulnerable people away from the church setting).



## APPENDIX 4

### Reference form

This is a simple model reference form template for a volunteer which can be used, amended or substituted by a local model as required.

### Name of Church

Name and address of referee:	Name and address of Priest or their nominee requesting a reference:
Date	

Dear

### **REQUEST FOR REFERENCE FOR A VOLUNTARY WORKER WITH CHILDREN / ADULTS EXPERIENCING, OR AT RISK OF ABUSE OR NEGLECT**

RE: Mr, Mrs, Miss, Ms,  
Address:

Post applicant applying for:

The above has given your name as someone who may be contacted in relation to his / her\* application to work with children / adults experiencing, or at risk of abuse or neglect. Guidelines suggest that all voluntary organisations including Churches must take steps to safeguard the children/adults experiencing, or at risk of abuse or neglect entrusted to their care. I would be grateful if you could comment on the following factors as they may apply to the applicant:-

- Previous experience of working with children or adults experiencing, or at risk of abuse or neglect.
- His / her\* ability to provide kind and consistent care.
- Evidence of his / her\* willingness to respect the background and culture of children and adults experiencing, or at risk of abuse or neglect in his / her\* care.
- His / her\* commitment to treat all children and adults experiencing, or at risk of abuse or neglect as individuals and with equal concern.
- Any evidence or concern that he / she\* would not be suitable to work with children and adults experiencing, or at risk of abuse or neglect.

You are welcome to use the reverse of this letter for your reply. Thank you for your assistance.

Yours sincerely

Priest or Nominee

How long have you known the applicant? .....years

His / her\* previous experience of working with children / adults experiencing, or at risk of abuse or neglect:

His / her\* ability to provide kind, consistent and safe care:

Evidence of his / her\* willingness to respect the background and culture of children/adults experiencing, or at risk of abuse or neglect in his / her\* care:

His/ her\* commitment to treat all children / adults experiencing, or at risk of abuse or neglect as individuals and with equal concern:

Any evidence or concern that he / she\* would not be suitable to work with children / adults experiencing, or at risk of abuse or neglect?

Telephone contact point for clarification:

*\*Please delete as appropriate*

## APPENDIX 5

### Church of England Confidential Declaration Form

*The Confidential Declaration Form must be completed by all those wishing to work with children and / or adults experiencing, or at risk of abuse or neglect. It applies to all roles, including clergy, employees, ordinands and volunteers who are to be in substantial contact with children and / or adults experiencing, or at risk of abuse or neglect. This form is strictly confidential and, except under compulsion of law, will be seen only by those involved in the recruitment / appointment process and, when appropriate, the Diocesan Safeguarding Adviser or someone acting in a similar role / position. All forms will be kept securely in compliance with the Data Protection Act 1998.*

*If you answer yes to any question, please give details, on a separate sheet if necessary, giving the number of the question which you are answering.*

*Please note that the Disclosure and Barring Service (DBS) is an independent body, which came into existence on 1<sup>st</sup> December 2012. It combines the functions of the Criminal Records Bureau (CRB) and the Independent Safeguarding Authority (ISA).*

1. Have you ever been convicted of or charged with a criminal offence or been bound over to keep the peace that has not been filtered in accordance with the DBS filtering rules<sup>20</sup>? (Include both 'spent'<sup>21</sup> and 'unspent' convictions) YES / NO
2. Have you ever received a caution, reprimand or warning from the police that has not been filtered in accordance with the DBS filtering rules<sup>22</sup>? YES / NO

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<sup>20</sup> You do not have to declare any adult conviction where: (a) 11 years (or 5.5 years if under 18 at the time of the conviction) have passed since the date of the conviction; (b) it is your only offence; (c) it did not result in a prison sentence or suspended prison sentence (or detention order) and (d) it does not appear on the DBS's list of specified offences relevant to safeguarding (broadly violent, drug related and/or sexual in nature). **Please note that a conviction must comply with (a), (b), (c) and (d) in order to be filtered.**

Further guidance is provided by the DBS and can be found at [www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates](http://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates) and [www.gov.uk/government/publications/dbs-filtering-guidance](http://www.gov.uk/government/publications/dbs-filtering-guidance)

