

Safer Recruitment and People Management

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Introduction

This is a Safeguarding Code of Practice issued under Section 5A of the [Safeguarding and Clergy Discipline Measure 2016](#), as amended by the Safeguarding (Code of Practice) Measure 2021.

The purpose of this Code of Practice ('Code')

This code imposes **requirements** on [relevant persons](#) to ensure the safer recruitment and ongoing management of those appointed to roles that work with children and vulnerable adults. It also provides **Guidance** to relevant persons on how to comply with the requirements. Both the requirements and **Guidance** should be read together. The appendices contain further background and good practice advice.

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 and 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 or are first-time abusers,² and whilst safer recruitment and people management is a required deterrent, no system can ever be 100% foolproof. That is why the creation of safe, healthy cultures is the most important tool in the safeguarding toolkit.

The requirements detailed in this document 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 individuals to thrive and grow and have the very best experience of Christian living through the work of the Church.

Legal framework

Section 5A of Safeguarding and Clergy Discipline Measure 2016 was inserted by the Safeguarding (Code of Practice) Measure 2021 and came into force on 1 March 2022.

¹ For the purposes of this code, the term "Church Bodies" means Parochial Church Councils (PCCs, CCs (including District Church Councils and Guild Church Councils, or similar bodies), diocesan bodies (including Diocesan Boards of Finance (DBFs) and Diocesan Boards of Education (DBEs)), cathedrals, religious communities, mission initiatives (for example a Bishops Mission Order (BMO)), and the National Church Institutions (NCIs).

² See Love & Norris (2020): [Background Checks - No Silver Bullet 9-24-2020 \[APS\].docx](#) and Jay (2004): [The Nature and Scope of Sexual Abuse of Minors by Catholic Priests and Deacons in the United States | IPCE](#)

The provisions replace the former “duty to have due regard” with a duty for all relevant persons to comply with the requirements of a code. The difference is that, unless a specific exemption is given (see below), a relevant person **must** comply with the requirements (blue boxes).

Where a requirement is imposed, the code also gives **Guidance** on how relevant persons can comply with the requirement. The **Guidance** sets out some good practice examples and explains why the requirement is necessary. In other words, it explains “why and how” to deliver the requirements.

Enforcement

- Failure by a member of the clergy to comply with a requirement under this Code may constitute misconduct and may be subject to a CDM.
- Failure by a reader or lay worker to comply with a requirement under this Code may be grounds for the revocation of that reader’s or lay worker’s licence.
- Other church officers³, such as Churchwardens, may be suspended from office for failing to comply with a requirement under this code.
- Breaches by trustee bodies, such as a Parochial Church Council (PCC) or a Cathedral Chapter may also trigger an intervention by the Charity Commission.
- An employee who breaches any requirement may be subject to a disciplinary process.
- A volunteer who breaches a requirement may be asked to leave.

This is in addition to any reporting that needs to be made to statutory services.

Exemptions

Whilst the requirements set out in this code must be followed, in certain circumstances, flexibility can be applied to meet the specific needs of individual circumstances in order to apply the code effectively in specific church settings. This can only be done on the advice of:

- A DSO (for cases involving recruitment at a parish level).
- A Regional Safeguarding Lead (for cases involving recruitment at a diocesan level).

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.

Who is a relevant person?

Each of the following is a “relevant person”:

- a) a clerk in Holy Orders who is authorised to officiate in accordance with the Canons; b) an archbishop;
- c) a diocesan, suffragan or assistant bishop;
- d) an archdeacon;
- e) a person who is licenced to exercise the office of reader or serve as a lay worker; f) a churchwarden;
- g) a parochial church council;
- h) the Chapter of a cathedral;
- i) the Diocesan Board of Education (DBE) for a diocese;
- j) the Diocesan Board of Finance (DBF) for a diocese;
- k) any other diocesan body as defined by Section 19(1) of the [Dioceses, Pastoral and Mission Measure 2007](#);
- l) a body established to carry out a mission initiative as defined by Section 80(1) of the [Mission and Pastoral Measure 2011](#);
- m) a person who is an officer or member of staff of the Archbishops’ Council, or who provides services to the Archbishops’ Council, and whose work to any extent relates to safeguarding children and vulnerable adults; and
- n) a person who works (on any basis) in a diocese or parish, or at a cathedral or for the purposes of a mission initiative, and whose work to any extent relates to safeguarding children and vulnerable adults.

At diocesan and parish level, different terms may be used to describe a lay worker or reader, according to a particular missional need. However, for the purposes of being a relevant person, the provisions extend to those who have been licenced to the office of reader or to serve as a lay worker by the bishop under Canon E 5 or E 6.

It is important to note that the relevant person is the individual who has responsibility for making the requirement happen, and who holds ultimate accountability if it does not. That does not mean they are necessarily the person who will carry out the requirement. For example, if a bishop is a relevant person for a particular requirement, in practice this might be delegated to, for example, an archdeacon – but the bishop continues to retain ultimate accountability.

Application in the Diocese in Europe

This Code must be followed in all the dioceses in the Church of England, including the Diocese in Europe. However, it is recognised that specific considerations will need to be taken into account, which may impact on how the requirements in this Code can be met. In each case, any such considerations must be recorded, and the record should include a clear explanation and rationale for how the underlying intent of the Code is met.

Such considerations may include, but are not limited to:

1. Different terminology – where the Code uses the terms “parish”, “priest/vicar” and “Parish Safeguarding Officer”, these should be understood as “chaplaincy”, “chaplain”, “Safeguarding Officer” or any other such terms that are used locally and would be regarded as being of equivalent status, role and responsibilities.

2. Legal frameworks and statutory services - references to legislation, statutory **Guidance** and statutory partners, agencies or services may be understood as the relevant equivalents within the respective country or territory in which a Diocese in Europe chaplaincy operates. Such structures and legal requirements may be different and this may affect local practice, both in terms of emergency reporting and ongoing case management procedures. Similarly, local employment legislation and regulatory frameworks for charitable organisations may also differ.

Scope of this document

The requirements in this code must be followed for the recruitment of and/or appointment to all roles within a Church Body that involve substantial⁴ contact with children and/or vulnerable adults. Such roles include, for example, members of the clergy authorised to officiate, Readers/Licensed Lay Ministers (LLMs), lay workers, or youth workers. [Appendix A](#) contains more information on how to assess whether a role needs to be subject to safer recruitment processes. However, it must be borne in mind that with the exception of certain levels of DBS checks, “safer” recruitment is simply good recruitment, and a Church Body can include all aspects of the **Guidance** into their own recruitment policy if they wish.

The code also applies to applicable 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 an applicable role in England and includes exchange programmes.

This code 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 parish, cathedral, diocesan, mission initiative, chaplaincy or NCI level). **Church Bodies must be mindful of the fact that there are HR-related elements not addressed in this Code 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.

This code does not cover roles that are not subject to safer recruitment, which will fall under the normal diocesan or other Church Body recruitment process.

For the avoidance of doubt, this code also does not cover any “retrospective” recruitment. Safer recruitment processes have been in place in the Church of England since 2016, therefore anyone appointed after this date should have been subject to the recruitment process that was in force at that time. Even if people were appointed or joined before this date, it is not appropriate to go back and repeat the recruitment process at this stage, as long as the three-yearly DBS checks (where required) are carried out and the safeguarding training is up-to-date.

Minimum Requirements

It should be noted that the requirements outlined within this code serve as a minimum requirement. As mentioned above, many aspects of this code simply describe good recruitment practice. 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

⁴ 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”.

barred from working with children and/or vulnerable adults or to disclose spent convictions if the role is not eligible for certain DBS checks.

Even where roles are not identified as having “substantial” contact with children or vulnerable adults, Church 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 Church Body. Again, this must be done in line with relevant DBS and GDPR legislation e.g. you must continue to comply with the legislative requirements in relation to eligibility for enhanced DBS Checks under the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 and the Police Act 1997 (Criminal Records) Regulations 2002.

Third Parties

The requirements in this code must also be applied to engagement with third parties where applicable. Examples of third parties include a partner organisation/charity, use of agency staff & contractors, ecumenical partnerships and/or in multi-denominational contexts. This list is illustrative, not exhaustive, and a case-by-case decision would need to be made and evidenced to consider factors such as frequency and the nature of the arrangement. 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 code.

For the purposes of this code, any musicians or members of a choir who are **not** employed and operate under any other form of contract, should be treated as third parties. Also for the purposes of this code, ordained members of clergy from other denominations would be treated as “third parties”, as the responsibility for safely recruiting and managing them lies with their own denomination, but Church Bodies should seek reassurance from the responsible body that the individual is safe to have in their premises and serve in the required assignment/work.

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 Officer (DSO) or National Safeguarding Team (NST) role will be more substantial than when a parish is seeking volunteers. See [Appendix B](#) for examples as to how a proportionate approach might work in practice.

