

# Introduction

5 minutes read

Last updated: 16 December 2021

Version: 1

The Church of England's safeguarding policy statement '[Promoting a Safer Church](#)' outlines the Church's commitment to promoting a safe environment and culture across all Church bodies<sup>1</sup> for children and vulnerable adults.

One way in which the Church aims to fulfil this commitment is by setting out safer recruitment/appointment processes and ensuring continued vigilance once someone is in role. "Safer Recruitment and People Management" goes beyond simply obtaining a Disclosure & Barring Service (DBS) Certificate. The reality is that many people who have abused or will abuse in positions of trust do not have a criminal record

- <sup>1</sup>"Church bodies" include parochial church council (PCCs), diocesan bodies (including Diocesan Boards of Finance (DBFs) and Diocesan Boards of Education (DBEs)), cathedrals, religious communities, Guild Churches, theological educational institutions (TEIs) and the National Church Institutions (NCIs). This policy will apply to the whole of the provinces of Canterbury and York (including the Diocese in Europe subject to local variations/modifications). There is also an expectation that the policy will apply to the Channel Islands and Sodor and Man unless there is specific local legislation in a jurisdiction that would prevent adoption.

"The danger is that too much reliance will be placed on CRB [DBS] checks...

There is a concern that many abusers do not have convictions and that no intelligence is held about them. Therefore, the selection and recruitment process if properly conducted, is an important, indeed essential, safeguard."

*The Bichard Inquiry Report 2004*

# Requirements

The Requirements detailed in this guidance aim to help Church bodies to:

- Attract the best possible individuals to all roles through inclusive, fair, consistent and transparent processes.
- Identify and reject individuals who are unsuitable by following a **proportionate** but **thorough** selection process.
- Ensure that robust induction, oversight and supervision processes are in place for those working and volunteering with children and vulnerable adults.

Reinforcing the safeguarding and wellbeing of children and vulnerable adults throughout the recruitment process and beyond will help create and maintain a safe and positive environment that inspires trust, enabling them to thrive and grow and have the very best experience of Christian living through the work of the Church.

## Good Practice

In addition to the Requirements, there is also advice and explanation (“Good Practice Advice”) to support people in delivering the “Requirements” to a good quality. The Good Practice Advice explains, for example, how to deliver some of the Requirements, sets out some good practice examples, and explains why some Requirements are necessary. This is further supported by a Toolkit that provides templates to be used where there are none already in existence. In recognition of some of the challenges that certain Church bodies will need to manage in respect of volunteers, many of the resources contained in the Toolkit are for volunteer roles.

Whilst the case examples and other associated advice should be considered as good practice to be followed, the duty to have due regard under Section 5 of the 2016 Measure does not apply to the Good Practice Advice and will not be mandatory when the code of practice comes into force.

‘Toolkit’ resources are provided as links within the document. The templates provided can be adapted for use according to the Church body’s needs and requirements. Recognising the challenges that certain Church bodies will need to manage in respect of volunteers, the resources contained in the Toolkit focus on volunteer roles. Templates for employees and employment purposes should be sought from the diocese.

External resources are also signposted where appropriate.

## What is the status and structure of this Guidance?

The Requirements outlined in this Chapter are safeguarding guidance issued by the House of Bishops under section 5 of the Safeguarding and Clergy Discipline Measure 2016. It is intended that section 5 will be amended in mid-2021, but as the law currently stands all authorised clergy, bishops, archdeacons, Cathedral Chapters, licensed readers and lay workers, churchwardens and parochial church councils must have “due

regard” to safeguarding 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 it unless there are cogent reasons for not doing so. ‘Cogent’ for this purpose means clear, logical and convincing.

Failure by a member of the clergy to have “due regard” to House of Bishops’ safeguarding guidance is an act or omission which may be considered to be misconduct under the Clergy Discipline Measure 2003 (‘CDM’). Failure by a licensed reader or lay worker to have due regard to House of Bishops’ safeguarding guidance may be grounds for the revocation of that licensed reader’s or lay worker’s licence by the bishop, and failure by a churchwarden or parochial church council (PCC) may result in an investigation being carried out by the Charity Commission and the churchwarden or PCC members may be subject to disqualification as charity trustees.

It is intended to amend the law to allow the House of Bishops to put in place a new code of practice on safeguarding children and vulnerable adults which will specify both requirements (which will be mandatory) and guidance (which will be advisory). The amendments will also expand the categories of person to whom the requirements apply. We expect that these changes will be introduced in mid-2021.

This Guidance is designed to be used both before and after the law changes. It is structured into sections that contain all “Requirements” (within the blue box at the start of each section) which are House of Bishops’ guidance to which the people specified above are required to have “due regard” from the date that this document comes into force, and they will also comprise the mandatory parts of the code of practice when that comes into force.

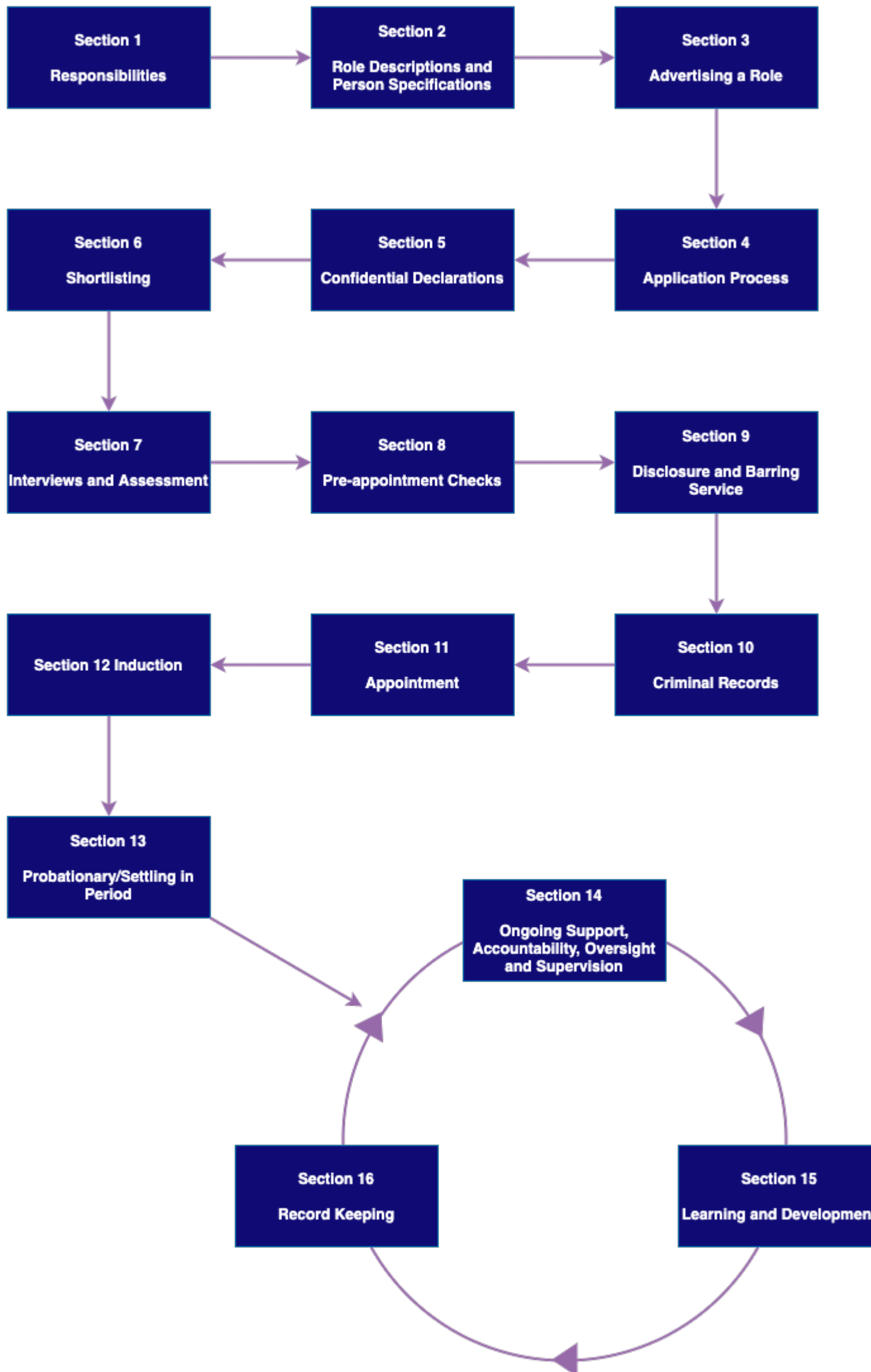
## **Minimum Requirements**

It should be noted that the Requirements outlined within this guidance serve as a minimum requirement. If Church bodies wish to adopt broader practices and processes that go beyond the minimum requirements, then they are encouraged to do so, as long as they are in keeping with all relevant legislation e.g. you cannot ask individuals if they are barred/to disclose spent convictions if they are not eligible for certain DBS checks.

Even where roles are not identified as having “substantial” contact with children, young people or vulnerable adults, bodies may still wish to implement aspects of safer recruitment practices where an element of safeguarding risk is identified or if individuals hold a position that shapes and influences the culture of a body.

# The Safer Recruitment and People Management Process

- [Download this flow chart as a PDF \(with readable text\)](#)



## Safer Recruitment and People Management Change Log

This page contains all the changes which have been made to this Guidance since it was first uploaded in September 2021. Please note, changes can only be made to the Good Practice Advice. Changes to the Requirements need full approval.

Change Log Document History:

Version 1: 14/12/2021

Version 2: 11/03/2022

Date of change	Section	Original version	New version	Made by
11.03.2022	FAQ p6 Clergy DBS level	<p><b>What level of check are clergy eligible for?</b></p> <p>All ordained clergy with authority to exercise their ministry (including those with Permission to Officiate) in accordance with Canon C8 of the Church of England Canons (“Of ministers exercising their ministry”) are and will be eligible for an enhanced DBS check with barred list checks in relation to both children and adults.</p> <p>This policy requirement was agreed at a series of meetings with Government officials in 2012/3.</p> <p>The basis for this is that a member of the clergy, once ordained, is expected to provide a range of services including pastoral care when exercising his/her ministry. So, where a person is ordained and has the authority to exercise his/her ministry, he/she will have the authority required to undertake work which is “regulated activity”. It is recognised that a cleric could be called upon to undertake such work at any time without any further accreditation or approval process. Such an individual is therefore deemed to be part of the workforce carrying out “regulated activity” irrespective of the remit of his/her current post or the nature of his/her current role.</p> <p>A member of the clergy in the Church of England who does not have authority to exercise his/her ministry in accordance with Canon C8 would not be automatically engaging in “regulated activity” and will not be eligible for an enhanced DBS Check with barred list check</p>	<p><b>March 2022</b></p> <p><b>Amended FAQ:</b></p> <p><b>Q: What level of DBS check are clergy eligible for?</b></p> <p><b>A: All ordained clergy holding the bishop’s licence, which, for the avoidance of doubt, includes those with Permission to Officiate (PTO), will be eligible for an enhanced DBS Check with a check of the barred list because by virtue of that licence:-</b></p> <p><b>They are engaging in “regulated activity”; or There is a “reasonable expectation” that they may be called upon to engage in “regulated activity” at any time.</b></p> <p><b>Additional FAQs:</b></p> <p><b>Q: What level of DBS check are those seeking selection for training for ordination or licenced lay ministry eligible for?</b></p> <p><b>A: Individuals going through the discernment or training process for ordination or licenced lay ministry will be eligible for an enhanced DBS with barred lists check. This is because they will be working with/have substantial contact with children and vulnerable adults as part of their training.</b></p> <p><b>Q. Who is responsible for obtaining DBS checks and any subsequent renewals required during the discernment/training process?</b></p> <p><b>A: TEI training is essentially an extension of the diocesan relationship and therefore responsibility for the DBS remains with the sending diocese, as well as any renewals required for those in the discernment/training process. There is no requirement to repeat this check by the TEI, even if placements will be in a different diocese. However, TEIs should not assume that this check has been done and need to seek confirmation that this check has been done, is not in need of renewal and that both the children’s and adult workforce have been included. TEIs should view the DBS certificate and verify that it is for working with both the children and vulnerable adults workforce as well as record the name of the subject, the date of issue, the level of disclosure, the unique DBS reference number, the position for the which the disclosure was requested, the date seen and by whom. If a student’s DBS check needs renewing during training then this is the responsibility of the sending diocese, but again the TEI needs to see and record details of the new DBS certificate.</b></p>	DM

