

**CONFIDENTIAL DECLARATION FORM**

*To be completed by those wishing to work with children or vulnerable people. All applicants that require an Enhanced Disclosure are asked to complete this form.*

This form is strictly confidential and, except under compulsion of law, will be seen only by those responsible for the appointment and, when appropriate, the Diocesan Safeguarding Adviser or someone in similar role.

As a place of worship, we undertake to meet the requirements of the General Data Protection Regulations made effective from May 25<sup>th</sup> 2018 and all other relevant legislation, and the expectations of the Information Commissioners Office relating to the data privacy of individuals.

***Please note that if you have any queries with any of the questions here, please do contact Joseph Caseley Ministry Assistant (contact details at end of form) for further information.***

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

1. Have you ever been convicted of, or charged with, a criminal offence or been bound over to keep the peace that has not been filtered in accordance with DBS filtering rules<sub>1</sub>? (Include both "spent<sub>2</sub>" and "unspent" convictions).  
YES  NO
2. Have you ever received a caution, reprimand or warning from the police that has not been filtered in accordance with the DBS filtering rules<sub>3</sub>?  
YES  NO

**Note:**

1. You do not have to declare any adult conviction where: (a) 11 years (or 5.5 years if under 18 at the time of the conviction) have passed since the date of the conviction; (b) it is your only offence; (c) it did not result in a prison sentence or suspended prison sentence (or detention order) and (d) it does not appear on the DBS's list of specified offences relevant to safeguarding (broadly violent, drug related and/or sexual in nature). Please note that a conviction must comply with (a), (b), (c) and (d) in order to be filtered. Further guidance is provided by the DBS and can be found at [www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates](http://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates), [www.gov.uk/government/publications/dbs-filtering-guidance](http://www.gov.uk/government/publications/dbs-filtering-guidance), <http://www.ccpas.co.uk/Documents/QRCDBSFiltering.pdf>
2. Please note that the 'rehabilitation periods' (i.e. the amount of time which has to pass before a conviction etc. can become 'spent') have recently been amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Since 10 March 2014, custodial sentences greater than 4 years are never 'spent'. For further guidance in relation to the 'rehabilitation periods', please see <http://hub.unlock.org.uk/knowledgebase/spent-now-brief-guide-changes-roa/>
3. You do not have to declare any adult caution where: (a) 6 years (or 2 years if under 18 at the time of the caution, reprimand or warning) have passed since the date of the caution etc. and (b) it does not appear on the DBS's list of specified offences referred to in footnote 1 above. Please note that a caution etc. must comply with (a) and (b) in order to be filtered

3. Are you at present, or have you ever been, under investigation by the police or an employer or any other organisation for which you worked/volunteered for any offence/misconduct?

YES  NO

4. Have you ever been prohibited or barred from work with children and/ or vulnerable people?

YES  NO

5. Has a family court ever made a finding of fact in relation to you, that you have caused significant harm\*\*\* to a child or vulnerable adult, or has any such court made an order against you on the basis of any finding or allegation that any child or vulnerable adult was at risk of significant harm from you?

YES  NO

**Note:\*\*\***Significant harm involves serious ill-treatment of any kind including neglect, physical, emotional or sexual abuse, or impairment of physical or mental health development. It will also include matters such as a sexual relationship with a young person or adult for whom you had pastoral responsibility or was in a position of respect, responsibility or authority where he/she was trusted by others.

6. Has your conduct ever caused, or been likely to cause, significant harm to a child or vulnerable adult, or put a child or vulnerable adult at risk of significant harm?

YES  NO

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

7. To your knowledge, has it ever been alleged that your conduct has resulted in any of those things?

YES  NO

**Note:** If yes, please give details, including the date(s) and nature of the conduct, or alleged conduct, and whether you were dismissed, disciplined, moved to other work or resigned from any paid or voluntary work as a result.

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

8. Has a child in your care or for whom you have or had parental responsibility ever been removed from your care, been placed on the Child Protection Register or been the subject of child protection planning, a care order, a supervision order, a child assessment order or an emergency protection order under the Children Act 1989, or a similar order under other legislation?

YES  NO

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

9. Have you any health problem(s), which might affect your work with children or vulnerable adults?

YES  NO

**Note:** Declare in confidence any health issues that may affect your ability to work with children or adults. This question is primarily intended to help you if you subsequently need to withdraw from work e.g. because of a recurring health issues.

## DECLARATION

I declare that the above information (and that on the attached sheets \*\*\*\*) is true, accurate and complete to the best of my knowledge. To help us ensure that we are complying with all relevant safeguarding legislation, please read the accompanying notes and complete the following declaration.

I (full name) \_\_\_\_\_ Date of Birth \_\_\_\_\_ of (address)

Consent to a criminal records check if appointed to the position for which I have applied. I have read the Standard/Enhanced Check Privacy Policy for applicants – <https://www.gov.uk/government/publications/dbs-privacypolicies> .