Key Principles and Practices

Nevertheless, the key principles and practices detailed in the requirements of this code must 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 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.**

Structure of the Code

This Code is structured into four sections, according to the type of role that is being recruited to. It should be noted that the Clergy pathway applies **after** ordination and **always** applies. For other roles, the assessment needs to be made as to whether the role involves substantial contact with children, young people and/or vulnerable adults.

- **Section 1:** Data protection, Record Keeping and Information Sharing
- **Section 2:** Clergy
- **Section 3:** Employees
- **Section 4:** Volunteers
- **Section 5:** Elected Members

The Safer Recruitment & People Management Process

Flowchart needs to be added for each pathway

Terminology

Bishop: This means the diocesan bishop or, where those functions have been delegated to another bishop, that person. Where the word “bishop” appears, it should be read to include “archbishop”, unless expressly stated otherwise.

Cathedral Safeguarding Officer (CSO): The person who maintains oversight of, leads and advises on safeguarding matters in a cathedral. A Cathedral Safeguarding Officer could be a member of a Diocesan Safeguarding Team or could be an officer employed directly by a cathedral.

Church Bodies: For the purposes of this Code, the term “Church Bodies” means Parochial Church Councils (PCCs, including District Church Councils and Guild Church Councils, or similar bodies), diocesan bodies (including Diocesan Boards of Finance ([DBFs]) and Diocesan Boards of Education (DBEs)), cathedrals, religious communities, mission initiatives (for example, a Bishops Mission Order, BMO), and the National Church Institutions (NCIs).

Church Officer: Any person appointed or elected by, or on behalf of, the Church to a post or role, whether they are ordained or lay, paid or unpaid. This covers a wide range of roles and is in effect anyone who is not purely a member of the congregation. This will therefore include clergy, staff, volunteers and elected members but would not include third party contractors.

Confidential Declaration Form (CDF): The CDF gives individuals the opportunity to disclose details of certain judicial outcomes which are not eligible to be filtered out in a DBS check. This form should only be used for roles that are eligible for Enhanced (with/without barred list) DBS checks.

Disclosure and Barring Service (DBS): The DBS is a non-departmental public body. It helps employers make safer recruitment decisions by processing and issuing DBS checks, which are used to assess the suitability of individuals for certain roles, particularly those involving children or vulnerable adults.

Diocesan Safeguarding Officer (DSO): The person who maintains oversight of, leads and advises on safeguarding matters in a diocese. The functions of the Diocesan Safeguarding Officer (DSO) are set out in the Diocesan Safeguarding Officer Regulations 2024

*Note: DSOs have the authority to delegate tasks that would otherwise be their responsibility to **Assistant Diocesan Safeguarding Officers (ADSOs)**, as and when they see appropriate. ADSOs are not specifically referenced in this Code, but where a requirement is included that requires the DSO to undertake a certain action, the DSO can delegate that action to an ADSO within their team.*

Human Resources (HR): It is recognised that the HR provision varies greatly from Church Body to Church Body. This term is used throughout this document to refer to whatever HR structures/provision a Church Body has, as appropriate to their context.

Parish Safeguarding Officer (PSO): This role is the first point of contact in a parish for all safeguarding matters. This includes receiving disclosures, managing Church Safety Plans and maintaining records.

Parochial Church Council (PCC): The Parochial Church Council (PCC) is the body that, with the minister, steers the life of the church in its mission, witness and service in the parish. The PCC’s role is governed by law (the Parochial Church Councils (Powers) Measure 1956).

Relevant person: Any person or body that falls within any of the categories listed in Section 5A(2) of the Safeguarding and Clergy Discipline Measure 2016.

Safeguarding Officer: This term is used throughout this document to mean both the Diocesan and the Cathedral Safeguarding Officer/Advisor, as appropriate in the context.

Section 1: Data protection, record keeping and information sharing

Requirements

- 1.1 All Church Bodies must comply with relevant data protection legislation.
- 1.2 A privacy notice must be given to candidates at the start of the process.
- 1.3 Church Bodies must maintain a record of pre-appointment checks for all individuals successfully appointed to roles that fall within the scope of this code.
- 1.4 Church Bodies must also have in place a clear policy setting out the expectation of confidentiality amongst those involved in recruitment, which extends beyond the application process.

Guidance

1.1 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, deleted or erased. Whilst this code signposts where data protection considerations should be incorporated into practice at appropriate points, it is not a data protection policy and Church Bodies must refer to local data protection policies and procedures, seeking **Guidance** and advice from those responsible for data protection.

1.2 Privacy Notice

Any personal data processed during the recruitment and selection process will need to be covered by a privacy notice. This 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 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 need to be included in the same privacy notice or an additional privacy notice may be required for appointed candidates when they commence in a role, to cover other HR processing activities. Each Church Body is responsible for ensuring that all required privacy notices are in place and are kept up-to-date.

It is important that the Church Bodies ensure they have appropriate processes for managing this data which is compliant with specific [ICO Guidance](#) on employee data. Church Bodies must also put in place policies or processes for dealing with individual rights requests, e.g. Subject Access Requests, from both current and previous employees regarding the data collected during the recruitment and selection process.

1.3 Record Keeping

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 and/or vulnerable adults.

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 code requirements.

Church Bodies must have an appropriate policy in place to ensure information is retained in line with current retention schedules and is reviewed regularly to keep it up-to-date.

Toolkit: [Model Record Keeping template](#)

1.4 Information sharing

The Church of England Data Sharing Framework (January 2022) provides an overarching framework that governs data sharing between independent Church Bodies. The documents that make up that framework enable Church Bodies (known as 'Partners' in the framework) to share personal data and special category data with one another where appropriate and lawful. Church Bodies must adhere to the principles of the framework and their responsibilities within it.

Section 2: Clergy

This Pathway is designed to be used when appointing ordained clergy to a role⁴, be that full or part-time, for a fixed term or permanently within the Church of England. The Pathway does not cover:

- Discernment/application to Theological Educational Institutions (TEIs) – this is dealt with at a diocesan level
- Granting of Permission to Officiate (PTO) - see the process set out in the [Practice Guidance – Permission to Officiate](#)
- Appointment of overseas clergy - see Section 2.16.1 of this code.

Recruitment of clergy to employed roles in external organisations e.g. a chaplaincy role in a university, hospital or prison, will be subject to that organisation's recruitment policy and processes, notwithstanding the fact they will have gone through this process in order to be licenced by the bishop.

Recruitment of clergy to an employed role with a Diocesan Board of Finance (DBF), e.g. a Diocesan Director of Ordinands, will be subject to the Employee Pathway. However, at every stage of that process, consideration must be given as to what aspects of the Clergy Pathway are required in addition to, or indeed instead of, the Employee Pathway.

2.1 Responsibilities

Requirements

2.1.1 A responsible person must be identified for each clergy role being appointed to. For clergy, this is likely to be the bishop. Where a Patron is involved in the appointment, the responsible person must work with them to ensure the provisions of this code are applied.

2.1.2 The responsible person/s identified at 2.1.1 must understand the requirements of this code and be up-to-date with the required safeguarding training for their role.

2.1.3 If responsibility is delegated at any stage, the responsible person must ensure that the individual they are delegating to meets the requirements of 2.1.1 and 2.1.2.

2.1.4 The responsible person must ensure that conflicts of interest arising at any stage of the process are identified, managed and recorded appropriately.

Guidance

2.1.1 – 2.1.3 Identifying a responsible person

Why?

Identifying who is responsible for the appointment into a role where this code applies 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. In this code, there may be a difference between the person

⁴ Which includes clergy that are Self Supporting (SSM), Non-Stipendiary (NSM) and Ordained Local Ministers (OLM)

who is ultimately responsible and the person who has been delegated to carry out the process. However, for the purposes of this code, they must be a [relevant person](#).

How?

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

The responsible person, as well as individuals with responsibility for any aspect of the safer recruitment and appointment process and ongoing oversight, must have completed the Church of England learning pathway on Safer Recruitment and People Management (see [Section 2.13: Learning & Development](#)).

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

It is unlikely that Lay and Honorary Canons and lay members of Chapter Cathedrals will have substantial contact with children and vulnerable adults **specifically as part of their lay/honorary role**, and as such will fall within the normal recruitment/appointment processes of the Cathedral. In the event that they are required to have substantial contact with children and vulnerable adults as part of their role, the body who will be carrying out recruitment/appointment (normally the Cathedral), will need to satisfy the requirements of this code, or document the reasons why they could not be followed.

Role of the Patron(s)

Patron(s) are not “Relevant Persons”, (unless they also hold another role which makes them such) and therefore cannot be subject to any requirements under this code. However, given that many of the requirements set out are simply good recruitment practice, we would recommend that Patron(s) comply with them wherever possible. Where it is not possible, we would expect the reasons for this to be recorded. If the bishop has serious concerns about the potential candidate or how any aspect of the appointment process has been carried out, they can refuse to agree the appointment.