11.03.2022.	9 – DBS Toolkit Section A	<p><b>A. Clergy - All require an Enhanced DBS with barred list check</b></p> <p>Applies to 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.</p>	<p><b>March 2022</b></p> <p>All ordained clergy holding the bishop’s licence, which, for the avoidance of doubt, includes those with Permission to Officiate, will be eligible for an enhanced DBS Check with a check of the barred lists because by virtue of that licence:-</p> <p>They are engaging in “regulated activity”; or</p> <p>There is a “reasonable expectation” that they may be called upon to engage in “regulated activity” at any time.</p> <p>All those going through the discernment or training process for ordination or licenced lay ministry will be eligible for an enhanced DBS with a check of the barred lists. This is because they will be working with/have substantial contact with children and vulnerable adults as part of their training.</p>	DM
11.03.2022	9 - DBS External Resources		<p><b>March</b></p> <p>Added links to new DBS video</p>	DM
11.03.2022	10 – Criminal Records		<p><b>March</b></p> <p>Flowchart was incorrect, new version uploaded</p>	DM
14.12.2021	9 – DBS: External resources		<p><b>December:</b></p> <p>Additional links to the DBS flowchart for home working and to the DBS Regional Outreach service have been added</p>	DM
14.12.2021	9 – DBS: Footnote 2	<p><b>September:</b></p> <p>Defined by the DBS as “the applicant carries out some or all of his or her work with children or vulnerable adults from the place where the applicant lives; or they live in the household of someone who is being or has been checked because they work with children and carry out some or all of their work from their own home”</p>	<p><b>December:</b></p> <p>Defined by the DBS as “the individual carries out some or all their work with children or adults in their own home; or lives in the household of someone who is being or has been DBS checked because they carry out work with children (not adults) in their own home”.</p>	DM
14.12.2021	9 – DBS: Updates Service	<p><b>September:</b></p> <p>Disclosure certificates obtained from previous or other employers, or in previous or other voluntary roles are not portable unless the individual is registered with the “DBS Updates Service”, If an individual is subscribed to the DBS Update Service, his/her most recent DBS Certificate can be viewed to establish if the workforce (ie Child, Adult, Child &amp; Adult, Other) and level of check meets the requirements of the new role, and then the DBS Update Service accessed for confirmation as to whether anything has changed since the certificate was issued.</p>	<p><b>December:</b></p> <p>Disclosure certificates obtained from previous or other employers, or in previous or other voluntary roles, are not portable unless the individual is registered with the ‘DBS Update Service’ If an individual is subscribed to the DBS Update Service, they must be asked to confirm which workforce (i.e. Child, Adult, Child &amp; Adult, Other) and level of DBS their current DBS certificate is for. If these details meet the requirements of the new role then the DBS Certificate should be viewed and the DBS Update Service accessed to establish if anything has changed since the certificate was issued.</p>	DM

14.12.2021	9 – DBS: Eligibility toolkit		<b>December - Added:</b>  <b>If an individual is working with children but does not satisfy the frequency test or period condition and/or are supervised, so he/she is not in regulated activity in relation to children, then he/she may still be eligible for an enhanced DBS check (without barring information but this will depend on careful analysis of the work involved.</b>  <b>If you are unsure you should seek advice from your diocesan registrar.</b>	DM
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<p>14.12.2021</p>	<p>FAQs: p 8 home based positions</p>	<p><b>September:</b></p> <p>The DBS define a “home-based position” as:</p> <ul style="list-style-type: none"> <li>● the applicant carries out some or all of his or her work with children or adults from the place where the applicant lives; or</li> <li>● the applicant lives in the household of someone who is being or has been checked because that person works with children and carries out some or all of the work from home.</li> </ul> <p>If a member of clergy meets this criteria, then you can place a cross in the “yes” box in field x66 of the DBS application form.</p> <p>It may be that <i>most</i> clergy will fall into the category of home-based working.</p> <p>Clergy resident in a vicarage will probably have a home office in their home where they welcome all visitors and/or use their vicarage to meet people. However, this is not always the case – others may not meet anyone at their home; having an office elsewhere, e.g. connected to the actual church building or church hall, where they meet people.</p> <p>Therefore, an analysis of the role still needs to be carried out to ensure that it satisfies the DBS definition i.e. that individuals must be actually having substantial contact with children and/or vulnerable adults in their homes – writing up notes of a meeting will not count!</p> <p>Further advice can be found here -</p> <p><a href="https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance">https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance</a></p>	<p><b>December:</b></p> <p>As defined by the DBS, a home-based check is for roles that are eligible for an Enhanced DBS check in the child or adult workforce where the individual:</p> <ul style="list-style-type: none"> <li>● carries out some or all their work with children or adults in their own home; <b>OR</b></li> <li>● lives in the household of someone who is being or has been DBS checked because they carry out work with children (not adults) in their own home</li> </ul> <p>If a member of clergy meets this criteria, then you can place a cross in the “yes” box in field x66 of the DBS application form.</p> <p>It may be that most clergy will fall into the category of home-based working.</p> <p>Clergy resident in a vicarage will probably have a home office in their home where they welcome all visitors and/or use their vicarage to meet people. However, this is not always the case – others may not meet anyone at their home; having an office elsewhere, e.g. connected to the actual church building or church hall, where they meet people.</p> <p>Therefore, an analysis of the role still needs to be carried out to ensure that it satisfies the DBS definition i.e. that individuals must be actually having substantial contact with children and/or vulnerable adults in their homes – writing up notes of a meeting will not count!</p> <p>Where question x66 has been marked ‘yes’, the DBS application will be sent to police forces for consideration of third-party checks.</p> <p>The purpose of the third-party check is to allow the police to consider information held not only on the applicant, but also on any family member, relative, or friend associated with their home address. As the legislation permits disclosure of ‘any information’, this may be considered for disclosure on a DBS certificate.</p> <p>Further advice can be found here -</p> <p><a href="https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance">https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance</a></p> <p><u>And here –</u></p> <p><a href="#">Home-based positions flowchart for child and adult workforces - GOV.UK (www.gov.uk)</a></p>	<p>DM</p>
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# Scope of the Safer Recruitment and People Management Guidance

11 minutes read

Last updated: 03 September 2021

Version: 1

## Scope of this document

This guidance is intended to sit alongside and work in conjunction with Human Resources (HR) policies and procedures that may already be in place within the Church body, (whether at a parish, diocesan or NCI level). Bodies must be mindful of the fact that there are HR-related elements not addressed in this guidance as its focus is the safeguarding activity involved with recruitment and people management. Other aspects of HR practice that should be considered include, for example, Diversity, Equality, Data Protection, Employment Law.

The Requirements in this guidance must be followed for the appointment of all roles within a Church body that involve substantial<sup>1</sup> contact with children and/or vulnerable adults, for example, members of the clergy authorised to officiate, Readers/Licensed Lay Ministers (LLMs), lay workers, youth workers, employees and volunteers<sup>2</sup>. The guidance also applies to relevant roles that are performed outside of England, for example where individuals belonging to a Church body participate in overseas/link work. It will also apply to those from other countries who are coming to work in a relevant role and includes exchange programmes.

## Elected Roles

For those elected to an office, e.g. churchwarden, member of parochial church council (PCC), see the section on [Elected Roles](#) below.

## Clergy Appointments

For the appointment of clergy, this document should be used in conjunction with [the Guidelines on Parochial Appointments 2015](#), as well as the Episcopal Reference and Clergy Current Status Letter Guidance Notes which can be obtained from [the National Church Institution's Clergy HR Team](#).

Some clergy may be employees of Diocesan Boards of Finance (DBF) or Theological Education Institutes (TEI). However, if the role is being carried out by someone who is ordained, then that person will need to be authorised by the Bishop in order to be able to exercise a ministry. This will be done by either providing them with an office (including the issuing of general licence) or granting Permission to Officiate (PTO), in which case this document should be used in conjunction with the House of Bishop's policy and procedures for issuing a licence or granting PTO.

## Lay Ministers

For the appointment of lay ministers who are licensed (including Readers and LLMs) this document should be used in conjunction with any diocesan regulations that cover these roles.

## Third-Party Suppliers

The Requirements must also be applied to engagement with third parties (for example, a partner organisation/charity, use of agency staff & contractors, ecumenical projects and/or in multi-denominational contexts). The values described in '[Promoting a Safer Church](#)' must be reflected in any agreements or contracts made with third parties and Church bodies must assure themselves that safer recruitment processes and people management standards have and will be followed by the third party and are compliant with the Requirements detailed in this policy.

## Terminology

It is recognised that the exact terminology used in respect of one type of role (e.g. "supervisor", "manager", "employer") will not be appropriate to another sort of role and different terminology might be needed. For example, to avoid over-complexity, this policy uses terminology such as "employer" and/or "volunteer" in order to explain what is required whilst recognising that for some roles other terms are required/more appropriate, (for instance it is recognised that clergy are not employees but "office holders").

## Proportionate Processes

The Church of England is a complex collection of different organisations with many different roles, paid as well as voluntary. As such, specific appointment processes will vary depending on the exact scope and function of each role as they will need to be **proportionate** to the degree of safeguarding risk and responsibility. For example, the role description for some volunteer positions might be briefer than for an employed position; the range of questions in an interview for some volunteer positions might be more limited than for other volunteer positions with more complex safeguarding responsibilities (e.g. Support / Link Person roles). The "advertising" for a Diocesan Safeguarding Adviser (DSA) or National Safeguarding Team (NST) role will be more substantial than when a parish is seeking volunteers.

## Key Principles and Practices

Nevertheless, the key principles and practices detailed in this guidance should be made to apply to all positions in the Church of England which involve substantial contact with children and/or vulnerable adults. Failure to apply these principles and practices exposes children and vulnerable adults to greater risk of abuse by people who will target and exploit inadequate safeguards. Church Officers<sup>3</sup> must be vigilant to the nature and reality of grooming behaviour. It is recognised that this will pose challenges for some Church bodies but compromising the safety of children and vulnerable adults by not following these principles and practices is not an acceptable response if the Church wants safeguarding to be part of its DNA. Church Officers must not elevate the desire to undertake an activity above the need to do that activity safely.

Irrespective of the specific processes and terminology used for particular roles, the critical elements that must be present in arrangements for the appointment and subsequent continued oversight processes for all roles involving substantial contact with children, young people and vulnerable adults are set out below.

1. Assessment of the role by the Church body to establish and define the level and nature of contact with children, young people and vulnerable

adults that the role has so that there is a clear understanding of the safeguarding dimensions, issues and risks

2. This assessment can then be used to:

- confirm the level of DBS check required in compliance with the DBS eligibility criteria
- decide what other pre-appointment checks are required before someone starts a role
- inform the content of a role description and person specification
- ensure safeguarding messages are present in any advertising/recruitment process
- ensure the selection process does explicitly explore safeguarding issues with applicants to the role, including people's understanding and experience of safeguarding, and motivation for wanting a role involving contact with children, young people and vulnerable adults
- determine the level of training requirement.

3. A selection process, which will include an interview as a minimum, with some roles requiring other assessment procedures

4. Written references are taken up

5. A Church of England Confidential Declaration form is completed by the applicant (where an enhanced/enhanced + barred list/s DBS is required)

6. Appointment decisions are informed by someone with the relevant level of safeguarding expertise for the role (i.e. they must have at least the same level of training – if the role needs Foundation level training, someone who has that level should be involved)

7. Once appointed:

- it is clear to whom someone is accountable
- there are arrangements in place for the continued support and oversight of that person which ensure the safeguarding dimensions of his/her role are kept in view and actively discussed
- arrangements are made for the person to receive the level of safeguarding training relevant for the role.

## Elected Roles

There are a number of roles where individuals are elected to various positions within the Church of England, this includes Parochial Church Council (PCC) members and churchwardens. Even if an individual, as part of their elected role, will be working with children and/or vulnerable adults, the appointment to an elected office is not conditional upon the receipt of satisfactory criminal record checks or references and once elected, the person concerned is validly elected to his/her office<sup>4</sup>.

Prior to the election, a declaration must be made by the candidate that he/she is not disqualified<sup>5</sup>. This declaration must be properly scrutinised by the responsible person (see [Section 1: Responsibilities](#)).

Following the election, consideration should be given as to whether the individual, as part of their elected role, will be working with children and/or vulnerable adults. If yes, then the Requirements should be followed and such work not undertaken until all appropriate checks have been completed. If the DBS certificate gives a blemished result or a reference contains information that indicates that an individual may be a risk to children and/or vulnerable adults, then consideration will need to be given to the action that must be taken as a consequence. This may include whether or not the relevant individual is disqualified (see below). In any event, advice must be sought from the Diocesan Registrar and the Diocesan Safeguarding Adviser (DSA) as to what action would be appropriate.

The [Safeguarding & Clergy Discipline Measure 2016](#) amended the relevant current legislation (i.e. the [Churchwardens Measure 2001](#) and the [Church Representation Rules](#), which form part of the [Synodical Government Measure 1969](#)) so that an individual is disqualified from being chosen for the office of churchwarden or “nominated, chosen or elected or from serving as a member of a parochial church council, a district church council or any synod” or from acting as “secretary or treasurer of a parochial church council” if an individual is found to be on any DBS barred list. In addition, there are further provisions that disqualify individuals from the aforementioned roles if found to be convicted of an offence contained in [Schedule 1 of the Children and Young Persons Act 1933](#). This particular disqualification can be waived by the bishop.

In the vast majority of cases, it will not be possible to check whether a PCC member or churchwarden is on the DBS barred lists. This is because a body can only carry out an Enhanced DBS with barred list check, if an individual is/will be engaging in “regulated activity”. “Regulated activity” is narrowly defined in the [Safeguarding Vulnerable Groups Act 2006](#) (as amended) and generally neither churchwardens nor PCC members will be engaging in such activity. It is, therefore, recognised that the current legislation relies on self-disclosure by an individual and is thus limited in its effectiveness at preventing individuals on any barred list from becoming PCC members and/or churchwardens etc.