<sup>21</sup> Please note that the 'rehabilitation periods' (i.e. the amount of time which has to pass before a conviction etc. can become 'spent') have recently been amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Since 10 March 2014, custodial sentences greater than 4 years are never 'spent'. For further guidance in relation to the 'rehabilitation periods', please see <http://hub.unlock.org.uk/knowledgebase/spent-now-brief-guide-changes-roa/>

<sup>22</sup> You do not have to declare any adult caution where: (a) 6 years (or 2 years if under 18 at the time of the caution, reprimand or warning) have passed since the date of the caution etc. and (b) it does not appear on the DBS's list of specified offences referred to in footnote 1 above. **Please note that a caution etc. must comply with (a) and (b) in order to be filtered**

*Notes applicable to questions 1 and 2: Declare all convictions, cautions, warnings, and reprimands etc. that are not subject to the DBS filtering rules. Please also provide details of the circumstances and/or reasons that led to the offence(s).*

*Broadly, where your position / role involves substantial contact with children and / or adults experiencing, or at risk of abuse or neglect (i.e. where you are eligible for an enhanced criminal records check) you will be expected to declare **all** convictions and / or cautions etc., even if they are 'spent' provided they have not been filtered by the DBS filtering rules.*

***If your position / role does not involve substantial contact with children and / or adults experiencing, or at risk of abuse or neglect you should only declare 'unspent' and 'unfiltered' convictions / cautions etc.***

*Convictions, cautions etc. and the equivalent obtained abroad must be declared as well as those received in the UK.*

*If you are unsure of how to respond to any of the above please seek advice from an appropriate independent representative (e.g. your solicitor) because any failure to disclose relevant convictions, cautions etc. could result in the withdrawal of approval to work with children and / or adults experiencing, or at risk of abuse or neglect. Although it is important to note that the existence of a conviction, caution etc. will not necessarily bar you from working with vulnerable groups unless it will place such groups at risk.*

3. Are you at present (or have you ever been) under investigation by the police or an employer or other organisation for which you worked for any offence / misconduct? YES / NO
4. Are you or have you ever been prohibited and / or barred from work with children and/or vulnerable adults? YES / NO
5. Has a family court ever made a finding of fact in relation to you, that you have caused significant harm to a child and / or vulnerable adult, or has any such court made an order against you on the basis of any finding or allegation that any child and / or vulnerable adult was at risk of significant harm from you<sup>23</sup>? YES / NO
6. Has your conduct ever caused or been likely to cause significant harm to a child and / or vulnerable adult, and / or put a child or vulnerable adult at risk of significant harm? YES / NO

*Note: Make any statement you wish regarding any incident you wish to declare*

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<sup>23</sup> 'Significant harm' involves serious ill-treatment of any kind including neglect, physical, emotional or sexual abuse, or impairment of physical or mental health development. It will also include matters such as a sexual relationship with a young person or adult for whom an individual had pastoral responsibility or was in a position of respect, responsibility or authority, where he/she was trusted by others. It also includes domestic abuse

7. To your knowledge, has it ever been alleged that your conduct has resulted in any of those things? YES / NO
8. Have you ever had any allegation made against you, which has been reported/referred to, and investigated by the Police/Social Services/Social Work Department (Children or Adult's Social Care)? YES/NO

If you reply yes to questions 7 and/or 8, please give details, which may include the date(s) and nature of the allegation, and whether you were dismissed, disciplined, moved to other work or resigned from any paid or voluntary work as a result.

*Note: Declare any complaints or allegations made against you, however long ago, that you have significantly harmed a child, young person or adult who is vulnerable. Any allegation or complaint investigated by the police, Children's Services, an employer, voluntary body or other body for which you worked must be declared. Checks will be made with the relevant authorities.*

9. Has a child in your care or for whom you have or had parental responsibility ever been removed from your care, been placed on the Child Protection Register or been the subject of child protection planning, a care order, a supervision order, a child assessment order or an emergency protection order under the Children Act 1989, or a similar order under any other legislation? YES / NO
10. If you are working from home with children, is there anyone who is 16 years of age or over living or employed in your household who has ever been charged with, cautioned or convicted in relation to any criminal offence not subject to DBS filtering rules<sup>24</sup>; or is that person at present the subject of a criminal investigation/pending prosecution? YES/NO/Not Applicable