2.1.4 Conflicts of Interest

A conflict of interest arises when there is a conflict between a duty to be carried out 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 appointment process. Any potential conflict of interest should be identified and discussed, and steps put in place to manage and mitigate the conflict. The conflict and the steps taken to mitigate it should be recorded. 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.

2.2 Advertising

Requirements

2.2.1 Where a clergy role is advertised, it must include the following details, or clearly indicate where they can be found:

- **A statement which confirms the Church Body’s commitment to safeguarding and safer recruitment.**
- **The key elements of the statement of needs.**
- **The pre-appointment checks that are required for the role.**

Guidance

Why?

Although there is no legal requirement to advertise a clergy role, it is best practice and the PCC can request that the Patron does so. Advertisements 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 cannot apply for the role if they do not know about it.

The Scolding Review into [Soul Survivor](#) (p95, Sections 28-30) recommends that new roles should be properly advertised so as to ensure that recruitment is matched to people with the correct skills and to ensure fair processes. People should be recruited to meet a specific need, and the requirements of this code must still be applied, including ongoing support.

How?

An example statement confirming the Church Body's commitment to safeguarding that can be used in recruitment advertisements/notices:

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

An example statement clearly outlining the pre-appointment checks that are required for a clergy role that can be used in recruitment advertisements/notices:

"All appointments are subject to acceptable pre-appointment checks, including a satisfactory Enhanced DBS with Barred Lists check".

These details can be placed on the Church Body's notice board or website, for example.

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, e.g. a Church Body's website or noticeboard.

Where a role is being recruited outside of the Church of England Pathways system, there must be a suitable recruitment privacy notice in place.

It is recognised that there are some circumstances where clergy roles are filled by means of a personal approach or from within a limited pool. The steps described in this code must still be followed, regardless of the nature of the resourcing method.

At the time of the appointment, the parish is required to produce a statement of needs, but this is not legally binding on the member of clergy once appointed. The Patron(s) (for incumbent appointments), PCC and bishop may agree a role description before the post is advertised, but again this is not legally binding once the appointment has been made. However, it is recognised good practice to have a role description, and having a clearly written document enables a Church Body to think through what they want from the role and the sort of attributes as suitable candidate may have. Where role descriptions and person specifications exist, they must make any safeguarding aspects clear and refer to the Church Body's commitment to protecting children, young people and vulnerable adults.

2.3 Application Process

Requirements

2.3.1 All clergy 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.**⁶
- **The selection procedure for the post.**
- **A privacy notice detailing how the applicant's personal data will be processed during the recruitment process.**

2.3.2 For those Church Bodies who advertise on the Church of England's recruitment hub, (Pathways), the Application Form and other associated documents must be completed.

Guidance

2.3.1 – 2.3.2 Application Process

Using the Church of England Pathways site has benefits in terms of being easy for both the recruiting body and the applicant, as well as helping to standardise application processes.

For those Church Bodies who do not use the Pathways site, it is recommended good practice that an application process is followed. This may or may not involve the use of an application form, but it is recommended that it does. This may be very brief, dependent on the circumstances of the role, especially if a role is not being advertised, but it does give the applicant an opportunity to present themselves in the best way, and provides some accountability for decision-making. This is especially the case for particularly sensitive or specialist clergy roles, such as Youth Ministry or Deliverance Ministry.

It is important to note that these are minimum requirements. It is acknowledged that many dioceses run a full application process for all clergy appointments, even though they may not be advertised, and this is recommended as good practice.

⁶ 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.

2.5 Confidential Declaration Forms

Requirements

2.5.1 A Church of England Confidential Declaration Form (CDF) must be submitted by all members of clergy at the same time as they submit their application. At application stage, if a member of clergy refuses to complete a CDF, then the process must be terminated.

2.5.2 A CDF must be completed by all members of clergy each time they apply for a DBS re-check.

2.5.3 All appointment documentation must explain that a completed CDF is required for the role and the basis on which that requirement is made.

2.5.4 The CDF must only be viewed by those who need to see it as part of the appointment or re-check process.

Guidance

2.5.1-2.5.2 Confidential Declaration Forms

Why?

All ordained clergy holding the bishop's licence will be eligible for an enhanced DBS with a check of the child and vulnerable adults barred lists because by virtue of that licence they are either engaging in "regulated activity"; or there is a "reasonable expectation" that they may be called upon to engage in "regulated activity" at any time. [Appendix C](#) provides more detailed information on regulated activity in a church context.

Prior to submitting their DBS application, clergy applicants must be asked to complete the Church of England Confidential Declaration Form (CDF), which gives them 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 an enhanced DBS certificate. The information declared by the clergy applicant on the CDF (as well as any subsequently viewed on the DBS certificate later in this process) can be taken into account when deciding on an individual's suitability for the role for which they have applied.

How?

Please see [Appendix D](#) for a summary of Clergy Current Status Letter (CCSL), CDF and DBS requirements.

All appointment-related documentation must include an explanation that the post is exempt from 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. The same documentation must also outline exactly what information will be requested from them and at which stage of the process.

It should be made clear that the information will only be used to inform the overall assessment as to a candidate's suitability for the appointment, where it is relevant. All of this should be stated on the relevant privacy notice.

The Church of England's [Confidential Declaration form](#) is found online and can be completed electronically or by hand.

When?

There is nothing to prevent Church Bodies requesting a CDF at an early stage of the appointment process, provided there is sufficient justification or legitimate purpose for doing so. Given that all ordained clergy are engaging in regulated activity or there is a reasonable expectation that they will be, it is important to identify as early as possible if an individual is barred from that activity. It would be a criminal offence to appoint such a person into regulated activity, as well as a criminal offence for them to apply⁵. If a person is barred, you must **not** continue with the appointment process, so by asking candidates to complete the CDF earlier you avoid such a situation arising.

Assessing information disclosed within a CDF

If the clergy candidate has declared anything on their CDF, this should be assessed in accordance with the Church Body's agreed process and, if it does not make them unsuitable to be shortlisted, the declared information should be discussed at an appropriate point in the selection process, usually at interview.

Appropriate notes recording discussions with the individual should be kept within the interview notes. The information provided during the interview discussion 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 Officer (CSO/DSO)) and considered in a reasonable and measured way.

A record should be kept at this stage as to why, based on the information provided within the CDF and the subsequent discussion with the individual, this information does or does not affect their ability to be progressed to the next stage.

Throughout all of this, transparency with applicants is key. Criminal record information is sensitive, special category data and subject to additional protection under data protection legislation. Ensuring individuals are fully aware of a Church 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. Church Bodies will need to have a retention policy about storing the information, whether a candidate is successful or not.

A separate privacy notice must be attached to the CDF to detail how a person's personal data will be processed in this context. A [template privacy notice](#) for the CDF can be found online.

Church Bodies should consult their data protection lead if they have any queries in relation to the processing of this personal data or the privacy notice.

2.6. Shortlisting Applicants

Requirements

2.6.1 Where an application process has been followed:

- **Shortlisting must be conducted by the person responsible for the appointment (see [Section 2.1: Responsibilities](#)) and at least one other person.**
- **Applicants must be shortlisted for interview based on the evidence provided in their application form and CDF and only those who meet criteria defined in the statement of needs must be shortlisted (even where there is only one applicant).**

⁵ If it is discovered that someone applies for a role from which they are barred, this must be reported to the DSO, who will consider what further referrals need to be made.

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

Guidance

Shortlisting Applicants

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 appointment process.

Even if there is only one applicant to be considered, their application still needs to be assessed to ensure they meet any essential selection criteria identified in the statements of needs.

How?

Candidates should be shortlisted by evaluating the information provided on their application form.

Shortlisting Panel

The person responsible for the role (see [Section 2.1: 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.

Incomplete application forms

If an application is not fully completed, or it is not clear how an applicant meets any essential selection 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 selection process.

2.7. Selection Process

Requirements

2.7.1 All posts falling within the scope of this code require a selection process of shortlisted candidates, even where there is only one applicant.

Guidance

Why?

A selection process gives the opportunity to investigate the candidate's approach and attitude towards working with children, young people and/or vulnerable adults as well as explore their experience of working with such groups, which may also reveal any indicators of concern. It also gives the individual an opportunity to establish if this is the right role for them.

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 engage with such groups.

How?

Candidates should receive:

- Confirmation of the selection process and dates/times.
- Details of the process, and who will be present.
- Details of any tasks and/or selection activities to be undertaken as part of the selection 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.

Selection Process

Most clergy selection processes will involve some form of interview. In addition to or instead of an interview, there may also be:

- Visits to the parish (or other Church Body), and meetings with relevant people.
- Working with a particular group.
- Giving a presentation, sermon or talk.

Interview Questions

Questions asked during interview should explore the candidate's:

- Skills, abilities and motivation to work with children and vulnerable adults.
- Experience with children and vulnerable adults.
- 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.
- Understanding of the power or perceived power that comes with the role.

