

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 bodies¹ 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

- ¹"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 \(with readable text\)](#)