If yes, please give details including the nature of the offence(s) and the dates. Please give any further details, such as the reasons or circumstances, which led to the offence(s)

*Note applicable to Q10: You are only required to answer this if you work from home with children. The DBS define home based working as where the applicant for the DBS check carries out some or all of his or her work with children or adults from the place where the applicant lives (this will include the majority of clergy, (for instance, those resident in a vicarage etc.)).<sup>25</sup>*

*Note: All these matters shall be checked with the relevant authorities*

<sup>24</sup> See footnotes 25 and 27 above

<sup>25</sup> <https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance>

**Declaration**

I declare the above information (and that on any attached sheets) is true, accurate and complete to the best of my knowledge.

After I have been appointed I agree to inform my line manager or supervisor if I am charged, cautioned or convicted of any offence or if I become subject to a Police/Social Services/Social Work Department (Children or Adult's Social Care) investigation.

Signed.....

Full Name.....Date of Birth.....

Address.....

.....

Date.....

Please return the completed form to

.....

*Before an appointment can be made applicants who will have substantial contact with children and / or adults experiencing, or at risk of abuse or neglect in their roles will be required to obtain an enhanced criminal record check (with or without a barred list check (as appropriate)) from the Disclosure and Barring Service.*

*All information declared on this form will be carefully assessed to decide whether it is relevant to the post applied for and will only be used for the purpose of safeguarding children, young people and / or adults experiencing, or at risk of abuse or neglect.*

*Please note that the existence of a criminal record will not necessarily prevent a person from being appointed, it is only if the nature of any matters revealed may be considered to place a child and / or an adult experiencing, or at risk of abuse or neglect at risk.*

## APPENDIX 6

### Model interview / discussion

This is a simple model interview / discussion form template for a volunteer which can be used, amended or substituted by a local model as required.

### Name of Church

### Interview / discussion questions for a volunteer seeking to work with children / adults experiencing, or at risk of abuse or neglect and outcome

The purpose of the interview / discussion is to explore the applicant's suitability. Notes of the interview / discussion must be retained and attached to this form which must be returned to the Priest to be held on behalf of the PCC. The following factors must be addressed:

Name and address of applicant:

1. What experience have you of working with children / adults experiencing, or at risk of abuse or neglect?
2. Can you give an example of something that you have done that demonstrates your commitment to working with vulnerable groups (i.e. children and/or adults experiencing, or at risk of abuse or neglect)?
3. Can you give some examples of how you would provide kind, consistent and safe care?
4. Can you describe how you would respect the background and culture of children / adults experiencing, or at risk of abuse or neglect with whom you would volunteer?
5. How would you treat all children / adults experiencing, or at risk of abuse or neglect as individuals with equal concern?
6. Do you know of any reason why you should not be working with children or adults experiencing, or at risk of abuse or neglect? Are there any police or employment matters outstanding which could affect your ability to volunteer?

### Outcome

Are there any issues in the Confidential Declaration?	YES / NO
Do the references support the appointment?	YES / NO
Do you recommend their approval to the PCC?	YES / NO

Signed:

Name (Print):

Date Approved by PCC:

Date:

## APPENDIX 7

### What activities make a person eligible for an enhanced criminal record check?

An individual will be eligible for an enhanced criminal record check, if he / she engages in work which is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) and is 'work with children' and / or 'work with adults' as defined in the Police Act 1997 (Criminal Records) Regulations 2002 (as amended). Such work includes the following:

<b>CHILDREN</b>	
<b>COLUMN A</b>	<b>COLUMN B</b>
<p>An enhanced criminal record check <b>with</b> barring information</p> <p><b>Frequency Criteria:</b></p> <p>(i) <i>once a week or more;</i></p> <p>(ii) <i>four days or more in any 30 day period;</i></p> <p>(iii) <i>overnight between the hours of 02:00 &amp; 06:00. ((iii) only applies to work of a 'Specified Nature' (see below))</i></p> <p><b><u>Children – Regulated Activity</u></b><sup>26</sup></p> <p>Each of the following situations <b>MUST</b> also satisfy one of the Frequency Criteria:</p> <p><b>1. Specified Nature:</b> Teach, train, instruct, care for or supervise children (unsupervised – where supervised see Column B); or provide advice / guidance on physical, emotional or educational well-being.</p> <p><b>2. Specified Establishment</b> Work in a 'specified establishment' where there is opportunity for contact with children,</p>	<p>An enhanced criminal record check <b>without</b> barring information</p> <ol style="list-style-type: none"> <li>1. Work of a '<b>Specified Nature</b>' (as defined in Column A) where that work is <b>supervised</b><sup>28</sup>.</li> <li>2. Work of a <b>supervised volunteer</b> (or occasional or temporary contract work) in a '<b>Specified Establishment</b>' (as defined in Column A).</li> <li>3. Any activity that involves people in <b>certain defined positions of responsibility</b> (e.g. trustees of a children's charity or school governors).</li> <li>4. <b>Work done infrequently which if done frequently would be regulated activity relating to children</b> (either as defined now or as defined prior to 10 September 2012).</li> <li>5. Obtaining information in respect of <b>any person</b> who is aged 16 or over and who <b>lives in the same household</b> as an individual who is engaged in activity which <b>used to be regulated activity</b> as defined prior to 10 September 2012, where the activity normally takes place on the premises</li> </ol>

<sup>26</sup> Full details relating to Regulated Activity concerning children can be found [here](#)

<sup>28</sup> Supervision - Where the supervisor - who has him / herself been safely recruited - is always able to see the supervised worker's actions during his / her work

(e.g. a nursery school, school, Further Education Establishment, children's homes, childcare premises) - *but not work by supervised volunteers or occasional or temporary contract work that is not of a 'Specified Nature', (e.g. maintenance contractors).*

**3. Moderating an online forum for children**

used wholly or mainly by children and must be carried out by the same person.

**4. Driving a vehicle used to convey children** and any person supervising or caring for the children under arrangements made by a third party.

**Each of the following situations DOES NOT have to satisfy the Frequency Criteria:**

**5. Healthcare (e.g. doctor or nurse etc.) or personal care**

Personal care includes assistance with toileting, washing, bathing and dressing for reasons of age, illness or disability (and prompting and supervision of the same) or teaching a child for reasons of age, illness or disability to do any of these tasks. Assistance with eating, drinking for reasons of illness or disability (and prompting and supervision of the same) or teaching a child for reasons of illness or disability to do these tasks.

**6. Child-minding or fostering a child.**

**7. Day to day management on a regular basis of a person** who is **providing a regulated activity** in relation to **children**. *Please note this includes a supervisor of a person who would be in regulated activity if not under*

where the relevant individuals live.

<p><i>regular supervision.</i></p> <p><b>8. Assessing the suitability of any person</b> who is aged 16 or over to have regular contact with children and <b>who lives in the same household as an individual who is engaged in regulated activity</b>, where the activity normally takes place <b>on the premises</b> where the relevant individuals live.<sup>27</sup></p>	
<b>ADULTS</b>	
<p><b>COLUMN A</b> An enhanced criminal record check <b>with</b> barring information</p>	<p><b>COLUMN B</b> An enhanced criminal record check <b>without</b> barring information</p>
<p><b><u>Adults - Regulated Activity</u></b><sup>29</sup></p> <p><b>Frequency Criteria:</b> <i>There is <b>no longer a requirement</b> for a person to carry out activities over a certain period. Any time a person engages in an activity set out below, he / she is engaging in regulated activity, (i.e. includes one off events)</i></p> <ol style="list-style-type: none"> <li>1. <b>Healthcare</b> (by a healthcare professional).</li> <li>2. <b>Personal Care.</b> Personal care includes assistance with eating, drinking, toileting, washing or bathing, dressing, oral care or care of skin, hair or nails due to age, illness or disability (and prompting and supervision of the same) or teaching someone to do one of these tasks.</li> <li>3. <b>Social Work</b> by a Social Worker.</li> <li>4. <b>Assistance with a person’s cash, bills or shopping</b> because of their age, illness or disability.</li> </ol>	<p>Frequency Criteria:</p> <ol style="list-style-type: none"> <li>(i) once a week or more;</li> <li>(ii) four days or more in any 30 day period;</li> <li>(iii) overnight between the hours of 02:00 &amp; 06:00. ((iii) only applies to work of a ‘Specified Nature’ (see below))</li> </ol> <p>1. Provision of any activity listed below to an adult who receives a health or social care service (e.g. includes adults in care homes; sheltered housing or receiving any form of care or assistance due to age, illness or disability) or a “specified activity” (e.g. in prison).</p> <p>Please note that you <b>MUST</b> also satisfy the Frequency Criteria in relation to any such activity listed below.</p> <p>The activities will include:</p>