These areas should be explored using competency-based questions, e.g. 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.

It is not recommended that interviews are held with only the Patron(s), but where that happens, good record keeping is encouraged in order to evidence that safeguarding matters have been adequately addressed and dealt with.

Gaps, Anomalies & Discrepancies

The interview is an ideal place to address any gaps or discrepancies that have been identified in the application so far. It is recognised that such conversations can be challenging and uncomfortable but are vital for ensuring

nothing is left to chance. Candidates should understand that such anomalies are queried and there is a need for as much clarity as possible.

2.8. Pre-appointment Checks

Requirements

2.8.1 All appointments to posts that fall within the scope of this code must be subject to the completion of satisfactory pre-appointment checks and procedures, including:

- **A Clergy Current Status Letter (CCSL) where a member of clergy is appointed to a role outside of his/her current diocese.**
- **At least two further references.**
- **Church of England Confidential Declaration Form.**
- **Enhanced with barred lists DBS check.**

Guidance

Why?

Carrying out pre-appointment checks is important for safeguarding children, young people and vulnerable adults as it helps a Church 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, they 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.

Whilst reference-checking plays an important part in the pre-appointment checks process, sometimes references can provide limited information 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?

Clergy Current Status Letter (CCSL) including the Episcopal Reference

Where a priest or deacon is being considered for appointment to a post and that person currently holds, or most recently held, a post in another diocese, or is serving in the Armed Forces, the bishop of the 'receiving' diocese should apply to the bishop of the 'sending' diocese for a CCSL.

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 and demonstrate a clear approach to how they addressed such challenges for each individual case.

It is not unusual 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 followup 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 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 in line with the usual procedure. In these circumstances, it is important to note the steps that were undertaken to try and obtain 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.

2.9 Disclosure and Barring Service (DBS) and Overseas Criminal Records Checks

Requirements
2.9.1 All ordained clergy holding the bishop's licence, are eligible for and must be subject to an enhanced DBS with Barred Lists check.
2.9.2 For all ordained clergy holding the bishop's licence, an enhanced DBS with Barred Lists re-check must be carried out every three years.
2.9.3 The DBS Update service must not be used for home-based positions if there is anyone aged 16 years and over living or working at the applicant's home address.
2.9.4 Registered Bodies and/or 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 and make that available to individuals at the point of requesting the DBS check.
2.9.5 Registered Bodies and/or those in receipt of DBS Update Service information must fulfil the DBS Code of Practice requirement to have a written policy on the secure handling of information provided by DBS, be that electronically or otherwise, and make that available to individuals at the point of requesting the DBS check.
2.9.6 Where a candidate has lived, worked or volunteered outside of the United Kingdom, in the same country, for a continuous period of six months or more at any point within the previous 10 years, the responsible person must make every effort to obtain an overseas criminal records check. This may be 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, the applicant must provide evidence of their attempt to obtain a certificate, or if it is not safe to try and obtain such a check, additional references must be sought wherever possible.

Guidance

2.9.1 - 2.9.2 DBS checks

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 safer recruitment and ongoing oversight process.

It is a criminal offence to appoint someone who is known to be barred from working with children and/or vulnerable adults in ‘[Regulated Activity](#)’⁶. 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 engage in Regulated Activity.

External resources:

DBS website: <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Further **Guidance** on DBS Eligibility can be found on the DBS website: <https://www.gov.uk/government/collections/dbs-eligibility-Guidance>

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.

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

2.9.4 Update Service

If a member of clergy is subscribed to the DBS Update Service, his/her most recent DBS Certificate can be viewed to check it is for the correct workforce (for clergy this will always be Child & Adult) and that the level of check meets the requirements of the new role (for clergy this will always be Enhanced with both Barred Lists check). If the certificate is all in order, then the DBS Update Service can be accessed for confirmation as to whether anything has changed since the certificate viewed was issued.

If a member of clergy is not registered with the DBS Update Service or is registered but the DBS Certificate shown is not for the correct workforce or it is for a lower level of check than is required, a new DBS application must be submitted.

As part of the DBS application process, individuals may be encouraged to subscribe to the 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 (but please 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.

⁶ Further information on the definition of regulated activity can be found on the following pages [New disclosure and barring services - GOV.UK \(www.gov.uk\)](#) and [Keeping children safe in education - GOV.UK \(www.gov.uk\)](#)

Further **Guidance** on home-based positions can be found here:

[Home-based positions flowchart for child and adult workforces - GOV.UK](#)

2.9.7 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, volunteered or worked in for six months or more. The application process for the certificate varies from country to country and up-to-date **Guidance** can be found on the government website:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

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 speak to referees on the telephone.

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".

2.10 Risk Assessing Criminal Record Information

Requirements

2.10.1 Church Bodies must have a clear process for assessing and making decisions in respect of criminal record information disclosed on a CDF, Overseas Criminal Record check and/or DBS certificate.

2.10.2 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 Officer, Cathedral Safeguarding Officer, Chief Operating Officer, Dean, Diocesan Registrar.

Guidance

Why?

Over 12.5 million people in the UK have a criminal record – about 33% ⁷. Criminal record information may come to light at any stage of the appointment process, as well as at any point following this.

Having a criminal record does not necessarily prevent an individual engaging, 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

⁷ As at April 2024 – see [Key facts - Unlock](#)

considered in a fair, effective and robust manner, focusing on the need to safeguard people and, where necessary, exclude individuals with particular types/frequency of offending on their criminal record.

How?

2.10.1 Policy Statement

As per Section 2.9: Disclosure and Barring Service (DBS) and Overseas Criminal Records Checks, 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 that there is 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 Church Body has in terms of fair practice and treatment in recruitment.

A sample policy on the recruitment of ex-offenders can be found on the “e-manual”.

2.10.2 Assessing information disclosed within a DBS Certificate and/or Overseas Criminal Record check

(see also section 2.5 Confidential Declaration Form and Section 2.9 Disclosure and Barring Service (DBS) and Overseas Criminal Records Checks)

Once the DBS Certificate and/or Overseas Criminal Record check is viewed, the contents should be verified against what has been previously declared on the CDF by the appropriate member of the safeguarding team relevant to the body (e.g. CSO/DSO).

The relevant safeguarding officer 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. This is 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 officer will make a recommendation concerning the suitability of the applicant to the person responsible for the appointment in line with local arrangements. For members of clergy, this will always include seeking legal advice.

If issues are complex, assistance may be sought from the Local 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 or Overseas Criminal Record checks. If an individual disagrees with the information contained within any of these documents, it is his/her responsibility to

appeal directly to the relevant organisation (e.g. DBS). 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 care. Church Bodies should consult their data protection lead if they have any queries in relation to criminal records.

External Resource:

NACRO provide useful background information on dealing with criminal convictions: <https://www.nacro.org.uk/>

Toolkit: [Example DBS Risk Assessment form](#)

2.11 Appointment

Requirements

2.11. The responsible person must ensure that all those appointed have access to the following:

- Policies and procedures in relation to safeguarding, including the identity of those within the Church Body with designated safeguarding responsibilities.
- The [Guidelines for the Professional Conduct of the Clergy](#).
- Other relevant procedures/documentation e.g. whistleblowing, disciplinary procedures, privacy notice relevant to appointment.

Guidance

Why?

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

2.12 Introduction

Requirements

2.12.1 The responsible person must ensure that all new clergy appointments to a Church Body have an induction meeting with the diocesan or cathedral safeguarding Officer, in order to understand local procedures.

Guidance

Why?

Planned, proportionate and consistent introduction meetings ensure that all new clergy know and understand that Church Body's local safeguarding policies, procedures and arrangements, and how these implement the national Safeguarding **Guidance** and Codes of Practice.

How?

Whilst there are many aspects to any sort of induction process, specifically in regard to safeguarding, a good induction is a necessary and important step. Being able to put names to faces and build relationships helps establish a culture where people feel comfortable and able to raise and report any concerns, safeguarding or otherwise.

Toolkit: [The Church of England's 'The Code of Safer Working Practice'](#)

2.13 Ongoing support, accountability and oversight

All members of clergy are required to participate in Ministerial Development Reviews and Clergy Ministry Development processes. These are wider than just safeguarding but should always include reflective discussion about safeguarding matters which have arisen. As a result of this, there needs to be clarity about any conflicts or issues arising between the member of clergy and the person giving them ongoing support. For example, there are circumstances (not unique to clergy), where the person giving support may be related or married to the person they are supporting. This can pose challenging dynamics particularly around safeguarding issues. The potential conflict of interest needs to be fully declared, and all possible alternative work arounds considered and documented as to why they will/will not work. It may even be necessary to carry out some form of risk assessment, or for support to be given for another role for specific aspects such as safeguarding.

2.14 Learning & Development

Requirements

2.14 Safeguarding learning is mandatory for all clergy. Learning requirements will vary according to role and responsibility as set out in the [Safeguarding Learning and Development Framework](#).