## Definitions

For Definitions, please refer to the main [Safeguarding Children, Young People and Vulnerable Adults Policy](#).

## Data Protection

It is each Church body's responsibility to ensure that their entire safer recruitment and people management process is compliant with current data protection legislation. This begins from the point at which personal data belonging to a candidate is collected, through to how this is disposed of, deleted or erased.

Any personal data processed during the recruitment and selection process will need to be covered in a privacy notice, which must be supplied to applicants at the start of the process so they know exactly what data will be processed and why, (i.e. for what purpose(s)) and related matters, such as the lawful basis/bases for processing such data, who it will be shared with, how long it will be retained and a person's rights in relation to such data. If this information is to be retained once a person is appointed, this will either need to be included in the same privacy notice or a further privacy notice given to appointed candidates when they commence in a role.

Whilst this Guidance signposts where data protection considerations should be incorporated into practice at appropriate points, it is not a data protection policy and bodies must refer to local data protection policies and procedures, seeking guidance and advice from those responsible for data protection for the given body.

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**1** In practical terms, what is trying to be established here is a difference from “casual contact” of the type a shopkeeper would have with children and vulnerable adults. Shopkeepers are likely to come across all types of people whilst working in their shop. The fact that they might come into contact with the vulnerable would not be enough for them to be eligible for an enhanced check and the same principle should be applied to all roles. An enhanced check cannot be carried out just because a role might come into contact with a vulnerable person, (i.e. children or vulnerable adult). In the past, this has been referred to by Government officials in relation to eligibility as the “shopkeeper test”.

**2** There is no legal definition of a volunteer ([How to ensure that volunteers and interns do not acquire employment rights \(pinsentmasons.com\)](#)), however, the NCVO defines volunteering as “any activity that involves spending time, unpaid, doing something that aims to benefit the environment or someone (individuals or groups) other than, or in addition to, close relatives. Central to this definition is the fact that volunteering must be a choice freely made by each individual.” [NCVO - Volunteering](#)

**3** “Church Officer” is anyone appointed/elected by or on behalf of the Church to a post or role, whether they are ordained or lay, paid or unpaid.

**4** In practical terms, if it is discovered after the election that the person is barred or have committed a relevant offence, consideration can then be given to what action to take in consequence. That might be that the person is disqualified so his/her seat will be vacated but it could also mean that the Bishop considers using his/her waiver, if not barred but has committed an offence contained in Schedule 1 Children and Young Persons Act 1933.

**5** In accordance with the [Church Representation Rules](#) or [Churchwardens Measure 2001](#) (as amended), whichever the case may be.

## Safer Recruitment and People Management FAQs

1 minutes read

Last updated: 31 March 2023

Version: 1

Please download a Word version of the [Safer Recruitment and People Management FAQs](#) by clicking on the link. Please do not use the "Download" button for this section.

This version was updated on 31.03.2023

## Safer Recruitment and People Management Assessment Tool

1 minutes read

Last updated: 23 September 2021

Version: 1

Download a word version of the [Safer Recruitment and People Management Assessment Tool](#) by clicking the link. Please do not use the "download" button for this section.

## Section 1 - Responsibilities

5 minutes read

Last updated: 15 July 2021

Version: 1

## Requirements

1.1 A responsible person must be identified for each role being appointed to that falls within the scope of this guidance. The responsible person is accountable for the recruitment and appointment into that role and must him/herself have been safely recruited.

1.2 A responsible person must also be identified for the ongoing support of the person appointed into the position. The responsible person must him/herself have been safely recruited.

1.3 The responsible person must be familiar with the requirements of this guidance and be up to date on their current safeguarding training.

1.4 If responsibility is delegated at any stage, the responsible person must ensure that the individual they are delegating to is capable, competent and has received all required training. The responsible person retains overall accountability for ensuring all requirements described in this policy are met.



# Good practice advice

## Why?

Identifying who is responsible for the recruitment into a role where the Safer Recruitment & People Management Guidance Requirements apply is important to ensure quality and consistency across the whole process.

Not identifying a responsible person can result in a lack of clarity and ultimately important aspects of the process not being carried out properly or missed altogether.

## How?

### Considering the Role

In some Church bodies, the responsible person might be known as a 'line manager' or 'supervisor' of the role. Given the complexity of the Church of England, there are many different positions that may have the role of the responsible person and many different terms that might be used to refer to that person, e.g. 'incumbent', 'group leader', 'volunteer coordinator'. It should also be recognised that some people in Church bodies may be better equipped/qualified than others to carry out this role.

The responsible person should plan and oversee the whole recruitment process. Depending on the role, there may be other people and teams involved at various stages of the process e.g. the interview panel members, Human Resources, DBS administrator and so on, but the responsible person should maintain oversight of the whole process.

Individuals with any responsibility for the recruitment and appointment process, as well as ongoing management, should have completed training on Safer Recruitment and People Management (see [Section 15: Learning & Development](#)).

<b>Overall Responsibilities</b>	
<b>Parishes and Bishops' Mission Orders (BMOs)</b>	<b>Parochial Church Council (PCC) or BMOs equivalent body.</b>  <b>The PCC or BMOs equivalent body is the main decision maker of the body. They are responsible for the appointment of those working with children, young people and vulnerable adults, paid or unpaid.</b>  <b>Often the responsibility is delegated to the incumbent. At least two individuals (who could include the incumbent) must be responsible for recruitment overall.</b>
<b>Diocesan Employees and Volunteers</b>	<b>Diocesan Secretary (on behalf of Diocesan Board of Finance) and Diocesan Bishop</b>
<b>Cathedral Employees and Volunteers</b>	<b>Dean</b>
<b>Religious Communities</b>	<b>Governed by their constitutions, and in line with the Safeguarding in Religious Communities policy</b>
<b>Overall Responsibilities in relation to Clergy Appointments</b>	

	Who appoints and decides the method of appointment and whether to advertise?	Role of Patron	Role of Bishop	Role of PCC
<b>Incumbent (including team rector)</b>	<b>Patron (who may be the bishop; or may be patronage board constituted by scheme in case of team rector)</b>	<b>Appoints</b>	<b>Right of veto</b>	<b>PCC reps have right of veto</b>
<b>Priest in charge</b>	<b>Bishop (unless the Bishop has delegated this role to a suffragan bishop or archdeacon)</b>	<b>Right to be consulted – all patrons in a vacancy</b>	<b>Appoints</b>	<b>No right of veto, but PCC has to be consulted</b>
<b>Team vicar</b>	<b>Patronage board (where constituted by scheme)  otherwise bishop and rector jointly</b>	<b>Patronage board (where constituted by scheme) is patron and appoints</b>	<b>Chairs patronage board (where constituted by scheme)  Appoints jointly with rector</b>	<b>PCC reps have right of veto  PCC reps have right of veto</b>
<b>Assistant Curate  (when not a training post)</b>	<b>Incumbent nominates</b>	<b>No role</b>	<b>The Bishop licences.</b>	<b>No legal requirement to be consulted but may be.</b>
<b>Assistant curate  (when a training post)</b>	<b>Incumbent offers post – having been authorised to do so by Bishop</b>	<b>No role</b>	<b>The Bishop licences: no veto but could refuse for good cause</b>	<b>No legal requirement to be consulted but may be.</b>

## Involving others in the process

Wherever possible and appropriate to the role, involving children, young people or vulnerable adults can be valuable. Examples of how people might be involved include but are not limited to:

- developing a role description;
- being a member of the interview panel;
- creating a video to be shown to prospective candidates;
- helping to devise interview questions;
- being involved in the induction process.

At diocesan and cathedral level, involving survivors and victims in the selection process for senior safeguarding roles should always be considered and arranged wherever possible, for example, in respect of Diocesan Safeguarding Advisor (DSAs) and Cathedral Safeguarding Advisor (CSAs) roles.

Where other individuals are involved, Church bodies need to ensure they are supported to understand their purpose and role in the process, as well as provided with appropriate practical and emotional support.

## Conflicts of Interest

A conflict of interest arises when there is a conflict between a public duty and a private or personal interest. It is recognised that in some Church

bodies, conflicts of interest are difficult to avoid. e.g. where a clergy spouse is a volunteer or employee or where a parent is an employee or member of clergy.

Wherever possible, conflicts of interest should be avoided throughout the recruitment and selection process. Any potential conflict of interest should be identified and discussed, and steps put in place to manage the conflict. Steps may include removing the person from the process, restricting their role in the process or ensuring there is an independent person involved in the process e.g. on the interview panel.

## Section 2 - Role Descriptions and Person Specifications

5 minutes read

Last updated: 15 July 2021

Version: 1

### Requirements

2.1 All roles that fall within the scope of this guidance must have a written role description and person specification<sup>1</sup>

2.2 Role descriptions must make any safeguarding aspects clear and refer to the Church body's commitment to protecting children, young people and vulnerable adults.

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<sup>1</sup>Parochial clergy office holders may be the exception to this as there is no legal requirement for a role description and the legal requirements of their role are as set out in the Canons and other legislation. Clergy office holders are not required to work to a role description. At the time of the appointment, the parish is required to produce a statement of needs, but this is not legally binding on the office holder once appointed. The patron (for incumbent appointments), PCC and Bishop may agree a role description and person specification before the post is advertised, but again this is not legally binding once the appointment has been made.

# Good practice advice

## Why?

Having clearly written documents enables a Church body to think through what they want from a role, whether paid or voluntary, and what sort of person would be suitable.

It gives people confidence that the Church body takes its work with children, young people and vulnerable adults seriously when they are given a clear role, know to whom they are accountable and what their responsibilities are.

It should be noted that for clergy office holders and clergy with Permission to Officiate (PTO), the requirements of their role are determined by the Canons and other legislation and an Enhanced DBS check (with barred list check) is always required.

## How?

### Considering the Role

The first step to drawing up a role description and person specification is to properly consider the role.

<b>The Role</b> <b>Consider:</b>	<ul style="list-style-type: none"><li>● <b>What contact &amp; responsibilities does the role have in respect of children, young people and vulnerable adults - both direct &amp; indirect?</b></li><li>● <b>What is the role's purpose and what duties are involved?</b></li><li>● <b>How and where the role will be carried out?</b></li><li>● <b>What skills are needed for the role?</b></li><li>● <b>What training is required?</b></li><li>● <b>Where does the role fit into the Church body's structure?</b></li><li>● <b>To whom does the role report? Is it supervised or unsupervised?</b></li><li>● <b>Is the role eligible for a DBS Check? If so, at what level? (<a href="#">see Section 9: Disclosure &amp; Barring Service (DBS)</a>)</b></li></ul>
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Consideration needs to be given to the "indirect" aspect of a role and the potential contact it may have with children, young people and vulnerable adults. A role might not be working directly with these groups but presents certain opportunities e.g. where it is based, hours worked.

The role may not meet the criteria for carrying out an enhanced DBS check, but this does not stop other safer recruitment steps being taken, as well as a risk assessment being carried out so that any possible risks are identified and mitigated as far as possible.

### Role Descriptions

The general layout of job/volunteer role descriptions for all posts are likely to be similar but the contents will need to reflect local requirements, as well as the nature of the role. A role description for an employed post is likely to be more detailed and formal than a role description for a volunteer Sunday school helper.

<p><b>Role Descriptions</b></p> <p><b>Identify:</b></p>	<ul style="list-style-type: none"> <li>● The role title.</li> <li>● The main purpose of the role.</li> <li>● For <b>employees</b>, the main tasks or duties to be carried out.</li> <li>● For <b>volunteers</b>, the expectations of the role.</li> <li>● To whom the role reports.</li> <li>● The extent of the role’s contact with children, young people and vulnerable adults and the responsibility for safeguarding.</li> <li>● A statement that the person appointed will be expected to work within the policy and procedures of the relevant safeguarding policy.</li> <li>● A statement that the person will be required to attend relevant safeguarding training.</li> <li>● General statements relevant to all roles, such as requirements relating to health and safety.</li> <li>● For <b>employees</b>, hours and days of work and, if used, grade/band.</li> <li>● For <b>volunteers</b>, the time commitment anticipated (including, for example, setting up, clearing up, preparation during the week, meetings, training).</li> <li>● Where appropriate, a statement that the person appointed will require an enhanced DBS disclosure (with/without barred list/s check).</li> </ul>
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## Toolkit

- [Volunteer Role Description template](#)

## Person Specifications

The person specification describes the attributes a suitable candidate will possess. It is used for drawing up any advertisements/notices about the role and forms the criteria for evaluating applicants and assessing candidates, helping to identify key areas for the focus of interview questions.

<p><b>Person Specifications</b></p> <p><b>Describe:</b></p>	<ul style="list-style-type: none"> <li>● Any qualifications or specific training required for the role.</li> <li>● Any experience needed.</li> <li>● Knowledge, skills and competencies required to carry out the duties of the role.</li> <li>● General attributes which must include the need for commitment to the protection and safeguarding of children, young people and vulnerable adults.</li> <li>● Any Occupational Requirements under the Equality Act 2010 – e.g. if there is a genuine requirement for an individual to be a practising Christian. (For further information on this please see ACAS guidance found here <a href="#">Overview: When an employer may make a decision based on age, race or another protected characteristic - Acas</a>)</li> </ul>
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The person specification should clearly indicate whether the stated criteria are:

- Essential – those areas without which the job or volunteer role cannot be performed,

or

- Desirable – not essential to carrying out the duties, but which would be valuable and may assist in the final selection process if several candidates meet the essential criteria.