<sup>27</sup> Although this is not ‘regulated activity’ the Police Act 1997 (Criminal Records) (No 2) Regulations 2009 (as amended) allows a barred list check in such circumstances.

<sup>29</sup> Full details in relation to regulated activity and adults experiencing, or at risk of abuse or neglect can be found here - [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/216900/Regulated-Activity-Adults-Dec-2012.pdf)

<p><b>5. Assistance with the conduct of an adult’s own affairs</b>, for example, lasting or enduring powers of attorney, or deputies appointed under the Mental Capacity Act 2005.</p> <p><b>6. Conveying:</b> conveying adults for reasons of age, illness or disability to, from or between places <b>where they receive healthcare, personal care or social work</b>. This would not include friends or family or taxi drivers.</p> <p><b>7.</b> A person whose role includes <b>the day to day management or supervision</b> of any <b>person</b> who is engaging in <b>regulated activity</b>.</p>	<ul style="list-style-type: none"> <li>a. Any form of <b>care or supervision</b>;</li> <li>b. Any form of <b>treatment or therapy</b>;</li> <li>c. Any form of <b>training, teaching, instruction, assistance, advice or guidance</b></li> <li>d. Moderating a <b>public electronic interactive communication service</b>,</li> <li>e. Any form of work carried on in a <b>care home</b>, ;</li> <li>f. <b>Advocacy services</b> ;</li> <li>g. <b>Transportation</b> of an adult who receives a health or social care service etc., (whether or not the adult is accompanied by a carer) (except where already included in Column A – Adults – No. 6 “Conveying”).</li> </ul> <p><b>2.</b> Individuals who are <b>trustees</b> of a vulnerable adult’s charity.</p>
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## APPENDIX 8

### Church of England roles<sup>30</sup> where the activity is seen to be eligible for a criminal record check.

#### A. Clergy.

All will require an enhanced criminal record check with barring information

All Church of England ordained and licensed Clergy including Archbishops, Bishops, Archdeacons, Deans, stipendiary parish Clergy, self-supporting Minister / non stipendiary Ministers, Chaplains, locally ordained Clergy, Clergy with 'permission to officiate', and those seeking ordination training or ordination.

#### B. Those Church Officers<sup>31</sup> other than clergy (see A above) working with children and/or working with adults experiencing, or at risk of abuse or neglect. This includes those in training and individuals on student placements.

Those working with children. Most **will** require an enhanced<sup>32</sup> criminal record check **with barring information** unless they are supervised<sup>33</sup> or do not fulfill the frequency criteria (i.e. on a rota)<sup>34</sup>.

Those working with adults experiencing, or at risk of abuse or neglect. Most **will** require an enhanced criminal record check **without barring information**, provided they satisfy the frequency criteria. Some may require an enhanced criminal record check with barring information if, for example, they provide, personal care, assistance with cash, bills or shopping, conveying someone to or from healthcare, personal care or social care (but not to Church activities).

<sup>30</sup> This list is indicative and not exhaustive as there will be local variations in approaches, titles and roles

<sup>31</sup> A "Church Officer" is anyone appointed by or on behalf of the Church to a post or role, whether they are ordained or lay, paid or unpaid

<sup>32</sup> An Enhanced criminal record check from the DBS shows details of all spent and unspent convictions, cautions, reprimands, final warnings (unless filtered, (please see the DBS filtering guidance at <https://www.gov.uk/government/publications/dbs-filtering-guidance>)), local police records (if appropriate) and indicates if the person is on a barred list. The barred list is maintained by the DBS and lists individuals who are barred from working with children or vulnerable adults as defined under the SVGA.