Guidance

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 clergy roles given that they invariably involve contact with children, young people and vulnerable adults. Safeguarding learning equips individuals to understand the significance of leadership and culture in creating a safer safeguarding environment and enables clergy 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 clergy roles needs to include safer working practices which emphasise the importance of consistently maintaining proper boundaries.

How?

Please refer to the [Safeguarding Learning & Development Framework](#) for details.

2.16. Occasional ministry in other dioceses and overseas clergy

The above code requirements and **Guidance** focuses on those roles where it is a permanent or fixed term “appointment”, i.e. where there is some expectation of permanence. This is to distinguish from occasional ministry in another diocese (for example, preaching visits or holiday cover), which is subject to different provisions.

For clergy who are beneficed, licenced or hold PTO in the Church of England, Canon C 8 provides that they may officiate in a church or chapel outside of their own diocese, where the minister having the cure of souls (normally the incumbent) invites the person to do so, being satisfied by actual personal knowledge or by good and sufficient evidence that the minister is of good standing and has authority to officiate in his or her own diocese. There is no requirement for any permission from the diocesan bishop to be given. The Canon limits such invitations to a period of not more than seven days within a period of three months. [The National Register of Clergy](#) provides a list of all clergy in the Church of England who currently hold authority to officiate and may be checked for the purposes of satisfying the requirements of Canon C 8.

2.16.1 Permanent Appointment of clergy from overseas

In addition to the process that may be required for Overseas Criminal Records checks (see Section 2.9: Disclosure and Barring Service (DBS) and Overseas Criminal Records Checks), any overseas clergy coming to take up a permanent role require an Overseas Permission to Officiate (OPTO). The legal effect of an OPTO is to put that cleric in the same position as a Clerk in Holy Orders of the Church of England, which means (amongst other things) that they have a duty to comply with all Safeguarding Codes of Practice.

External Resource:

Download the OPTO PDF here: [opto-non-cofe-clergy-25.03.21.pdf](#)

Section 3: Employees

This Pathway deals with the recruitment, selection and ongoing management of employees. For the purposes of this code, an employee is someone who has entered into or works under a contract of employment with a Church Body.

3.1 Responsibilities

Requirements
3.1.1 A responsible person (who must be a relevant person under the Safeguarding Code of Practice Measure 2021), must be identified for each employed role being appointed to that falls within the scope of this code. The responsible person is accountable for the recruitment, selection and appointment into that role and must themselves have been safely recruited into their current role.
3.1.2 A responsible person (who must be a relevant person under the Safeguarding Code of Practice Measure 2021), must be identified to provide ongoing support for each person employed in a role that falls within the scope of this code. The responsible person must themselves have been safely recruited.
3.1.3 The responsible person/s identified at 3.1.1 and 3.1.2, must understand the requirements of this code and be up-to-date with the required safeguarding training.
3.1.4 If responsibility is delegated at any stage, the responsible person must ensure that the individual they are delegating to meets the requirements of 3.1.1, 3.1.2 and 3.1.3
3.1.5 The responsible person must ensure that conflicts of interest arising at any stage of the process are identified, managed and recorded appropriately.
3.1.6 Where the role involves substantial contact with children, young people or vulnerable adults, they must be included to some degree in the process, in an appropriate manner.

Guidance

3.1.1 - 3.1.4 Identifying a responsible person

Why?

Identifying who is responsible for the appointment into a role where this code applies 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. In this code, there may be a different person who is ultimately responsible and a person who has the whole or part of the process delegated to them. However, for the purposes of this code, they must be a [relevant person](#).

How?

For employees, the responsible person is likely to be 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”, “ministry director”. 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. interview panel members, HR

administrator, DBS administrator and so on, but the responsible person should maintain oversight of the whole process.

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

Overall Responsibilities	
Church Body	Responsibilities
Parishes and Bishops' Mission Orders (BMOs) Employees	Parochial Church Council (PCC) or BMOs equivalent body. 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. Often the responsibility is delegated to the incumbent. At least two individuals (who could include the incumbent) must be responsible for recruitment overall.
Diocesan Employees	Diocesan Secretary (on behalf of Diocesan Board of Finance) and Diocesan Bishop
Cathedral Employees	Dean
Religious Communities	Governed by their constitutions, and in line with the Safeguarding in Religious Communities policy

3.1.5 Conflicts of Interest

A conflict of interest arises when there is a conflict between a duty to be carried out 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 spouse or 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 and mitigate the conflict. The conflict and the steps taken to mitigate it should be recorded. 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.

3.1.6 Involving others in the recruitment & selection 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 Officer (DSOs) and Cathedral Safeguarding Officer (CSOs) roles.

Where others are involved, the responsible person needs to ensure they are supported to understand their purpose and role in the process, as well as provided with appropriate training and/or support.

3.2 Job Descriptions and Person Specifications

Requirements

3.2.1 All employed roles that fall within the scope of this code must have a written job description and person specification.

3.2.2 Job descriptions and person specifications must make any safeguarding aspects clear and refer to the Church Body's commitment to protecting children, young people and vulnerable adults.

Guidance

3.2.1 – 3.2.2 Job descriptions and person specifications

Why?

Having clearly written documents enables a Church Body to thoroughly consider what they want from a role and the sort of essential or desirable skills, experience and qualifications a candidate is expected to have to be able to fulfil that role.

Having such documents in place gives people confidence that the Church Body takes its work with children, young people and vulnerable adults seriously – the role and responsibilities are clear, as well as who the role is accountable to.

How?

Consider the Role

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

The Role Consider:	• What contact & responsibilities does the job have in respect of children, young people and vulnerable adults - both direct & indirect? • What is the role's purpose and what duties are involved? • How and where will the role be carried out? • What skills are needed for the role? • What training is required? • Where does the role fit into the Church Body's structure? • To whom does the role report? • Is the role supervised or unsupervised? • Is the role eligible for a DBS Check? If so, at what level? (see Section 3.8.2: Disclosure & Barring Service (DBS))
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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, or the hours worked. The role may not meet the criteria for carrying out an Enhanced DBS (with or without Barred List/s) 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.

Job Descriptions

The general layout of job descriptions are likely to be similar but the contents will need to reflect local requirements, as well as the nature of the role.

Job Descriptions Identify:	• The role title. • The main purpose of the role. • The main tasks or duties to be carried out. • To whom the role reports. • The extent of the role's contact with children, young people and vulnerable adults and the responsibility for safeguarding. • A statement that the person appointed will be expected to comply with safeguarding Guidance/code of practice • A statement that the person will be required to attend relevant safeguarding training. • General statements relevant to all roles, such as requirements relating to health and safety. • Hours and days of work and, if used, grade/band. • Where appropriate, a statement that the person appointed will require an Enhanced DBS (with/without Barred List/s) check.
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Person Specifications

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

Person Specifications Describe:	• Any qualifications or specific training required for the role. • Any experience needed. • Knowledge, skills and competencies required to carry out the duties of the role. • General attributes which must include the need for commitment to the protection and safeguarding of children, young people and vulnerable adults. • Any Occupational Requirements under the Equality Act 2010 – e.g. if there is a genuine requirement for an individual to be a practising Christian.
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The person specification should clearly indicate whether the stated criteria are:

- Essential – those areas without which the job 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: <https://www.cipd.co.uk>

ACAS: <https://www.acas.org.uk>

3.3 Advertising

Requirements

3.3.1 All advertisements/notices for employed roles that fall within the scope of this code must include the following details, or clearly indicate where they can be found:

- 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.

3.3.2 If a 'personal approach' is used to invite applicants to apply for an employed role that falls within the scope of this code, the requirements of this code must still apply.

Guidance

3.3.1 Advertisements

Why?

There is no legal requirement for vacancies to be advertised, either internally or externally, but it is good practice to do so. 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 job if they don't know about it. 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.

The Scolding Review into [Soul Survivor](#) (p95, Sections 28-30) recommends that new roles should be properly advertised so as to ensure that recruitment is matched to people with the correct skills and to ensure fair processes. People should be recruited to meet a specific need and the requirements of this code must still be applied, including ongoing support.

How?

An example statement confirming the Church Body's commitment to safeguarding that can be used and/or adapted for recruitment advertisements/notices:

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

An example statement clearly outlining the pre-appointment checks that are required for a role that can be used and/or adapted for recruitment advertisements/notices:

"All appointments are subject to acceptable pre-appointment checks, including a satisfactory Enhanced DBS (with/without Barred List/s) 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, e.g. the Church Body's website or notice board.

Where a job role is being recruited outside of the Church of England Pathways system, there must be a suitable recruitment privacy notice in place.

3.3.2 The ‘personal approach’

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.

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 necessarily mean they are the best person to carry out the role.

All church officers, i.e. everyone who has a role within the church, need to be vigilant to being groomed into offering positions without the proper and 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.