## External Resources

- [The Chartered Institute for Personnel & Development](#)
- [ACAS](#)

## Toolkit

- [Person Specification template](#)

# Section 3 - Advertising a Role

6 minutes read

Last updated: 15 July 2021

Version: 1

## Requirements

3.1 All advertisements/notices for roles that fall within the scope of this guidance must include the following details, or clearly indicate where they can be found (e.g. Church body's noticeboard or website):

- A statement which confirms the Church body's commitment to safeguarding and safer recruitment.
- The essential elements of the person specification required for the role.
- The pre-appointment checks that are required for the role.

3.2 A 'Personal Approach' to engage applicants must only be used where it can be evidenced that there are no other viable options available. Where it is used, this guidance must still be applied.

# Good practice advice

## Why?

Advertisements/notices provide the first impression of a Church body. An important part of this message is to highlight that the Church body is fully committed to safeguarding and protecting the welfare of children, young people and vulnerable adults. Advertising helps reach as wide a pool of people as possible, with the aim of attracting the best candidates and promoting diversity – people can't apply for the role if they don't know about it.

It is important to note that the level of advertising will be proportionate to the role. For example, adverts for paid staff might be placed in local (possibly national) media and social media, adverts for volunteers are more likely to utilise free services, such as newsletters, word of mouth or noticeboards.

## How?

It is good practice to include a statement which confirms the Church body's commitment to safeguarding on all written advertisements/notices.

### Example:

"[Insert name of Church body] is committed to safeguarding and promoting the welfare of children, young people and vulnerable adults. All post holders and volunteers are expected to share this commitment."

All advertisements/notices should also clearly outline the pre-appointment checks that are required for the role.

### Example:

"All appointments are subject to acceptable pre-appointment checks, including a satisfactory Enhanced DBS Check".

If space is limited (e.g. on a church notice sheet), then the advert should signpost people to where they can find full details, including these statements, whether that be the Church body's website or notice board.

If a role is being recruited outside of [the Church of England Pathways system](#), there must be a suitable recruitment privacy notice in place.

## The 'Personal Approach'

Particularly where volunteers are concerned, it is recognised that in some circumstances Church bodies will not be able to put out an open public request and may only be able to identify people from within a limited pool who are already members of the church or congregation.

Whilst it may be acceptable for procedures to be more proportionate in this way than it would be for those organisations which are seeking volunteers from the general public, this can make Church bodies particularly vulnerable and such methods should only be used where it can be



evidenced that there are no other options available. The fact that someone is already “known” (for example, as a member of the congregation) does not mean they are necessarily safe.

<b>Examples of the sort of situations that need to be avoided:</b>
<b>A notice is given out in church that a Sunday School teacher is urgently required. Someone volunteers, and at the end of the service they are asked if they can begin the following Sunday without any appropriate checks being carried out or relevant safer recruitment procedures followed.</b>
<b>A friend of one of the youth group leaders starts attending the youth group with them and somehow drifts into being part of the leadership team, with no formal appointment process.</b>
<b>A new member of the congregation tells the welcome team that they have worked with the elderly in their previous church and would be keen to get involved. The welcome team member decides that they should strike while the iron is hot and introduces the new member to the leader of the mid-week senior citizen’s lunch club. They join the leadership team two weeks later without any formal appointment procedures being followed.</b>
<b>Someone offers to volunteer with children and young people. An informal interview is conducted. An enhanced DBS Disclosure is obtained. References are taken up. However, no job description is ever written and no induction is given into the church’s safeguarding policy/procedures. After a few weeks, the volunteer begins to organise additional activities for the young people in their group, away from the church premises and with no other adult involvement.</b>

These are examples that can potentially put children, young people and vulnerable adults at risk and should be avoided.

Church Officers need to be vigilant to being groomed themselves into offering positions/roles without the proper necessary checks and procedures. In order to reduce suspicion and gain compliance, offenders groom not only their intended victims but also those around them. This process of social or environmental grooming involves gaining the trust of those with the power and responsibility to safeguard the individual involved.

*“...Offenders will utilise an institution’s unique environment to enable their abuse and will endeavour to prevent any disclosure regarding their offending. They are able to achieve this due to their ability to build positive relationships with others, a key skill while working with children, but one used maliciously by offenders in order to create an environment in which they can abuse. An offender’s socially acceptable manner is designed to be deceptive...Some offenders will attempt to gain the trust of the community and ensure that they are considered above suspicion. If accused, these offenders are able to capitalise on the community’s ready acceptance of their innocence...”<sup>1</sup>*

Even if an individual is already known to the Church body, proportionality should never be confused with being casual about the importance of safeguarding children, young people and vulnerable adults. The steps described in the Safer Recruitment & People Management Guidance Requirements document should still form part of any recruitment process, regardless of whether the applicant is known to the individual(s) making the appointment or not.

## **Role Drift**

Often an individual can be appointed to one role within a Church body but, over time, ‘drifts’ into another role/s, e.g. a person may be appointed as the church administrator but after a period of time is working on the youth team. Church bodies must be alert to such situations arising,



ensuring that any new role someone might take on or move into is promptly recognised and risk managed in accordance with the guidance Requirements. This is where the ongoing support and oversight systems put in place (see [Section 14: Ongoing Support, Accountability, Oversight & Supervision](#)) are so important. Effective systems will keep roles under review so that any such changes are quickly identified.

## New Members

Some Church bodies advise anyone joining them from another Church body to have a six month 'sabbatical' before getting involved in anything/volunteering. This not only gives the individual a rest (If they have come from another church, they have often been involved in volunteering in one way or another), but more importantly gives the new body the opportunity to get to know them.

- [1](#)(Child Exploitation and Online Protection (CEOP) – Thematic Assessment - The Foundations of Abuse: A thematic assessment of the risk of child sexual abuse by adults in institutions (Oct 2013)).

# Section 4 - Application Process

4 minutes read

Last updated: 15 July 2021

Version: 1

## Requirements

4.1 When applying for a post that falls within the scope of this guidance, all applicants must be given access to the following information:

- The Church body's:
  - Statement of its commitment to ensuring the safety and wellbeing of children, young people and vulnerable adults
  - Safeguarding Policy
  - Safer Recruitment Policy
  - Whistleblowing Policy
  - Recruitment of Ex-Offenders Policy<sup>1</sup>
- The role description and person specification
- The selection procedure for the post
- A privacy notice detailing how the applicant's personal data will be processed during the recruitment process.

4.2 A standardised application form must be used for recruitment to all posts that fall within the scope of this policy. CVs must not be accepted on their own.

4.3 **All** application forms must ask for:

- Personal details including current names, former names, date of birth and contact details (home address, email address, telephone number).
- Qualifications, where appropriate/required.
- A personal statement addressing the criteria set out in the person specification, including details of the skills and attributes the applicant believes they bring to the role.
- A separate Confidential Declaration form (see [Section 5: Confidential Declarations](#)).
- Request for details of appropriate referees (see [Section 8: Pre-appointment checks](#)).
- A declaration that all information provided on the application form is “true & complete”.

4.4 Application forms for **volunteer roles** must ask for:

- Full history and description of work with children, young people and/or vulnerable adults, whether paid or voluntary, with dates, and, where applicable, an explanation of any gaps.
- Full history and description of church involvement where it includes work with children, young people and/or vulnerable adults, with dates and, where applicable, an explanation of any gaps.

4.5 Application forms for **paid roles** must ask for:

- Present (or most recent) employment and reason for leaving.
- Full history since leaving school - education, employment and any voluntary work, as well as an explanation of any gaps.

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<sup>1</sup>This document is only necessary if the Church body is a Registered Body or is in receipt of DBS Update Service information. A registered body is an organisation that has registered with the DBS to submit standard and enhanced checks and is entitled by law to ask an individual to reveal their full criminal history.

# Good practice advice

## Why?

Whether an individual is a paid employee or volunteer, access to an application pack and the completion of an application form is important in relation to safeguarding for the following reasons:

- It reinforces the value that the Church body places on work with children, young people and vulnerable adults and the seriousness with which it takes the appointment of those who work with such groups.
- It gives a clear signal to anyone intent on abusing the trust placed in them that the Church body is vigilant about the safety and protection of children, young people and vulnerable adults.

## How?

Every candidate should be expected to complete an application form and it is important that all candidates are treated fairly and in a transparent and equitable way, however well they are known. Application forms may differ between those for employees and those for volunteers, but standardised application forms help ensure information can be gathered in a consistent format. A suitable recruitment privacy notice must be in place.

In some church bodies, application packs may be in paper format, but in others this will mean providing a link to the bodies' website where all relevant information can be found, including the relevant statements and policies as outlined in the Requirements.

The application form should include important information about a candidate's history, including his/her experience of working or volunteering with children, young people or vulnerable adults and his/her motivation for working with these groups. Only information that is actually needed to assess the applicant's suitability at this stage should be requested.

Whilst some applicants might find it hard to remember full histories, whether life, employment or volunteering, any gaps must still be identified and explored as far as possible.

It is good practice to include a declaration on the application form that all information provided on the application form is "true & complete".

### Example:

"I confirm that to the best of my knowledge the information I have provided on this form is correct and I accept that providing deliberately false information could result in my dismissal/termination of my role as a volunteer".

If the individual is shortlisted (see [Section 6: Shortlisting Applicants](#)), then the information provided within an application form can be followed up during the subsequent interview, e.g. if someone has moved from role to role (e.g. from church to church), each time getting involved in children's or vulnerable adults' work for only a relatively short time, this is a matter that should be addressed in the interview. Large and/or

frequent gaps in the history should also prompt questions about the person's background.

## Toolkit

- [Application Form for Volunteers template](#)

## Section 5 - Confidential Declarations

6 minutes read

Last updated: 14 March 2023

Version: 1

### Requirements

5.1 A Church of England Confidential Declaration form must be completed by all applicants for positions engaging in regulated activity or otherwise working/having substantial contact with children, young people or vulnerable adults which requires an enhanced (with/without barred list) DBS check.

5.2 All recruitment documentation must detail the Confidential Declaration requirement for that particular role and the basis on which that requirement is made, so that the applicant is aware from the outset.

5.3 If an applicant does not want to complete a Confidential Declaration form then the application process must be terminated.

5.4 The Confidential Declaration form must only be viewed by those who need to see it as part of the recruitment & selection process.

Church bodies must have an appropriate policy in place to ensure information is reviewed and retained appropriately, in line with current data protection legislation.

# Good practice advice

## Why?

The [Rehabilitation of Offenders Act 1974](#) (ROA) allows certain convictions and cautions to be considered 'spent' (i.e. legally ignored) after a specified period of time<sup>1</sup>. The specified period is determined by the sentence or penalty received for the offence. Once a caution or conviction is spent the person is considered rehabilitated and the ROA treats the person as if they had never committed an offence.

This means that applicants with criminal records have the right to legally withhold such information when applying for most jobs or voluntary roles. If someone's caution or conviction is spent, it's unlawful for employers/recruiters etc. to consider it when making a decision about their suitability for a job/role.

Some roles are made exempt from the ROA by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975, commonly known as the 'ROA Exceptions Order'. Broadly speaking, the ROA Exceptions Order lists those roles and positions that are exempted from the provisions of the ROA, this includes those roles which will have substantial contact/work with children, young people or vulnerable adults. If the role you are appointing to is exempt (as previously defined in the role description see [Section 2: Role Descriptions and Person Specifications](#)) this means the individual will be eligible for an enhanced (with/without barred list) DBS check (see [Section 9: Disclosure & Barring Service \(DBS\)](#)).

Applicants for exempt roles must be asked to complete a confidential declaration which gives the individual the opportunity to disclose details of any convictions, cautions, final warnings and reprimands which are not protected i.e. not eligible for being filtered out in accordance with the [DBS filtering rules](#), and will be displayed on a DBS certificate. The information declared by the applicant, as well as that provided on the DBS certificate can be taken into account when deciding on an individual's suitability for the role for which he/she applied.

## How?

Asking applicants for exempt roles to declare their criminal record and other information via a confidential declaration should be done in a way that encourages honesty and openness.

All recruitment and selection documentation must include an explanation that the post is exempt from the Section 4 (2) of the Rehabilitation of Offenders Act 1974 by virtue of the fact that the post/role is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Police Act 1997 (Criminal Records) Regulations and outline exactly what information will be requested from them and at which stage of the process.

The emphasis should be that the information will only be used to inform the overall assessment as to a candidate's suitability for the role, where it is relevant. Providing this information will help prospective applicants decide whether they would like to apply or not. All of this should be stated on the relevant privacy notice.

## How should applicants make a confidential declaration?

A confidential declaration should be made in writing (handwritten or electronically). This is useful as it serves as evidence of exactly what the applicant disclosed when applying and may be held on the applicant's file if they are successful.