I understand how DBS will process my personal data and the options available to me for processing an application. I am aware that details of pending prosecutions, previous convictions, cautions, or bind-overs against me may be disclosed along with any other relevant information which may be known to the police

**I agree to inform the person within the place of worship responsible for processing disclosure applications if I am convicted of an offence after I take up any post within the place of worship. I understand that failure to do so may lead to the immediate suspension of my work with children or adults at risk and/or the termination of my employment.**

**I agree to inform the person within the place of worship responsible for processing disclosure applications if I become the subject of a police and/or a social services/ (Children's Social Care or Adult Social Services)/Social Work Department investigation. I understand that failure to do so may lead to the immediate suspension of my work with children or adults at risk and/or the termination of my employment.**

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Please return completed form to: Ministry Assistant [joseph.caseley@stgeorgeschurch.net](mailto:joseph.caseley@stgeorgeschurch.net) St George's Church Hub, 27-29 St George's Street, Stamford PE9 2BJ. Tel: 01780 481800

**The Disclosure of any offence may not prohibit employment. Please refer to our Rehabilitation of Offenders Policy.**

As this post involves working contact with children, young people and/or vulnerable adults all applicants who are offered an appointment will be asked to submit to a criminal records check before the position can be confirmed. You will be asked to apply for an Enhanced Disclosure through the Disclosure and Barring Service (DBS).

As the position is exempted under the Rehabilitation of Offenders Act this check will reveal details of cautions, reprimands or final warnings, as well as formal convictions not subject to DBS filtering rules. Because of the nature of the work for which you are applying, this position is exempt from the provision of section 4(ii) of the Rehabilitation of Offenders Act 1974 (Exemptions Orders as applicable within the UK), and you are not entitled to withhold information about convictions which for other purposes are 'spent' under the provisions of the Act with the exception of those that are subject to the DBS filtering rules.

In the event of appointment, any failure to disclose such convictions could result in the withdrawal of approval to work with children or vulnerable adults within the church. This process is subject to a strict code to ensure confidentiality, fair practice and security of any information disclosed.

The DBS Service Code of Practice and our own procedures are available on request for you to read. It is stressed that a criminal record will not necessarily be a bar to appointment, only if the nature of any matters revealed could be considered to place children or vulnerable adults at risk.

As a place of worship we agree to abide by the Code of Practice on the use of personal data in employee/employer relationships under the General Data Protection Regulations effective from May 25th 2018, as well as the expectations of the DBS.

**Notes - Children and Young People**

Under the Protection of Freedoms Act 2012 it is an offence for any organisation to offer employment to anyone who has been convicted of certain specific offences or included on either of the two barred lists held by the Disclosure and Barring Service where the post falls within the scope of regulated activity (as defined by the DBS, under the Safeguarding Vulnerable Groups Act 2006 and the Protection of Freedoms Act 2012). An enhanced with barred list check must be completed. Those working with children and / or adults at risk in posts which fall outside the scope of regulated activity may still be eligible for an enhanced disclosure WITHOUT a barred list check.

The DBS offers both an enhanced check and for those engaged in regulated activity an enhanced with a barred list check.

**DBS Eligibility from:** <https://www.gov.uk/government/publications/dbs-check-eligible-positions-guidance>

## Policy on the recruitment of ex-offenders

It is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and do not discriminate because of a conviction or other information revealed.

This policy on the recruitment of ex-offenders, is made available to all Disclosure applicants at the outset of the recruitment process.

1. As an organisation using the Disclosure & Barring Service to assess applicants' suitability for positions of trust, we aim to comply fully with the Code of Practice and undertake to treat all applicants for positions fairly. We undertake not to discriminate unfairly against anyone who is the subject of a Disclosure on the basis of conviction or other information revealed.
2. We are committed to the fair treatment of our volunteers & staff, potential volunteers & staff or users of our services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical / mental disability, or offending background.
3. This policy will be made available to all DBS applicants at the outset of the recruitment process.
4. We actively promote equality of opportunity for all to achieve the right mix of talent, skills and potential and welcome applicants from a wide range of candidates, including those with criminal records. We select all candidates for interview on the basis of their aptitude, skills, qualifications and experience in relation to the requirements of the post.
5. A DBS check is only requested when it is both proportionate and relevant to the position concerned. For those positions where a DBS check is required, the recruitment information will contain a statement that a DBS check will be requested in the event of the individual being offered the position.
6. Where a DBS check is to form part of the recruitment process, we encourage all applicants called for interview to provide details of any criminal record at an early stage in the application process. We guarantee that this information is only be seen by those who need to see it as part of the recruitment process.
7. We ensure that all those who are involved in the recruitment process will have suitable guidance to enable them to identify and assess the relevance of the offence in relation to the position applied for. We also ensure that they receive appropriate guidance on the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
8. At interview or in a later separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position applied for could lead to withdrawal of an offer of employment.
9. We undertake to discuss any matter revealed in a DBS check with the person seeking the position before withdrawing a conditional offer of employment.
10. We make every subject of a DBS check aware of the existence of the DBS Code of Practice and make a copy available on request.

**Having a criminal record will not necessarily bar you from working with us. This will depend on the offence and the relevance of the offence in relation to the position applied for. The factors taken into account will include the responsibilities of the position, the vulnerability of the customer group, the nature of the offence(s), the number and pattern of the offences (if there is more than one), how long ago the offence(s) occurred and the age of the offender when the offence(s) occurred.**