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 this code must still be followed, regardless of whether the applicant is known to the Church Body and/or responsible person.

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 recruited 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 (whether as an employee or volunteer) is promptly recognised and risk-managed in accordance with this code. This is where the ongoing support and oversight systems put in place (see [Section 3.13: Ongoing Support, Accountability, Oversight & Supervision](#)) are so important. Effective systems will keep roles under review so that any such changes are quickly identified.

3.4 Application Process

Requirements

3.4.1 When applying for an employed role that falls within the scope of this code, 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.**¹⁰
- **The job description and person specification.**
- **The selection procedure for the post.**

¹⁰ 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.

- A privacy notice detailing how the applicant's personal data will be processed during the recruitment and selection process.

3.4.2 An application form must be used for recruitment to all employed roles that fall within the scope of this code. CVs must not be accepted on their own.

3.4.3 All application forms for employed roles must include:

- Personal details including current names, and contact details (home address, email address, telephone number).
- Qualifications, where appropriate/required.
- An opportunity for the applicant to address the criteria set out in the person specification, including details of the skills and attributes they bring to the role.
- A completed Church of England Confidential Declaration form (see [Section 3.5: Confidential Declarations](#)).
- Details of referees (see [Section 3.8.1: Pre-appointment checks](#)).
- Full history since leaving school - education, employment and any voluntary work, including present (or most recent) employment and reason for leaving, as well as an explanation of any gaps.
- A declaration that all information provided on the application form is "true & complete".

Guidance

3.4.1 - 3.4.3 Applications

Why?

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. A standardised application form helps ensure information can be gathered in a consistent format.

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

The application form should request important information about an applicant's history, including his/her experience of working or volunteering with the relevant group (i.e. children, young people and/or vulnerable adults) and his/her motivation for working with this group. Only information that is needed to assess the applicant's suitability at this stage should be requested.

Whilst it is recognised that applicants might find it hard to remember full histories, 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 dismissal from my role”.

If the individual is shortlisted (see [Section 3.6: Shortlisting Applicants](#)), then the information provided within an application form can be followed up during the subsequent interview process, e.g. if someone has moved from role to role, each time getting involved in children’s or vulnerable adults’ work for only a relatively short time, or there are large and/or frequent gaps in someone’s history then these are things that should be flagged and explored during the interview.

3.5 Confidential Declaration Forms

Requirements
3.5.1 A Church of England Confidential Declaration Form (CDF) must be completed by all applicants for employed roles that engage in regulated activity or roles which, although outside regulated activity, are still eligible for an enhanced DBS check. If an applicant refuses to complete a CDF, then the recruitment process must be terminated.
3.5.2 The CDF must be submitted at the same time as the job application form and for re-checks, it must be submitted at the point of the DBS application being made.
3.5.3 All recruitment documentation must explain that a completed CDF is required for that role and the basis on which that requirement is made.
3.5.4 The CDF must only be viewed by those who need to see it as part of the recruitment & selection process.

Guidance

3.5.1 – 3.5.4 Confidential Declaration Forms

Why?

The [Rehabilitation of Offenders Act 1974](#) (ROA) allows certain convictions and cautions to be considered ‘spent’ after a specified period of time⁸. 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 many jobs. 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.

However, 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 roles which have substantial contact/work with children, young people or vulnerable adults. If the role you are recruiting to is

⁸ A sentence of over four years is never spent.

exempt (which should be defined as part of the [job description](#)), this means the individual will be eligible for an Enhanced DBS (with/without Barred List/s) check (see [Section 3.8.2: Disclosure & Barring Service \(DBS\)](#)).

Applicants for roles that are exempt must be asked to complete and submit the Church of England CDF 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 an Enhanced DBS certificate. The information declared by the applicant on the CDF, (as well as any subsequently viewed on the Enhanced DBS certificate later in this process), can be considered when deciding on an individual's suitability for the job for which they have applied. The CDF should be held on the applicant's file if they are successful.

How?

Asking individuals applying for exempt roles to declare their criminal record and other information via the Church of England CDF 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 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. The same documentation must also explain exactly what information will be requested from them and at which stage of the process.

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

The [Church of England's Confidential Declaration](#) form is available online and can be completed electronically or by hand.

When?

There is nothing to prevent Church Bodies requesting a CDF at an early stage of the recruitment process, provided there is sufficient justification or legitimate purpose for doing so. 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 reasonable.

For example, you may have a candidate applying for a role in regulated activity, but the CDF identifies that they are barred from that activity by the DBS. If you don't ask a candidate to complete the CDF until after they are shortlisted for interview, you would not know that they were barred until then. If a person is barred, you must **not** interview the person for a regulated activity role. 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 the CDF at the same time as their job application form, this situation is avoided.

What?

If the candidate has declared information on their CDF, this should be assessed in accordance with the Church 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 recording the discussions with the individual should be kept within the interview notes. The information provided during the interview discussion must be referred to the appropriate point of contact within

the safeguarding team relevant to the body (e.g. Cathedral or Diocesan Safeguarding Officer (CSO/DSO)) and considered in a reasonable and measured way.

A record must be kept at this stage as to why, based on the information provided within the CDF and the subsequent discussion with the individual, this information does or does not affect their ability to be progressed to the next stage.

Throughout this process, transparency with applicants is key. Criminal record information is sensitive, special category data and subject to additional protection under data protection legislation. Ensuring individuals are fully aware of a Church 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. Church Bodies will need to have a retention policy about storing the information, whether a candidate is successful or not.

A separate privacy notice must be attached to the CDF to detail how a person's personal data will be processed in this context. A [template privacy notice](#) for the CDF can be found online.

Church Bodies should consult their data protection lead if they have any queries in relation to the processing of this personal data or the privacy notice.

If an applicant does not wish to complete a CDF, the application should not proceed further and must be terminated, and relevant retention rules applied to data already collected.

3.6 Shortlisting

Requirements

3.6.1 Shortlisting must be carried out by the person responsible for the appointment (see [Section 3.1: Responsibilities](#)) and at least one other person.

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

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

Guidance

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, their application still needs to be assessed to ensure they meet the essential selection criteria.

How?

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

3.6.1 - 3.6.2 Shortlisting Panel

The person responsible for the role (see [Section 1: Responsibilities](#)) 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.

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.

3.6.3 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.

3.7 Interviews

Requirements

3.7.1 All employed roles falling within the scope of this code require an interview of shortlisted candidates (even where there is only one applicant).

3.7.2 Interviews must be held with a panel of a least two, one of whom must:

- have completed the Church of England Safer Recruitment & People Management training within the last three years;
- be competent in interviewing;
- possess the appropriate expertise to assess the candidate's competence in the role.

3.7.3 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.

3.7.4 All senior safeguarding roles (e.g. Head of Safeguarding, Diocesan Safeguarding Officer, Cathedral Safeguarding Officer or any equivalent role title) or any other employed role where there is a clear designation and responsibility for safeguarding must include a member of the National Safeguarding Team on the panel.

3.7.5 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.

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

Guidance

3.7.1 – 3.7.5 interviews

Why?

An interview gives the opportunity to investigate an applicant's motivation for working with children, young people and/or vulnerable adults, as well as explore their 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 their work with children, young people and vulnerable adults and the seriousness with which they take the appointment of those who work with such groups.

How?

Interview candidates should receive:

- Confirmation of the interview.
- Details of the interview process, and who will be present.
- Details of any tasks or additional 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.

It is best practice to hold interviews face-to-face. Exceptions to this might 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.

Selection Methods

As well as interviews and 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.

3.7.6 Interview questions

Questions asked during the interview should explore the candidate's:

- 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 behaviour.
- 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.

3.7.7 Gaps, Anomalies & Discrepancies

The interview is an ideal place to address any gaps or discrepancies that have been identified in the application so far. It is recognised that such conversations can be challenging and uncomfortable but they are vital for ensuring nothing is left to chance. Candidates should understand that such anomalies are queried and there is a need for as much clarity as possible.

3.8 Pre-appointment checks and Disclosure and Barring Service (DBS) checks

Requirements

3.8.1.1 All appointments to employed roles that fall within the scope of this code must be subject to the completion of satisfactory pre-appointment checks and procedures, as outlined in the following requirements.

3.8.1.2 All pre-appointment checks must be:

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

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

3.8.1.4 References:

- A minimum of two written references must be obtained. Referees must be over 18 and not be family members or relatives. At least one of the references must be from the applicant's current/most recent employer and/or volunteer 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 history.
- 'Self-supplied', or generic and verbal references must not be accepted.

3.8.1.5 DBS (see also 3.8.2):

- If a DBS check is required for the role, an application at the appropriate level for the role must be made.
- If an applicant refuses to allow their DBS certificate to be viewed, then the onboarding process must be terminated.