- [Download the Church of England's Confidential Declaration form](#)
- [Download the Church of England's Confidential Declaration form Privacy Notice](#)

## When should applicants be asked to make a confidential declaration?

The timing of the completion of a confidential declaration form can vary in practice from organisation to organisation. Indeed, there may be some sense from an administrative point of view in not asking candidates to fill out the confidential declaration form until they are shortlisted for interview.

However, there is nothing in legislation preventing bodies from requesting such information at an early stage of the recruitment process provided there is sufficient justification or legitimate purpose for requesting it at that point. If someone is applying for a role in regulated activity or for a role which, although outside regulated activity, is still eligible for an enhanced DBS check, it is perfectly acceptable. For example, you could have a candidate that you don't shortlist as a result of their responses on the confidential declaration form because that candidate is completely inappropriate from a safeguarding perspective. Bodies need to be clear with applicants that this can happen and of course, give candidates an opportunity to explain.

Additionally, if you only request confidential declaration forms to be completed by shortlisted candidates, you may have a situation where a candidate is applying for a regulated activity role but they are barred from that activity by the DBS. If you don't ask the candidate to complete the confidential declaration form until after they are shortlisted for interview, you would not know that they were barred until the interview. If a person is barred, you must not interview the person for a regulated activity role and it is therefore questionable why such a person should be shortlisted prior to interview. It would be a criminal offence to employ such a person in regulated activity, as well as a criminal offence for them to apply. By asking candidates to complete forms earlier in the process you avoid such a situation arising.

If the candidate has declared anything on his/her confidential declaration, this should be assessed in accordance with the body's agreed process and, if it does not make them unsuitable to be shortlisted, the declared information should be discussed at interview. Appropriate notes relating to the discussions with the individual should be recorded within the interview notes. The information provided during the interview discussion must be discussed with the appropriate point of contact from within the safeguarding team relevant to the body (see [Section 10: Criminal Records](#) for further guidance on dealing with declared information).

Throughout all of this, transparency with applicants is key. Criminal record information is a particularly sensitive category of personal data and

subject to additional protection under data protection legislation. Ensuring individuals are fully aware of a body's policies and procedures is essential. Applicants must be made aware of when and why such information is being requested, what will be done with it, who it may be shared with and for how long it will be retained. Bodies will need to have a retention policy about storing the information, whether a candidate is successful or not.

A privacy notice must be attached to the confidential declaration form to illustrate how a person's personal data will be processed in this context. A standard privacy notice for the confidential declaration can be found at the end of the Church of England Confidential Declaration form.

Bodies should consult those responsible for data protection if they have any queries in relation to the processing of this personal data or the appropriate use of the privacy notice.

Finally, if an applicant does not wish to complete a confidential declaration form, which is entirely his/her choice, the application should not proceed further and must be terminated.

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[1] A sentence of over 4 years is never spent.

- 1A sentence of over 4 years is never spent.

## Section 6 - Shortlisting Applicants

2 minutes read

Last updated: 15 July 2021

Version: 1

### Requirements

6.1 Shortlisting must be conducted by the person responsible for the appointment (see [Section 1: Responsibilities](#)) and at least one other person.

6.2 Applicants must be shortlisted for interview based on the evidence provided in their application form and usually only those who meet all the essential criteria as defined on the person specification must be shortlisted (even where there is only one applicant).

6.3 Application forms must be properly scrutinised and any gaps or queries (e.g. in employment/education/church/volunteering history etc) must be highlighted and marked for further exploration if the applicant is shortlisted and invited to interview.



# Good practice advice

## Why?

The purpose of shortlisting is to identify, from their application form, those individuals who best meet the selection criteria for the role and who you wish to take forward to the next stage of the recruitment and selection process, which is often an interview.

Even if there is only one applicant to be considered, his/her application still needs to be assessed to ensure he/she meets the essential selection criteria.

## How?

Candidates should be shortlisted by comparing the information provided on their application form against the person specification requirements.

## Shortlisting Panel

The person responsible for the role (see [Section 1: Responsibilities](#)) usually leads on the shortlisting process, with support from other members of the interview panel (minimum of two people). This helps maintain consistency across this stage of the process.

For paid employment roles, it is good practice to record shortlisting decisions so that they can be evidenced and, if requested, verbal/written feedback provided to those not shortlisted.

## Incomplete application forms

If an application is not fully completed, or it is not clear how an applicant meets all of the essential criteria, the application would usually be rejected from the process at this stage. There may be exceptional cases where it is decided to shortlist based on the information that is provided and then the issues/gaps etc. explored further during the interview.

## Interview candidates should receive:

- Confirmation of the interview
- Details of the interview process; and who will be present
- A further copy of the role description/person specification
- Details of any tasks or further selection activities to be undertaken as part of the interview process
-

Details of any documentation they must provide e.g. proof of qualification(s), proof of identity in accordance with Right to Work in the UK requirements (employees).

This information can be provided via email, post or in person, depending on the nature of the role being interviewed for.

## Section 7 - Interviews and Assessment

4 minutes read

Last updated: 15 July 2021

Version: 1

### Requirements

7.1 All posts falling within the scope of this guidance require an interview of shortlisted candidates (even where there is only one applicant).

7.2 Interviews must be held face to face. Exceptions to this would be an applicant from outside the UK whose initial interview may be conducted virtually or where Government/Legal restrictions have been introduced e.g. due to a national emergency such as COVID19.

7.3 Interviews must be held with a panel of a least two, one of whom must have attended safer recruitment training within the last three years, be competent in interviewing and possess the appropriate expertise to assess the candidate's competence in the role. Wherever possible, interview panel members must not be closely related to the candidate. If this is unavoidable, the conflict of interest must be declared, and arrangements must be made for an additional person to be present.

7.4 All senior safeguarding roles (e.g. Diocesan Safeguarding Adviser, Cathedral Safeguarding Adviser) or other **employed** roles where there is a clear designation and responsibility for safeguarding must include a member of the National Safeguarding Team on the panel.

7.5 Interviews must explore issues relating to safeguarding and promoting the welfare of children, young people and vulnerable adults through a combination of questions that encompass the Church body's values and expected behaviours, with questions that focus on establishing skills, knowledge, qualifications & previous experience.

7.6 Any gaps, anomalies or discrepancies that have been identified in the application form during the shortlisting process must be discussed with the candidate during the interview and a satisfactory explanation provided. A note of these discussions must be made on the interview paperwork.

# Good practice advice

## Why?

An interview gives the opportunity to investigate the individual's motivation for working with children, young people and/or vulnerable adults as well as explore his/her past experience of working with the relevant group, which may also reveal any indicators of concern.

It is also another opportunity to reinforce the value that the church body places on work with children, young people and vulnerable adults and the seriousness with which the body takes the appointment of those who work or volunteer with such groups.

## How?

### Selection Methods

Depending on the role, the decision-making process can sometimes be enhanced by using additional selection methods e.g. tasking the candidate with a presentation, observing the candidate working with a particular group.

### Interview Panel for Volunteer Roles

Interviews for voluntary roles may be more informal than an interview for paid employment, but must still involve a minimum of two people doing the interviewing. The conversation should still be structured and should help you to decide whether or not the person is suitable to work with children, young people or vulnerable adults, including whether the individual has the ability to volunteer in the particular role and co-operate well with the others in the group.

## External Resources

- [The volunteer recruitment process — NCVO Knowhow](#)

## Interview questions

Questions asked during the interview - whether for paid employment or volunteering roles - should explore the candidates:

- Skills, abilities and motivation to work with the relevant group
- Experience with the particular group
- Ability to form and maintain appropriate relationships and personal boundaries
- Reasons for moving on from previous work with the relevant group (if applicable)
- Understanding of relevant safeguarding issues and good practice.

You could also explore:

- Emotional resilience in working with challenging behaviours
- Attitudes to use of authority and maintaining discipline.

These areas should be explored using competency-based questions, for example, asking for examples from the candidate's experience ("tell us about a time..."), asking for responses to a variety of scenarios, probing the answers given ("how...?").

The interview should also provide the opportunity:

- to assess any training and support needs the candidate may have
- to allow the candidate to ask any questions they may have about the role.

## Gaps

The interview is an ideal place to address any gaps or discrepancies that have been identified in the application so far. Such conversations can be challenging and uncomfortable but are vital for ensuring nothing is left to chance. If the guidance Requirements and Good practice advice have been followed to this point, then it should come as no surprise to candidates that such anomalies are queried and they should understand the need for as much clarity as possible.

## Toolkit

- [Example Interview Questions](#)

# Section 8 - Pre-appointment Checks

8 minutes read

Last updated: 03 September 2021

Version: 1

## Requirements

8.1 All appointments to posts that fall within the scope of this guidance must be subject to the completion of satisfactory pre-appointment checks and procedures, as outlined in this section.

8.2 All pre-appointment checks must be:

- Confirmed in writing
- Scrutinised to ensure authenticity
- Documented and recorded
- Followed up if they are unsatisfactory or if there are any discrepancies in the information received.

8.3 Proof of identity

- All applicants must be able to provide proof of identity.

8.4 References

- For **all** roles:
  - A minimum of two written references must be obtained
  - Referees must be over 18 and not be family members or relatives
  - 'Self-supplied', 'to whom it may concern' and verbal references must not be accepted.
- For **volunteers**:
  - At least one of the references must be from outside of the current Church body
  - At least one of the references must comment on the applicant's ability to work with the group with whom he/she will be volunteering.

- If the applicant is currently working/volunteering with children, young people or vulnerable adults, or has done within the past two years, then a reference must be sought from that organisation
- If the applicant has come to the Church body from another Church body within the past two years, a reference must be sought from that previous Church body.

- For **employees**:

- At least one of the references must be from the applicant's current/most recent employer and/or voluntary position
- A minimum referencing period of two years must be applied. This means that it may be necessary to request more than two references depending on the applicant's work history.

## 8.5 DBS

- If a DBS check is required for the role, an application at the appropriate level for the role must be made
- If an applicant does not want to complete a Confidential Declaration form or allow the results of his/her DBS check to be seen, then the application must be terminated.

## 8.6 Overseas Criminal Record Checks

- If a DBS is required for the role and the applicant has lived, worked or volunteered outside the United Kingdom for a continuous period of six months or more at any point within the previous 10 years, an overseas criminal records check must also be carried out, either via a third party provider or by the applicant requesting a Certificate of Good Character from the relevant embassy(ies)
- If the appropriate documentation cannot be obtained from an embassy, the applicant must provide evidence of their attempt to obtain a certificate.

## 8.7 Qualifications

- If applicable, applicants must be able to provide original proof of qualifications.

## 8.8 Professional Status

- If applicable, applicants must be able to provide original proof of professional status.

## 8.9 Health Information

- Where the nature of a role makes it reasonable to do so, applicants who are successful at interview must be asked to provide health information
- If there are any queries about an individual's health in relation to the post applied for, clarification of this must form part of the pre-appointment checks.

# Good practice advice

## Why?

Carrying out pre-appointment checks is important for safeguarding children, young people and vulnerable adults as it helps a body to establish a more rounded picture of the candidate's suitability to work with these groups.

If at any point during this process a discrepancy is highlighted in the information provided by the applicant, he/she should be given the opportunity to explain the discrepancy. Examples could be dates of employment or reasons for leaving provided on an application form differing to those received on a reference. It is a good idea to keep a written record of such clarifications with the individual's application form.

Whilst reference checking plays an important part in the pre-appointment checks process, references don't always say that much and therefore it is important to consider what else can be done to build up as true and rounded picture of the applicant as possible.

## How?

### Employment/Volunteering/Education References

This type of reference should be sought directly from the relevant organisation, including overseas where relevant, not an applicant's colleague and, ideally, be provided on headed paper to verify the legitimacy of the organisation providing it. If received via email, it should be sent from a verified (as far as possible) business email address.

Details requested should include:

- Where the individual has been employed/volunteered/studied;
- The dates of employment/volunteering, or duration of study;
- The position held, or study undertaken;
- Individual's suitability to work with children, young people or vulnerable adults;
- Any concerns about the individual working with children, young people or vulnerable adults;
- Any substantiated allegations, disciplinary warnings, including time-expired warnings, in relation to working with children, young people and vulnerable adults;
- The reasons for leaving employment, voluntary work, training or study (if known).

Church bodies should consider reserving the right to contact any one of the applicant's current/previous employment, volunteering or education contacts in case of any anomalies or discrepancies.



## Personal References

Personal references should only be sought as a last resort due to their limitations in terms of evidential effectiveness. Personal references might be sought from group/club leaders, mentors, neighbours, or family friends. The referee should know the person well and have up-to-date knowledge of them.

Details requested should include:

- How they know the individual;
- How long they have known the individual;
- An honest overview of the individual's character;
- Individual's suitability to work with children, young people or vulnerable adults;
- Any concerns about the individual working with children, young people or vulnerable adults;
- Any knowledge of the individual being investigated over safeguarding issues.

## Verbal confirmation/verification

It is recommended that wherever possible all written references are followed up with a telephone call, to verify the identity of the referee. Talking to referees when you have read the reference will give the opportunity to clarify any anomalies or discrepancies between the information that the referee has provided and the information that the applicant has given. It is good practice to keep a note of the call - when it took place, who was involved, what was said – to be stored alongside the written reference received.