<sup>33</sup> The Church of England defines supervised activity as:

Activity where the supervisor - who has him / herself been safely recruited - is always able to see the supervised worker's actions during his / her work. Where you are uncertain whether this level of monitoring can be maintained continuously – for example, ensuring cover for all holidays and sickness absence by the supervisor - then the role is not a supervised position

<sup>34</sup> Frequent – Once a week or more; Intensive – 4 days or more in a 30 period and overnight – Between the hours of 0200 and 0600.

Examples of roles that this would apply to:

- Readers
- Worship Leaders
- Authorised Lay Ministers
- Licensed Evangelists
- Lay people authorised to provide pastoral care. For example Parish Pastoral Assistant, Pastoral Home Visitor, Street Pastor, Authorised Listener, Pastoral Outreach Worker and equivalents in Cathedrals e.g. Cathedral Verger who has pastoral care in job role
- Youth worker or Leader
- Children's worker or Leader
- Sunday school teacher or Leader
- Family workers who work with children or their Leader
- Bell ringers who teach or train children plus the Tower Captains who manage those adults who teach or train.
- Music leader where the choir or musical group includes children
- Head Server– only when the role includes supervision or training of children.
- Parish volunteer driver for vulnerable groups (children or adults) for children's / adults' activities organised by the Church – (Please note – private / personal arrangements among parents / friends etc. are exempt)
- Diocesan Safeguarding Advisers, Cathedral Safeguarding Advisers and Parish Safeguarding Officers who manage<sup>35</sup> people engaged in activities with vulnerable groups (children or adults).
- Members of National Safeguarding Team and other roles within Diocesan Safeguarding Teams where working with children and/or vulnerable adults (or managing on a day to day basis individuals who are working with children/vulnerable adults)
- Diocesan Education staff who either have substantial contact with children or manage those who do.
- Leader of Parent & Toddler Groups (but not parent helpers who supervise their own children or if a self –help group.
- Managers of individuals working with vulnerable groups (children and adults)
- Those in religious communities (e.g. monks, nuns, brothers and sisters) who are in active ministry and work with vulnerable groups (children or adults).

**C. Charity Trustees of children's or vulnerable adult's charities<sup>36</sup>.** The Charity Commission recommends that trustees always obtain a criminal record check when eligible to do so as it an important tool in ensuring that the person is suitable to act<sup>37</sup>

<sup>35</sup> Management in this context includes planning, organising, advising or directing

<sup>36</sup> A children's charity and a vulnerable adult's charity were defined in the Safeguarding Vulnerable Groups Act 2006 in Schedule 4. The relevant provisions have now been repealed but retain their relevance in relation to eligibility for checks. Broadly, a charity is a children's charity or vulnerable adult's charity if the individuals who are workers for the charity normally include individuals engaging in regulated activity.

If a governing body is registered as a charity and provided it sponsors and approves, in its own name, children's work or work with adults experiencing, or at risk of abuse or neglect then the members of the governing body will be eligible for an enhanced criminal record check without barring information. This may relate to PCCs, Cathedrals Chapters, Religious Communities, NCI Pension Board etc. **In such cases all members of the governing body will be eligible.**

For example

A PCC is a charity<sup>38</sup> **and** provided it sponsors and approves, in its own name, children's work or work with vulnerable adults (e.g. a Youth Club, Sunday School, home visiting scheme for the housebound or a luncheon club for adults with special needs who require assistance with feeding or toileting) then this recommendation applies. It does not apply to all PCCs only those that sponsor and approve children's work and work with vulnerable adults

**D. Roles that are not eligible for an enhanced criminal record check (unless undertaking any role in A or B or C) but remain eligible for a basic criminal conviction check through Disclosure Scotland**

Examples include:

- Parish Verger
- Server
- Caretaker
- Refreshment helper
- Shop Staff
- Flower arranger
- Sidesperson
- PCC members (including Church wardens where the PCC does not qualify as a children's/vulnerable adult's charity)
- Bell ringers (rank and file).
- Choir leader or musical director for adult choir
- Organist unless also directing a choir which contains children
- Choir members / music group members (unless the role includes responsibility for teaching, training, caring for or supervising vulnerable groups (children or adults).