3.8.1.6 Overseas Criminal Record Checks:

- If an Enhanced DBS (with/without Barred List/s) check is required for the role and the applicant has lived, worked or volunteered outside the United Kingdom, in the same country, 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.
- If the appropriate documentation cannot be obtained, the applicant must provide evidence of their attempt to obtain a certificate, or if it is not safe to try and obtain such a check, additional references must be sought wherever possible.

3.8.1.7 Qualifications:

- If required for the role, applicants must be able to provide original proof of qualifications.

3.8.1.8 Professional Status:

- If required for the role, applicants must be able to provide original proof of professional status.

3.8.1.9 Health Information:

- Where the nature of an employed 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.

Guidance

3.8.1 Pre-appointment checks

Why?

Carrying out pre-appointment checks is important for safeguarding children, young people and vulnerable adults as it helps a Church Body to establish a more rounded picture of the applicant'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, e.g. dates of employment or reasons for leaving provided on an application form differing to those received on a reference, they should be given the opportunity to explain the discrepancy. It is a good idea to keep a written record of such clarifications on the individual's application file.

Whilst reference checking plays an important part in the pre-appointment checks process, references don't always provide much information 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?

3.8.1.3 Proof of ID

If an Enhanced DBS (with/without Barred List/s) check is being undertaken, then an ID check is automatically completed as part of that process. Where an Enhanced DBS (with/without Barred List/s) check cannot be sought, then identity checks should be undertaken to establish, as far as possible, that the individual is who they claim to be. Ideally this should be through formal photographic identity, such as a passport or driving licence 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'.

3.8.1.4 References

Employment/Volunteering/Education References

This type of reference should be sought directly from the relevant organisation, including overseas where applicable, not from an applicant's colleague and, ideally, be provided on headed paper/from a business email to verify the legitimacy of the organisation providing it.

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 and/or vulnerable adults;
- Any concerns about the individual working with children, young people and/or vulnerable adults;
- Any substantiated allegations, disciplinary warnings, including time-expired warnings, in relation to working with children, young people and/or 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 applicant.
- How long they have known the applicant.
- An honest overview of the applicant's character.
- Applicant's suitability to work with children, young people and/or vulnerable adults.
- Any concerns about the applicant working with children, young people and/or vulnerable adults.
- Any knowledge of the applicant 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 to demonstrate how they addressed such challenges for each individual case if asked to do so.

It is not unusual for written references to provide limited information, e.g. confirmation of employment dates. 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.

There are a few situations where applicants might struggle to provide a referee, e.g. if just leaving school, returning to work 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 made wherever possible.

Timing of reference requests

There may be occasions when taking up references after short listing and before interview might 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 relevant privacy notice.

3.8.1.6 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 the government website:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

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. In such cases, it would be advisable to seek additional references, as well as speak to referees on the telephone.

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'.

There may be occasions when it is deemed not safe to try and obtain such a check (e.g. an applicant may have fled a country and sought asylum). In such cases, the person responsible for the recruitment of the individual would need to ensure they are satisfied with that decision and that the decision-making process and reasons for reaching that decision are well documented so that it can be evidenced later if required.

3.8.1.9 Health information

The purpose of requesting such information is to identify whether an applicant has a disability or health issue for which they might need support or reasonable adjustments to be able to fulfil their role safely.

Health data is special category personal data under current data protection legislation, which means Church 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 are necessary and relate to the applicant's ability to perform the core duties of the role should be asked. This means asking whether the applicant has any health problems that might prevent them from performing a 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 applicant from taking up the role, but that it is important for the Church Body to be aware of any relevant health information so that they can provide appropriate support and reasonable adjustments.

3.8.2 Disclosure and Barring Service (DBS)

Requirements

3.8.2.1 All employed roles that fall within the scope of this code must be subject to a DBS check at the appropriate level.

- 3.8.2.2** All employed roles that fall within the scope of this code must have a written job description (see [Section 3.2: Job 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.
- 3.8.2.3** If an Enhanced DBS (with/without Barred List/s) check is requested, Church Bodies must ensure that the role meets the DBS eligibility criteria for this and allows a DBS application to be submitted.
- 3.8.2.4** An Enhanced DBS (with/without a Barred List/s) check is required for roles that manage people undertaking regulated activity.
- 3.8.2.5** DBS certificates obtained for positions outside of the Church Body being applied to must not be used unless the applicant is registered with the DBS Update Service and the workforce and level of check detailed on their most recent DBS certificate meets the requirements of the role for which they are being considered.
- 3.8.2.6** The DBS update service must not be used for home-based positions¹² if there is anyone aged 16 years and over living or working at the applicant's home address.
- 3.8.2.7** For all roles requiring an Enhanced DBS (with/without Barred List/s) check, a re-check must be carried out every three years. If a Basic DBS check is carried out on any roles, it must also be repeated every three years.
- 3.8.2.8** Registered Bodies and/or 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 and make that available to individuals at the point of requesting the DBS check.
- 3.8.2.9** Registered Bodies and/or those in receipt of DBS Update Service information must fulfil the DBS Code of Practice requirement to have a written policy on the secure handling of information provided by DBS, be that electronically or otherwise, and make that available to individuals at the point of requesting the DBS check.

Guidance

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.

11 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".

There are four levels of DBS Check: Basic⁹, Standard¹⁰, 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

⁹ In legislative terms, a Basic DBS check is not called a criminal record check but a 'criminal conviction check'.

¹⁰ Standard checks are not relevant to Church Bodies/activities as they only relate to certain positions, e.g. lawyers, certain FCA positions, etc.

are barred from working with children or vulnerable adults and if the police hold any other relevant information about that person.

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 this code.

How?

3.8.2.1 – 3.8.2.4 Eligibility

It is essential to ensure that the law allows for a DBS check application to be submitted at the appropriate level. A Church Body asking an individual to apply for an Enhanced DBS (with/without Barred List/s) check has a legal responsibility to ensure that the role is eligible and can explain what parts of legislation support the application. It is a criminal offence to carry out Enhanced DBS (with/without Barred List/s) 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.

Basic DBS Check

There are no eligibility requirements attached to Basic DBS checks and their use is left to local determination. Local 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 CDF form must 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 DBS check (i.e. unspent convictions) can be asked. A different CDF would need to be used in this situation, for which legal advice should be sought, as well as **Guidance** from the data protection lead.

3.8.2.4 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’¹¹. 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 appointed to a role in regulated activity. See Appendix A for more information on regulated activity in a church context.

External resources:

DBS website: <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Further **Guidance** on DBS Eligibility can be found on the DBS website here: <https://www.gov.uk/government/collections/dbs-eligibility-Guidance>

¹¹ Further information on the definition of regulated activity can be found on the following pages [New disclosure and barring services - GOV.UK \(www.gov.uk\)](#) and [Keeping children safe in education - GOV.UK \(www.gov.uk\)](#)

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](https://www.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.

3.8.2.5 Update Service

Disclosure certificates obtained from previous or other employers are not portable unless the individual is registered with the DBS Update Service. If an individual is subscribed to the DBS Update Service, their most recent DBS Certificate can be viewed to establish if the workforce (i.e. Child, Adult, Child & Adult, Other) and level of check meets the requirements of the new role, and if it is, then the DBS Update Service can be accessed for confirmation as to whether anything has changed since the certificate was issued.

If a candidate is not registered with the DBS Update Service or is registered but their existing DBS Certificate is not for the correct workforce, or is for a higher/lower level of check than is required, a new DBS application form must be submitted. As part of the DBS 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).

3.8.2.6 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 here:

<https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-positionsflowchart-for-child-and-adult-workforce>

3.9 Risk Assessing Criminal Record Information

Requirements

3.9.1 Church Bodies must have a clear process for assessing and making decisions in respect of criminal record information disclosed on a CDF, Overseas Criminal Record check and/or DBS certificate.

3.9.2 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 Officer, Cathedral Safeguarding Officer, Chief Operating Officer, Dean, Diocesan Registrar.

Guidance

Why?

Over 12.5 million people in the UK have a criminal record – about 33% of the working-age population¹². Criminal record information may come to light at any stage of the safer recruitment process, as well as during the ongoing employment relationship.

Having a criminal record does not necessarily prevent an individual working 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?

3.9.1 Policy Statement

As per Section 3.8.2: Disclosure and Barring Service (DBS), 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 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 3.8.2: Disclosure and Barring Service](#)), the policy should identify that this is made clear in job adverts/notices ([see Section 3.3: Advertising](#)) 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 “e-manual”.

3.9.2 Assessing information disclosed within a DBS Certificate and/or Overseas Criminal Record check

(see also [Section 3.5: Confidential Declarations](#) and [Section 3.8.2: Disclosure and Barring Service](#))

Once the DBS certificate and/or Overseas Criminal Record check is viewed, the contents should be verified against what has been previously declared on the CDF by the appropriate member of the safeguarding team relevant to the body (e.g. CSO/DSO).

The relevant safeguarding officer will carry out a risk assessment once all of the above relevant information is gathered together. The safeguarding officer will make a recommendation concerning the suitability of the applicant to the person responsible for the appointment in line with local arrangements. 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.