## Reference checking challenges

References can sometimes prove difficult to obtain. If, despite best efforts, all required references have not been obtained or the minimum referencing period not covered, then it is recommended that church bodies document all efforts made to seek references from all sources and demonstrate a clear approach to how they addressed such challenges for each individual case.

It is not unusual these days for written references to provide very limited information e.g. limited to confirmation of dates when someone worked at a particular organisation. As detailed above, it is recommended that wherever possible, but particularly if such references are received, that a telephone conversation takes place as a follow up to the references received.

There are a number of situations where people will struggle to provide a referee, e.g. if just leaving school, returning to work or volunteering after a break. In these situations, the only possible references might come from friends and family, in which case they should always be followed up verbally and attempts to contact a previous teacher, employer or other contact as detailed above made wherever possible. Similarly, we are

aware that there are circumstances where the sending Bishop – for reasons unrelated to the character or conduct of the individual concerned – will not provide a reference as per the usual procedure. In these circumstances, it is important to note the steps that were undertaken to try and elicit a reference, that other sources of reference were explored and taken up (including a verbal follow up where possible), and that adequate risk management processes are in place on appointment.

## Timing of reference requests

There may be occasions when taking up references after short listing and before interview may be advantageous. If a church body decides to do this, then they must ensure all appropriate consents from the applicant are in place for the referee to be approached and this must be stated in the Privacy Notice.

## Toolkit

- [Reference Request Forms for Volunteer Positions](#)

## Health information

The purpose of requesting such information is to ascertain whether an individual has any disability or health issues in order that the church body can identify what support or reasonable adjustments might need to be provided for them to be able to undertake their job or volunteering duties safely.

Health data is special category personal data under current data protection legislation, which means bodies must ensure that it is protected and only accessed by those who need to see it.

Care needs to be taken when asking someone about their health. Only questions that relate to the applicant's ability to perform the core duties of the role and are necessary should be asked. This means asking whether the applicant suffers from any health problems that might prevent them from performing the particular function in question, rather than sending them a general medical questionnaire.

It should be made clear that answers to such questions will not necessarily prevent the individual from taking up the role, but that it is important for the body to be aware of any relevant health information so that they can support the individual in that role.

## Proof of ID

Identity checks should be undertaken to establish, as far as possible, that the individual is who he/she claims to be. Ideally, this should be through formal photographic identity, such as a passport or driving license and confirmation of current address. It is a good idea to ask to see an original birth certificate (issued within a year of the birth), any name change documentation and current documentation (e.g. passports and drivers' licences) so that all names are 'checked'.

# External Resources

- [Right to work](#)

## Section 9 - Disclosure and Barring Service (DBS)

9 minutes read

Last updated: 11 March 2022

Version: 1

### Requirements

9.1 All posts that fall within the scope of this guidance must have a written role description (see [Section 2: Role Descriptions and Person Specifications](#)) which must define the nature of the activities involved and whether they make the role eligible for a DBS check and, if so, at what level.

9.2 All those who meet the criteria of Regulated Activity<sup>1</sup>, including those on a rota, must have an enhanced DBS check (with/without a check of the barred list/s).

9.3 All those who manage or supervise roles that fall within the scope of this guidance and those in leadership roles, and meet the relevant Regulated Activity criteria, are required to have an enhanced DBS check (with/without a check of the barred list/s).

9.4 If an enhanced or enhanced with barred list/s DBS check is requested, Church bodies must ensure that the role meets the eligibility criteria for this and allows a DBS application to be submitted.

9.5 DBS certificates obtained in previous or other employment/volunteer positions must not be used unless the applicant is registered with the 'DBS Update Service' and the workforce and level of check detailed on his/her most recent DBS certificate meets the requirements for the role for which he/she is being considered.

9.6 The DBS update service must not be used for home-based positions<sup>2</sup> if there is anyone else aged 16 years and over living or working at the applicant's home address.

9.7 For all roles requiring an enhanced or enhanced with barred list DBS check, a re-check must be carried out every 3 years<sup>3</sup>, as a minimum.

9.8 Registered Bodies and those in receipt of DBS Update Service information must fulfil the DBS Code of Practice requirement to have a written policy on the recruitment of ex-offenders in place.

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<sup>1</sup>Further information on the definition of regulated activity can be found on the following pages:

- [New disclosure and barring services - GOV.UK](#)
- [Keeping children safe in education - GOV.UK](#)

<sup>2</sup>Defined by the DBS as "the individual carries out some or all their work with children or adults in their own home; **or** lives in the household of someone who is being or has been DBS checked because they carry out work with children (not adults) in their own home"

<sup>3</sup>Please note that this is a change from House of Bishop Guidance 2016, to bring the Church in line with good practice across the charity/not for profit sector.

# Good practice advice

## Why?

The Disclosure and Barring Service (DBS) is the government agency that provides information about an individual's criminal record history, in the form of a DBS certificate, helping organisations to make informed recruitment decisions and prevent unsuitable people from working with children, young people and vulnerable adults.

There are 4 levels of DBS Check – Basic<sup>1</sup>, Standard<sup>2</sup>, Enhanced and Enhanced with Barred List(s). Depending on the level of check applied for, a DBS certificate will identify if an individual has any criminal convictions; if they are barred from working with children or vulnerable adults and if the police hold any other relevant information about that person.

DBS Check Level/Information provided	Basic	Standard	Enhanced	Enhanced + Barred Lists
Unspent convictions	Green	Green	Green	Green
Spent convictions (subject to filtering)	Red	Green	Green	Green
Cautions (subject to filtering)	Red	Green	Green	Green
Police intelligence	Red	Red	Green	Green
Inclusion on children's barred list	Red	Red	Red	Green
Inclusion on adult's barred list	Red	Red	Red	Green

To be eligible for an "Enhanced" check the role must be in the ROA Exceptions Order 1975 but also MUST be either "work with children" and/or "work with adults" as defined in the Police Act 1997 (Criminal Records) Regulations 2002 (as amended). To be eligible for an "Enhanced check plus barring information" the role must, in addition to the above, be included in the Police Act 1997 (Criminal Records) (No 2) Regulations 2009 (as amended).

Obtaining a DBS certificate must NOT be seen as a substitute for carrying out other safer recruitment checks and processes, or as the end point of the process. The use of DBS checks forms just one part of a comprehensive selection and ongoing management process, as outlined within the guidance Requirements and this Good Practice Advice document.

## How?

### Eligibility

It is essential to ensure that the law allows for a DBS check application to be submitted at the appropriate level. Whilst there is no eligibility requirement for a Basic DBS check, any church body asking an individual to apply for an Enhanced or Enhanced with Barred List/s DBS check has

a legal responsibility to ensure that the role is eligible and can explain what parts of legislation support the application. The DBS may require an explanation as to why eligibility exists.

It is a criminal offence for anybody to carry out enhanced or enhanced with barred lists DBS checks on roles that are not eligible. Church bodies that carry out illegal checks may not only be committing an offence under Part V of the Police Act 1997, but are also likely to be in breach of data protection legislation.

- 1In legislative terms, a Basic DBS check is not called a criminal record check but a 'criminal conviction check'.
- 2Standard checks are not relevant to church bodies/activities as they only relate to certain positions e.g. lawyers, certain FCA positions etc.

## External Resources

- [DBS website](#)
- A guide to DBS checks ([DBS video](#))
- A guide to DBS checks ([DBS pdf](#))
- [DBS Regional Outreach Service](#)
- Further guidance on DBS Eligibility can [be found on the DBS website](#)
- The Christian charity thirtyone:eight also [provide useful guidance in this area](#)
- A flowchart for home-based positions can [be found on the DBS website](#)

## Toolkit

- [DBS Role Eligibility Guidance](#)

## Basic DBS Check

As mentioned above, there are no eligibility requirements attached to Basic DBS checks and their use is left to local determination. Diocesan policy should set out when such checks will be requested, as well as the lawful basis for requesting them from a data protection point of view, and ensure individuals are made aware of this at the start of any application process. The Church of England Confidential Declaration form should not be used for roles where Basic DBS checks are being carried out, as only questions in relation to the information provided on a Basic check (i.e. unspent convictions) can be asked. A revised confidential declaration form would need to be used in this situation, for which legal advice would be required as well as advice from the data protection lead.

## Regulated Activity

It is a criminal offence to appoint someone who is known to be barred from working with children, young people and/or vulnerable adults in 'Regulated Activity'<sup>3</sup>. It is also an offence for a barred person to seek work in Regulated Activity with the group from which they have been barred from working. Church bodies therefore have a responsibility to request criminal record checks on everybody that it is appointing to work or volunteer in Regulated Activity.

- <sup>3</sup>Further information on the definition of regulated activity can be found on the following pages:

<https://www.gov.uk/government/publications/new-disclosure-and-barring-services> and

<https://www.gov.uk/government/publications/keeping-children-safe-in-education--2>

## DBS Referrals

The Safeguarding Vulnerable Groups Act 2006 places a duty on organisations where individuals engage in regulated activity to refer to the DBS any person who they have removed (or would have been removed had the person not resigned, retired or left the workplace) from working or volunteering in that activity because they:

- engaged in "relevant conduct" (i.e. an action or inaction (neglect) that has harmed or posed a risk of harm to an adult at risk or a child) OR...
- satisfied the harm test (i.e. there has been no "relevant conduct" but there is still a risk of harm to a child or vulnerable adult) OR...
- received a caution or conviction for a relevant offence, (e.g. a serious sexual or violent offence).

Details about how to refer can [be found on GOV.UK](#).

The DSA/CSA/HR will usually oversee any DBS referrals.

## Use of Third-Party DBS providers

If a church body chooses to use a third-party DBS provider, they must assure themselves that the supplier meets all legislative requirements and appropriate standards of a Registered Body (Enhanced DBS Checks) and/or a Responsible Organisation (Basic DBS Checks). An organisation can be both a Registered Body and a Responsible Organisation

[GOV.UK provides an up-to-date list](#) of Registered Bodies and Responsible Organisations who are registered to submit applications for DBS checks, via an online service, on behalf of other organisations. These suppliers guarantee an accurate and honest service, providing information that is in line with the DBS Code of Practice.

Church bodies should not use other non-registered organisations offering the same DBS checking service – such organisations are not permitted to apply for DBS checks on behalf of others.

## Update Service

Disclosure certificates obtained from previous or other employers, or in previous or other voluntary roles, are not portable unless the individual is registered with the 'DBS Update Service' If an individual is subscribed to the DBS Update Service, they must be asked to confirm which workforce (i.e. Child, Adult, Child & Adult, Other) and level of DBS their current DBS certificate is for. If these details meet the requirements of the new role then the DBS Certificate should be viewed and the DBS Update Service accessed to establish if anything has changed since the certificate was issued.

If a candidate is not registered with the DBS Update Service or is registered but his/her existing DBS Certificate is not for the correct workforce or it is for a higher/lower level of check than is required, a new Disclosure Application form must be submitted. As part of the Disclosure Application form process, individuals may be encouraged to subscribe to the annual DBS Update service in order that this can be accessed for any future DBS rechecks, rather than a full application having to be repeated again (although see below in relation to home-based roles).

## Home based roles

If a role is a home based role or has a home based element (i.e. a person will be working with children, young people or vulnerable adults in the place where he/she lives), there must be no one over 16 years of age living or working at the person's home address if the Update Service is to be used. This is because the [Update Service](#) will only check for new information which relates to the Update Service subscriber (the individual for whom the original application was made), not the home address where the work is being undertaken or any other individuals employed or living at that address.

Further details on this can [be found on GOV.UK](#).

## Overseas Criminal Records Checks



The DBS cannot access criminal records held overseas, therefore a DBS check may not provide a complete picture of an individual's criminal record, whether they are a British Citizen or not.

A Certificate of Good Character - also sometimes referred to as 'Certificate or Letter of Good Conduct' - can be requested by an applicant, usually from the home embassy of the country(ies) that they have lived or worked in. The application process for the certificate varies from country to country and up-to-date guidance can [be found on GOV.UK](#).

Where the information cannot be obtained or is not available, the applicant should be asked to provide evidence of their attempt to obtain a certificate and the responsible person should take extra care when taking up references or checking any previous employment record and, in such cases, it would be advisable to seek additional references, as well as actually speak to referees on the telephone. It is acknowledged that if someone has been travelling abroad, e.g. on a gap year where a number of countries would be visited, it will not be possible to obtain the information in this format. Therefore, it is even more important that the references and any previous employment or volunteer experience is verified.

There are companies who carry out overseas checks for many different countries, which may offer a more robust solution to the 'Letter of Good Conduct'.

## Section 10 - Criminal Records

5 minutes read

Last updated: 03 September 2021

Version: 1

### Requirements

10.1 Church bodies must have a clear process for assessing and making decisions in respect of criminal record information.

10.2 The process for assessment and decision making must include clear agreement as to who is the appropriate point of contact for advice from within the safeguarding team relevant to the Church body e.g. Diocesan Safeguarding Adviser, Cathedral Safeguarding Adviser, Chief Operating Officer, Dean, Diocesan Registrar.

# Good practice advice

## Why?

Over 11 million people in the UK have a criminal record - more than 20% of the working-age population. Criminal record information may come to light at any stage of the safer recruitment process, as well as during the ongoing employment or volunteering relationship.