<sup>37</sup> [Charities: how to protect vulnerable groups including children](#) – "...In the case of trustees, because of their position within the charity, we take the view that whenever there is a legal entitlement to obtain a DBS check in respect of such a trustee, a check should be carried out. This goes beyond circumstances where the trustee comes into contact with children..." – Charity Commission policy paper – 14 July 2014

<sup>38</sup> [A PCC is a charity](#)

## APPENDIX 9

### Letter of appointment

This is a simple model appointment form template for a volunteer, which can be used, amended or substituted by a local model as required. It must be sent **only** after the criminal records check has been considered and approved.

#### Name of Church

Dear

#### APPOINTMENT TO THE POST OF

Thank you for agreeing to volunteer with us. As you will no doubt be aware, volunteers are essential part of Church life. We do hope that you enjoy volunteering with us and feel part of the team.

XXXXXXX will induct you into the role and show you around.

I should be grateful if you would contact me to arrange a convenient time for your induction and tour and also to confirm when you would like to start.

In the meantime, please find attached:

- Your role outline;
- a copy of the Church's Statement of Safeguarding principles; and
- what to do if..... notes on what to do if there are serious concerns.

Safeguarding training will be provided in the next round of training delivery.

If there is anything further I can help you with at this stage, please do let me know.

On behalf of the PCC, I thank you for your interest and I look forward to welcoming you to our team.

Yours sincerely,

On behalf of the PCC

## APPENDIX 10

### Statement of Safeguarding Principles

The Church of England and the Methodist Church work in partnership with other Christian Churches and other agencies in delivering safeguarding. The following statement of principles appears at the head of each safeguarding policy:

We are committed to:

- The care, nurture of, and respectful pastoral ministry with, all children, young people and all adults;
- The safeguarding and protection of all children, young people and all adults;
- The establishing of safe, caring communities which provide a loving environment where victims of abuse can report or disclose abuse and where they can find support and best practice that contributes to the prevention of abuse.

To this end:

- We will carefully select, support and train all those with any responsibility within the Church, in line with the principles of Safer Recruitment. We will respond without delay to every complaint made, that any adult, child or young person may have been harmed, cooperating with the police and local authority in any investigation.
- We will seek to offer informed pastoral care and support to anyone who has suffered abuse, developing with them an appropriate ministry that recognises the importance of understanding the needs of those who have been abused, including their feelings of alienation and / or isolation.
- We will seek to protect survivors of abuse from the possibility of further harm and abuse.
- We will seek to challenge any abuse of power, especially by anyone in a position of respect and responsibility, where they are trusted by others.
- We will seek to offer pastoral care and support, including supervision, and referral to the appropriate authorities, to any member of our Church community known to have offended against a child, young person or adult who is vulnerable.

In all these principles we will follow legislation, guidance and recognised good practice.

## **APPENDIX 11**

### **Notes taken from the Church of England Model Pocket Sized Guide to Safeguarding 2014**

#### **What to do if...**

##### You have concerns about possible abuse (including allegations):

1. In an emergency, call emergency services 999.
2. If you have concerns always consult with children's or adult care services.
4. Always inform the Diocesan Safeguarding Adviser.
5. Keep a record of what happened, your concerns and your actions.

##### A child, young person or adult wishes to disclose they have been abused:

1. Listen. Keep listening. Do not question or investigate.
2. Do not promise confidentiality; tell them we need to share this.
3. Assure them they are not to blame.
4. Tell them what you are going to do and that they will be told what happens.
5. Make careful notes of what is said, record dates, times, events and when you are told.
6. Report it to the person to whom you are responsible and your priest or safeguarding representative.
7. Only tell those who need to know.

##### Things to remember:

1. Treat everyone with respect, setting a positive example for others.
2. Respect personal space and privacy.
3. Ensure any actions cannot be misrepresented by someone else.
4. Challenge unacceptable behaviour.
5. Do not put anyone, including yourself, in a vulnerable or compromising situation.
6. Do not have inappropriate physical or verbal contact with others.
7. You must not keep allegations or suspected abuse secret.