Having a criminal record does not necessarily prevent an individual working or volunteering with children, young people or vulnerable adults - this will depend on the exact nature of the position applied for and the details and circumstances of his/her offence(s). Criminal record information does, however, need to be considered in a fair, effective and robust manner, focusing on the need to safeguard people and, where necessary, exclude individuals with particular forms of criminal record.

## How?

### Policy Statement

As detailed in the Requirements, Registered Bodies and those in receipt of DBS Update Service information must have a written policy on the recruitment of ex-offenders in place.

Such a policy needs to reflect the practices of the church body in terms of ensuring fair and equal practice for applicants who may have a criminal record, including no automatic discrimination. This ensures that both the church body requesting the DBS check and the applicant in question are aware of the rights and responsibilities that the body has in terms of fair practice and treatment in recruitment.

For those roles where a DBS check is required (see [Section 9: Disclosure and Barring Service](#)), the policy should identify that this is made clear in job adverts/notices (see [Section 3: Advertising a Role](#)) and throughout the recruitment process. It should also make reference to the policy itself being made available to prospective candidates at the outset of the recruitment process.

A sample policy on the recruitment of ex-offenders can [be found on the DBS website](#).

### Information provided within a Confidential Declaration

(see [Section 5: Confidential Declarations](#))

Information declared on a Confidential Declaration must be referred to the appropriate point of contact for advice from within the safeguarding team relevant to the body (e.g. Cathedral or Diocesan Safeguarding Advisor (CSA/DSA)), and considered in a reasonable and measured way. This should include, where appropriate, a discussion with the applicant to provide them with the opportunity to respond to any concerns.

A clear record must be kept at this stage as to why, based on the information provided within the Confidential Declaration and the subsequent

discussion with the individual, this information does or does not affect his/her ability to be progressed to the next stage of the process.

## Information provided within a DBS Certificate

**(see [Section 9: Disclosure and Barring Service](#))**

Once the DBS Certificate is viewed, the contents should be verified against what has been previously declared on the Church of England Confidential Declaration form by the appropriate member of the safeguarding team relevant to the body (e.g. CSA/DSA).

If the DBS Certificate identifies information that the individual has not disclosed on his/her Confidential Declaration form or at any other time during the proceedings to date, then serious consideration must be given as to whether this candidate can be appointed after such a potential breach of trust. In all cases, the applicant should be given the opportunity to explain the discrepancy before a final decision on their suitability for the position is made.

## DBS Risk Assessment

The relevant safeguarding adviser (e.g. CSA/DSA) will carry out a risk assessment once all of the above relevant information is gathered together. The risk assessment should evidence the decision-making process that has taken place and document the rationale behind the final recruitment decision – particularly important in the case of potential discrimination claims. The risk assessment should also include any approvals and authorisations required by local policy.

The safeguarding adviser will make a recommendation concerning the suitability of the applicant to the person responsible for the appointment in line with local arrangements.

If the applicant is appointed, the risk assessment should be securely stored on the appropriate file.

Individuals with convictions/sentences for serious offences such as sex offences will not be considered for positions working or volunteering alongside children, young people and vulnerable adults. Convictions for drug and violence offences will generally not be considered, however, there may be exceptions and advice should be sought from the appropriate point of contact from within the safeguarding team as well as legal advice from the diocesan registrar. Exceptions would include someone who has successfully reformed and now works with young people to help them with drug or violence issues, or where the conviction is for a minor offence (e.g. possession of cannabis) and is from a considerable time ago.

If issues are complex, assistance may be sought from the Local Safeguarding Children or Adults Safeguarding Partnership. In very complex cases the advice of an independent specialist may be required. Assistance with this should be sought from the National Safeguarding Team.

## Criminal Record Discrepancies

Discrepancies can occur in criminal records. This is sometimes simply because the applicant may not understand how the disclosure system works in terms of spent/unspent cautions or convictions or has been given inaccurate information about what he/she needs to disclose.

Additionally, mistakes can sometimes be made on DBS Certificates – if an individual disagrees with the information contained within their DBS certificate it is his/her responsibility to appeal directly to the DBS but any appointment decisions should be deferred until such time as the dispute is concluded.

## **Criminal Records and Data Protection**

Criminal records are a particularly sensitive type of personal data and therefore must be handled lawfully and with particular care. Advice and guidance from those responsible for data protection in the given body should always be sought.

## **External Resources**

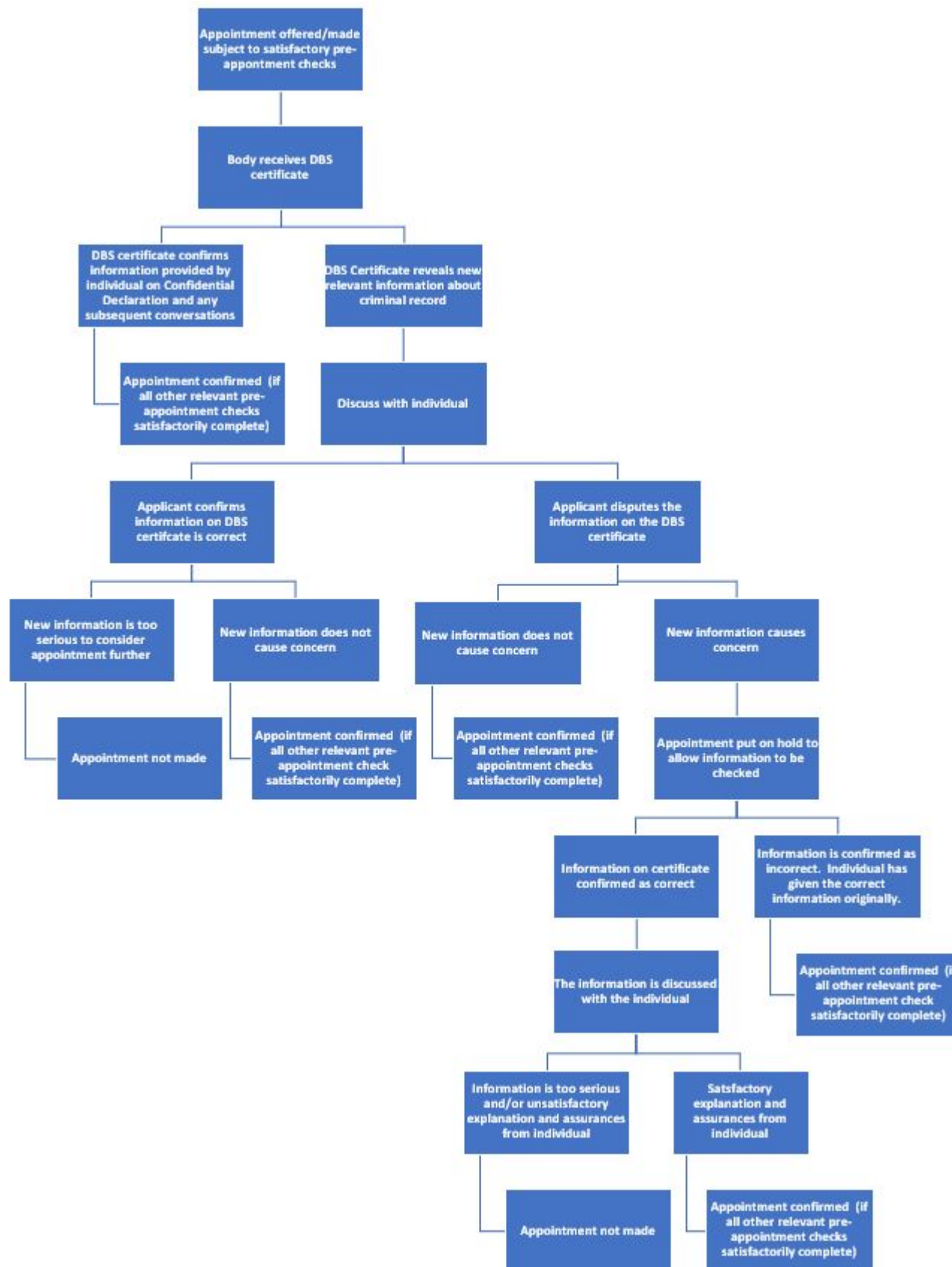
- [NACRO provide useful background information on dealing with criminal convictions](#)

## **Toolkit**

- [DBS Risk Assessment Form template](#)

# Dealing with Criminal Records

- [Download this flow chart as a PDF \(with readable text\)](#)



## Section 11 - Appointment

2 minutes read

Last updated: 15 July 2021

Version: 1

### Requirements

11.1 All appointments to posts that fall within the scope of this guidance must be subject to the completion of satisfactory pre-appointment checks and procedures (see [Section 8: Pre-appointment Checks](#))

11.2 A start date must only be confirmed once all pre-appointment checks and actions are satisfactorily completed and verified

11.3 All **employees** must be issued with a Contract of Employment

11.4 All **volunteers** must be issued with a Volunteer Agreement

11.5 All those appointed must receive written statements of:

- Policies and procedures in relation to safeguarding, including the identity and responsibilities of those within the Church body with designated safeguarding responsibilities
- Safe practice and the standards of conduct and behaviour expected
- Other relevant procedures/documentation e.g. whistleblowing, disciplinary procedures, privacy notice relevant to appointment.

11.6 All those appointed must sign a document to indicate that they have received, understood and agree to adhere to all the written statements identified at 11.5 above as well as the role description for their position.

## Good practice advice

### Why?

When the person responsible for the role (see [Section 1: Responsibilities](#)) is satisfied that all of the pre appointment checks have been completed and given their final sign off on the file, a start date can be confirmed.

Appointment documentation is another opportunity to reinforce the value that the church body places on work with children, young people and vulnerable adults.

### How?

It is good practice to send a letter of appointment, along with the contract (**employees**) or volunteer agreement (**volunteers**). This appointment pack should contain all the documentation as outlined in the Policy Requirements.

## Toolkit

- [Appointment Letter for Volunteers template](#)

# Section 12 - Induction

3 minutes read

Last updated: 15 July 2021

Version: 1

## Requirements

12.1 All appointments to posts that fall within the scope of this guidance must undergo an induction process appropriate to the role being undertaken, whether paid or unpaid

12.2 Induction must include:

- Mandatory training and information about the Church body's safeguarding policies and procedures, including to whom to report concerns
- One to one meeting(s) with the individual to whom the inductee reports
- Expectations in the role, objectives (where appropriate) and arrangements for ongoing support.

12.3 The induction process must be evaluated and reviewed regularly as part of the continuous improvement of the safer people management cycle.

# Good practice advice

## Why?

A planned, proportionate and consistent induction process ensures that everyone in the church body fully understands and knows how to follow safeguarding policies and procedures, and makes sure expectations are clear.

## How?

A good induction is more than just a series of meetings and is a necessary and important step in relation to safeguarding. Being able to put names to faces and building relationships helps establish a culture where people feel comfortable and able to raise and report any concerns, safeguarding or otherwise.

It is recognised that there will always be the element of 'on the job' induction and that the length and nature of the induction depend on the role, the inductee's background, and the size and nature of the body.

If individuals have completed safeguarding induction training elsewhere/previously, the Church of England safeguarding training must still be completed for their new role to ensure they have up-to-date knowledge and skills and understand how safeguarding works in the new body. This is especially relevant within the Church of England as it is such a diverse organisation with many unique challenges. If individuals have completed the Church of England safeguarding training elsewhere and it is in date then there is no need to repeat it at this point.

Induction meetings must also provide opportunities for the individual to discuss any issues or concerns about his/her role or responsibilities, including any additional training that might be needed. This also enables the responsible person to recognise any immediate or emerging concerns or issues about the person's ability or suitability at the outset and address them straight away, as well as making arrangements for ongoing support. See also [Sections 13: Probation/Settling-in Period](#) and [Section 14: Ongoing Support, Accountability, Oversight & Supervision](#).

During 2020/2021, most induction periods have been conducted virtually, and this looks likely to remain the case for a number of roles for some considerable time. Many bodies had already begun to develop either all or some elements of their induction process to be completed online, moving away from the traditional Powerpoint/ "chalk and talk" format to something more engaging and accessible, especially for volunteers who might be time-limited. Consideration should be given as to how much of the induction process can be carried out online and virtually, without compromising the main purpose of informing and engaging.



# Toolkit

- [Induction Checklist](#)
- [The Code of Safer Working Practice](#)

## Section 13 - Probationary/Settling in Period

4 minutes read

Last updated: 15 July 2021

Version: 1

### Requirements

13.1 A probationary/settling in period must be in place for all appointments to roles that fall within the scope of this guidance<sup>1</sup>

13.2 During this period, regular meetings must be scheduled and prioritised between the responsible person and the individual and safeguarding (process, understanding and behaviours) must form a core part of these meetings.

13.3 Any safeguarding concerns must be thoroughly discussed and documented and appropriate next steps taken, including discussion with the Diocesan Safeguarding Advisor where necessary

13.4 For **employees**, their contract and/or employee handbook must detail the grounds on which the probation period can be extended or terminated, which must include failure to complete Safeguarding training, or failure to comply with the Safeguarding policy

13.5 The probationary/settling in period must include an element of direct observation of the individual by an appropriate member of the relevant team, in order to provide reassurance that he/she is demonstrating safe behaviour, maintaining appropriate boundaries, can spot causes of concern and knows when to report and who to.

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<sup>1</sup>This would not apply to clergy office holder roles or PTO where there is no probationary period.

# Good practice advice

## Why?

For **employees**, the probation period is a key part of the recruitment and selection process, and is, in many senses, the only real test as to whether someone is suitable for the role. This is becoming increasingly relevant as references become shorter and are often simply a factual confirmation of someone's service and job title, and as mentioned above, interviews and induction are carried out virtually.

For **volunteers**, some sort of 'probation' period is equally as important and might be better referred to as a 'settling in' or 'trial' period.

## How?

The period should be long enough for the responsible person to provide the necessary support and guidance to enable individuals to reach the required standard by the end of that period, as well as make a proper assessment of the individual's conduct and ability, including his/her attitude and approach to safeguarding.

Generally, the period set will be a minimum of three months up to six months. It is common practice for **employees** to have a six month probation period. Where appropriate, and mainly in the case of **employees**, relevant objectives may be set as part of this process and, if so, a written record of these and accompanying discussions should be kept.

During this period, there should be regular meetings between the responsible person and the individual. As described in [Section 14: Ongoing Support, Accountability, Oversight & Supervision](#), these meetings might look different for volunteers compared to employees, but whatever format they might take, the meetings should allow the responsible person time to assess the individual, supporting them if this is a new area as well as noticing any warning signs should they arise. Warning signs to be mindful of include:

- unwillingness to attend safeguarding training or lack of engagement – noting there are many reasons why this may be the case
- not understanding appropriate boundaries, e.g. individuals allowing children to sit on their knee
- demonstrating potentially unsafe behaviour, e.g. individuals allowing themselves to be on their own with a child
- Failing to recognise or act upon a safeguarding matter.

The emphasis during this period should primarily be on supporting the employee or volunteer, but should there be any safeguarding concerns, these should be discussed fully and openly and the resolution recorded on the individual's personnel file.

All safeguarding training must be completed during the probation/settling-in period. If this is not feasible, as a minimum the Basic and Foundation (where the latter is required) must be completed. See also [Section 15: Learning and Development](#).

For **employees**, bodies should ensure that they have a probationary policy that provides a process for dealing with those who are unsuccessful

in their probationary period. The policy should make clear the grounds on which the probation period can be extended or terminated, which will include failure to undergo safeguarding training, or failure to comply with the safeguarding policy.

The probation review should be scheduled in advance to ensure it occurs before the last day of the probation period. If the review does not happen before the end of the probationary period, the employee may be deemed to have successfully passed his/her probationary period by default. A successfully completed probation period should be confirmed in writing.

For **volunteers**, there is no employment contract and therefore they do not have the same rights as employees. If the settling-in period reveals that the volunteer is not suited to a particular role, or there are any emerging safeguarding concerns, the volunteer can be asked to leave and stand down at any point.

## Section 14 - Ongoing Support, Accountability, Oversight and Supervision

5 minutes read

Last updated: 23 July 2021

Version: 1

### Requirements

14.1 As part of finalising the probation/settling-in period, arrangements must be made for how ongoing support is to be carried out for all roles that fall within the scope of this guidance, which must include confirmation of the responsible person to whom the individual reports to

14.2 Regular meetings must continue to be scheduled between the responsible person (or someone to whom this task has been delegated) and the individual and safeguarding must form a core part of these ongoing meetings. For some roles, (eg DSAs) this will take the form of formal/professional supervision; for other roles, different terminology will be used (e.g. Ministerial Development Review)

14.3 Any safeguarding concerns must be thoroughly discussed and documented. These opportunities must also be used to develop the individual's safeguarding understanding and skills

14.4 If an individual already in post becomes involved in criminal activity, or other unacceptable behaviour<sup>1</sup>, the individual must bring it to the immediate attention of the responsible person for their role (as identified at 1. above) in order that the information can be assessed for relevancy to the individual's role. The responsible person must report the disclosure to their own line manager or other appropriate person and the information dealt with as per the Church body's criminal record process (see [Section 10: Criminal Records](#)). This includes seeking

advice from the appropriate point of contact from within the body's safeguarding team, as well as legal advice from the Diocesan Registrar (or equivalent)

14.5 If an individual already in post fails to disclose their involvement in criminal activity, or other unacceptable behaviour (see the footnote in the Requirements area of [Section 13: Probationary/Settling in Period](#)), then this must be addressed immediately by the responsible person for the role (as identified at 1. above), reported to their own line manager or other appropriate person and the information dealt with as per the Church body's criminal records process (see [Section 10: Criminal Records](#)), including seeking advice from the appropriate point of contact from within the body's safeguarding team, as well as legal advice from the Diocesan Registrar (or equivalent).

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<sup>1</sup>"Unacceptable behaviour" is defined as: including actions, words or physical gestures that could reasonably be seen as causing distress or discomfort to another person., e.g. bullying, harassment and/or victimisation. Any of the following listed below could be construed as examples of "unacceptable behaviour" - aggressive or abusive behaviour, e.g. shouting or insulting someone, spreading rumours or gossip designed to hurt someone, discrimination or harassment in particular when related to a protected characteristic under the Equality Act 2010, physical contact that is unwanted, offensive comments/jokes, publishing, circulating or displaying offensive material or pictures (could be violent or pornographic), isolating or deliberately excluding someone, persistent, continuous and unreasonable destructive criticism, unreasonable demands and impossible deadlines/targets and coercion, such as pressure to agree to a particular idea, - e.g. political or religious belief. Please also see [The Code of Safer Working Practice](#).

# Good practice advice

## Why?

Support for individuals is generally quite intensive during the probation/settling in period, and whilst it can usually be reduced once that stage has passed, a level of continued individual support is important and has many general benefits, whether someone is an employee or a volunteer, including:

- **Whether they are happy in his/her role, or whether there are any personal issues which may be affecting him/her.**
- **Being able to address any issues of poor performance or behaviour, and more importantly recognise those that are good.**
- **Identifying if there is any training the individual needs or wants.**
- **Provide updates on any developments within the Church body, where appropriate.**
- **Identifying 'role drift' (see [Section 3: Advertising a Role](#))**
- **Address any other concerns.**
- **Setting and reviewing objectives – competency/values and behaviour based.**
- **What are the individual's career aspirations/future plans (where appropriate).**

Safeguarding forms an integral part of this ongoing support, providing an opportunity for continued vigilance and review as well as development of the individual's understanding of safeguarding, their skills and expected behaviors.

## How?

The way in which this support is carried out is very much a local decision and will depend on the role. This may take the form of formal/professional 'supervision' meetings. For other roles, different terminology will be used, such as a 'one to one meeting', 'review meeting' or simply a 'catch up' – whatever is most appropriate to the role, the church body and the individual.

As part of the overall support process, there should also be in place a mechanism to observe the practice of individuals on a regular basis with the opportunity to then debrief on these observations during a subsequent meeting.

In an employment context, meetings would generally be held on a monthly basis, but for volunteers this would not necessarily be appropriate, and should be adapted depending on the role carried out and the level of engagement. A minimum of three times a year is recommended but, whatever the arrangements are, they should be agreed with the volunteer at the outset. These meetings go a long way to ensuring volunteers feel properly valued. Where church bodies have a large volunteer workforce, it is acknowledged that the practicalities of organising one to one meetings at the recommended frequency may be challenging and bodies could consider the use of 'group supervision' (a small meeting of those carrying out the same role) in lieu of some meetings, ensuring that volunteers have at least an annual one to one meeting and are clear on who to approach should they need an individual meeting in between times.

The usual format should be a face-to-face meeting between the responsible person and the employee/volunteer but other mechanisms such as via telephone, video call, etc. can also be effectively utilised.

Meetings should allow enough time to discuss matters properly but should not be longer than 90 minutes and the time should be uninterrupted.

Where appropriate, any notes of relevant safeguarding matters raised and discussed should be taken and stored on the relevant file.

Safeguarding must be a standing agenda item during meetings. This will keep it at the forefront of people's minds and means everyone has an opportunity to raise any concerns or queries they might have and to reflect on and improve their safeguarding practice. It is also a chance for any changes that are made to safeguarding policies and procedures to be shared and discussed.

Meetings should be viewed as a two-way process, helping to ensure that individuals are well supported and clear about the body's requirements.

## Toolkit

- [Volunteer Support Meeting Agenda template](#)

# Section 15 - Learning and Development

3 minutes read

Last updated: 15 July 2021

Version: 1

## Requirements

15.1 Safeguarding learning is mandatory for all posts that fall within the scope of this guidance. Learning requirements will vary according to role and responsibility as set out in the [Safeguarding Learning and Development Framework](#)

15.2 All those involved in the recruitment, appointment and management/supervision of roles that fall within the scope of this guidance must undertake training on Safer Recruitment and People Management

15.3 Local case studies and examples must be added to safeguarding training wherever possible

15.4 Basic and Foundation (where required) safeguarding training must be completed during the probation period.

15.5 All those who manage or supervise roles that fall within the scope of this guidance must ensure and be able to evidence that all relevant training for themselves and those they manage/supervise has been undertaken

15.6 Safeguarding training programmes must be delivered in accordance with the requirements of the Safeguarding Learning and Development Framework.

# Good practice advice

## Why?

An individual's safeguarding competency is an ongoing development – it is not simply learning a set of actions and using checklists. Safeguarding learning is essential for roles involving contact with children, young people and vulnerable adults, equipping individuals to have the confidence, knowledge and skills they need in order to care for and support people who are vulnerable, and to recognise and respond to safeguarding issues, including neglect and abuse.

Comprehensive learning packages help encourage a robust safeguarding culture and should reflect the national requirements for ensuring healthy safeguarding practices and responding well when issues arise. Training for roles needs to include safer working practices that emphasise the importance of consistently maintaining proper boundaries.

## How?

The Church of England has introduced learning pathways that are different in important aspects from what has gone before. There is an emphasis on learning being a journey rather than a one-off event, the use of a blend of learning methodologies, and a focus on personal reflection and dialogue.

The aim is that such pathways should be transformative, going beyond a change in process to affecting people at the level of beliefs and values to achieve behavioural change. Training must be considered the start of the learning process, not the whole of it, and should be evaluated and followed up as appropriate through one-to-one meetings/supervision.

The learning pathways cannot be modified but should be enhanced by incorporating local examples and case studies. This helps provide context, cement the learning, and makes it more engaging. This will also help ensure it applies to the whole range of church bodies.

Many bodies will have their own processes for tracking when refreshers of mandatory training are due, and they should be scheduled in good time to allow for annual leave commitments or any emergencies which arise.

The requirement that training programmes must be delivered by a minimum of two people ensures that appropriate support can be given to those who may find the subject matter particularly distressing, as well as to allow for observation of any inappropriate behaviour or non-engagement.

- [Safeguarding Learning and Development Framework](#)

## Section 16 - Record Keeping

## Requirements

16.1 All Church bodies must maintain a record of pre-appointment checks for all individuals successfully appointed to roles that fall within the scope of this guidance

16.2 The information to be recorded for each individual must include (where relevant):

- Role details
- Personal details of the individual – e.g. name, address, date of birth
- Proof of identity checks performed
- Evidence of qualifications
- The following details if a DBS/Barred List check at the appropriate level has been required:
  - The date of issue on the disclosure certificate
  - The name of the subject
  - The level of disclosure requested
  - The position for which the disclosure was requested
  - The unique reference number of the disclosure
  - The details of the recruitment decision taken.
- Checks carried out on individuals who have lived, worked or volunteered outside the UK (see 6. of [Section 8: Pre-appointment Checks](#))
- If employed, the checks carried out to establish the individual's right to work in the UK
- Details of the written references requested, obtained and verified by telephone
- Details of the gaps in employment/education/volunteering history checked
- If relevant, details of registration with appropriate professional body
- If relevant, record of DBS Risk Assessment
- Record of interview questions and answers.

16.3 The record must include whether or not each pre-appointment check has been carried out, the date on which each check was completed, the evidence obtained and who carried out the check



16.4 Records should be signed and dated by the responsible person

16.5 Other records that must also be kept:

- Where relevant, annually reviewed safeguarding policies & procedures, signed off at the appropriate level
- Ongoing up to date employee and volunteer files, including DBS rechecks
- Safeguarding training completed and scheduled refreshers
- Incident and concern recording – full chronology, signed, timed, dated etc.

## Good practice advice

### Why?

It is important that any church body can reassure itself, as well as others, that all appropriate checks and processes have been undertaken and are kept up to date for individuals who occupy roles involving contact with children, young people and vulnerable adults.

### How?

Records should be set up at the start of an appointment. Some records may be stored at parish level, some at diocese level – either way, church bodies must ensure they have a clear process for what is stored where and associated responsibilities.

Whilst there are many software solutions for record keeping, a spreadsheet can be just as effective. The records should be used to track the items listed in the Policy Requirements.

Church bodies must have an appropriate policy in place to ensure information is retained and reviewed appropriately, in line with current data protection legislation and that all required privacy notices are in place.

## Toolkit

- [Model Record Keeping template](#)

**This document is version 1 and was printed on 29 September 2023. The most up to date version of this policy can be found on the Church of England website: <https://www.churchofengland.org/safeguarding>**

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