¹² As at April 2024 – see [Key facts - Unlock](#)

The risk assessment should evidence the decision-making process that has taken place and document the rationale behind the final recruitment decision; this is particularly important in the case of potential discrimination claims. The risk assessment should also include any approvals and authorisations required by local policy.

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

If the DBS certificate and/or Overseas Criminal Record check identifies relevant information that the individual has not disclosed on his/her CDF or at any other time during the process to date, then serious consideration must be given as to whether this individual 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.

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 they need to disclose.

Additionally, mistakes can sometimes be made on DBS certificates or Overseas Criminal Record checks. If an individual disagrees with the information contained within any of these documents, it is his/her responsibility to appeal directly to the relevant organisation (e.g. DBS). 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 care. Church Bodies should consult their data protection lead if they have any queries in relation to criminal records.

External Resource:

NACRO provide useful background information on dealing with criminal convictions: <https://www.nacro.org.uk/>

Toolkit: [Example DBS Risk Assessment form](#)

3.10 Appointment

Requirements

3.10.1 All appointments to employed roles that fall within the scope of this code must only be confirmed and a start date agreed when all pre-appointment checks and actions (see Section 3.8) are satisfactorily completed.

3.10.2 All employees must be issued with a Contract of Employment.

3.10.3 All those appointed to employed roles that fall within the scope of this code 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.
- Standards of conduct and behaviour expected.
- Other relevant procedures/documentation, e.g. whistleblowing, disciplinary procedures, privacy notice relevant to appointment.

3.10.4 All those appointed to employed roles that fall within the scope of this code must sign a document to indicate that they have received, understood and agree to adhere to all the written statements identified at 3.10.3 as well as the job description for their position.

Guidance

3.10.1-3.10.4 Appointment

Why?

When the person responsible for the role (see [Section 3.1: Responsibilities](#)) is content that all pre-appointment checks have been satisfactorily completed and given their final sign-off on the recruitment 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. This appointment 'pack' should include all the documentation as outlined in the Requirements at 3.10.3.

3.11 Induction

Requirements

3.11.1 All appointments to employed roles that fall within the scope of this code must undergo a safeguarding induction process appropriate to the role being undertaken.

3.11.2 Induction must include:

- Mandatory training and information about the Church Body's safeguarding policies and procedures, including to whom concerns should be reported.
- One-to-one meeting(s) with the individual to whom the employee reports.

- Expectations in the role, objectives (where appropriate) and arrangements for ongoing support.

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

Guidance

3.11.1-3.11.3 Induction

Why?

A planned, proportionate and consistent safeguarding induction process ensures that all employees in the Church Body fully understand and know how to follow safeguarding policies and procedures, and that expectations are clear.

How?

A good induction is more than just a series of meetings and whilst there are many aspects to this process, specifically in regard to safeguarding, it is a necessary and important step. Being able to put names to faces and build relationships helps establish a culture where people feel comfortable and able to raise and report any concerns, safeguarding or otherwise.

Induction meetings must provide opportunities for the individual to discuss any issues or concerns about their role or responsibilities, including any additional training that might be needed. This enables the responsible person to identify any immediate or emerging concerns or issues about the person's ability or suitability at the outset and address them straightaway, as well as making arrangements for ongoing support. See also [Sections 3.12: Probation](#) and [3.13: Ongoing Support, Accountability, Oversight & Supervision](#). [Toolkit:](#)

[Induction Checklist](#)

3.12 Probation Period

Requirements

3.12.1 A probation period must be in place for all appointments to employed roles that fall within the scope of this code.

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

3.12.3 Any safeguarding concerns must be thoroughly discussed and documented and appropriate next steps taken, including discussion with the appropriate member of the safeguarding team relevant to the body (e.g. PSO/CSO/DSO) where necessary.

3.12.4 Contracts and/or employee handbooks must detail the grounds on which the probation period can be extended or terminated, which must include failure to complete safeguarding training, and failure to comply with safeguarding Guidance/code of practice.

3.12.5 The probation 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 they are

demonstrating safe behaviour, maintaining appropriate boundaries, can spot causes of concern and know when to report and who to.

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

Guidance

3.12.1-3.12.6 Probation Period

Why?

The probation period is a key part of the recruitment and selection process. It provides an opportunity to ensure that new employees are fully integrated into their role and their team whilst being provided with the support and **Guidance** they need to develop and thrive within the working environment.

The probation period begins on the first day of employment and should be used to provide a structured introduction for new employees to the Church Body's culture and policies, as well as the main duties and responsibilities of their post. It also allows the opportunity for both the individual and the line manager to objectively assess and ensure the employee's suitability for the role.

How?

The probation period should be long enough for the responsible person to provide the necessary support and **Guidance** to enable employees 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 their attitude and approach to safeguarding.

It is common practice for employees to have a probation period of between three to six months. The responsible person must ensure that from the new employee's first day, sufficient time is allocated for a full induction to the team, structures and overview of duties. Where appropriate, 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 review meetings between the responsible person and the employee. Whatever format these meetings take, they 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, and sufficient time should be allowed for developmental reflections. Should there be any safeguarding concerns, these should be discussed fully and openly and the resolution recorded on the individual's file.

Church Bodies should ensure that they have a probation 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 successfully complete safeguarding training, or failure to comply with any safeguarding **Guidance** or code of practice.

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.

3.13 Ongoing support, accountability, oversight and supervision

Requirements
3.13.1 As part of finalising the probation period, arrangements must be made for how ongoing support is to be carried out for all employed roles that fall within the scope of this code, and must include confirmation of the responsible person to whom the individual reports to.
3.13.2 Regular meetings must continue to be scheduled between the responsible person (or someone to whom this task has been delegated) and the employee, and safeguarding must form a core part of these ongoing meetings. For some roles, (e.g. DSOs) this will take the form of formal/professional supervision; for other roles, different terminology will be used (e.g. 'one-to-ones').
3.13.3 Any safeguarding concerns must be thoroughly discussed and documented. These opportunities must also be used to develop the individual's safeguarding understanding and skills.
3.13.4 If an employee becomes involved in, or fails to disclose their involvement in criminal activity, or other potentially unacceptable behaviour, the Employee Pathway of the Managing Safeguarding Concerns and Allegations Code of Practice must be instigated and followed.

Guidance

3.13.1-3.13.5 Ongoing Support

Why?

Support for employees is generally quite intensive during the probation 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, including:

- Whether they are happy in the role.
- Whether there are any personal issues which may be affecting them.
- 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 3.3: Advertising a Role](#))
- Setting and reviewing objectives – competency/values and behaviour based.
- Establishing the employee's career aspirations/future plans (where appropriate).
- Address any other concerns.

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

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.

The usual format should be a face-to-face meeting between the responsible person and the employee 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 employees are well supported and clear about the body's requirements.

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.

An important feature in establishing ongoing support is the potential for conflicts of interest to arise. For example, there are circumstances where the person giving support may be related or married to the person they are supporting. This can pose challenging dynamics particularly around safeguarding issues. The potential conflict of interest needs to be fully 'declared', and all possible alternative work-arounds considered and documented as to why they will/won't work. It may even be necessary to carry out some form of risk assessment, or for support to be given for another role for specific aspects such as safeguarding.

3.14 Learning and Development

Requirements

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

3.14.2 All those involved in the recruitment, appointment and management/supervision of employed roles that fall within the scope of this code must complete the Church of England Safer Recruitment and People Management training module.

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

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

Guidance

3.14.1-3.14.5 Learning and Development

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 which emphasise the importance of consistently maintaining proper boundaries.

How?

Please refer to the [Safeguarding Learning & Development Framework](#) for details.

Section 4 - Volunteers

This Pathway deals with volunteers who are not elected members (elected members being, for example, members of PCCs, Church Wardens or Cathedral Chapter members). Those roles are covered in Section 5.

4.1 Responsibilities

Requirements
4.1.1 A responsible person (who must be a relevant person under the Safeguarding Code of Practice Measure 2021) must be identified for each volunteer role being appointed to that falls within the scope of this code. The responsible person is accountable for the recruitment, selection and appointment into that volunteer role and must themselves have been safely recruited into their current role.
4.1.2 A responsible person (who must be a relevant person under the Safeguarding Code of Practice Measure 2021) must be identified to provide ongoing support for volunteers whose role falls within scope of this code. The responsible person must themselves have been safely recruited.
4.1.3 The responsible person/s identified at 4.1.1 and 4.1.2, must understand the requirements of this code and be up-to-date with the required safeguarding training.
4.1.4 If responsibility is delegated at any stage, the responsible person must ensure that the individual they are delegating to meets the requirements of 4.1.1, 4.1.2 and 4.1.3.
4.1.5 The responsible person must ensure that conflicts of interest arising at any stage of the process are identified, managed and recorded appropriately.
4.1.6 Where the role involves substantial contact with children, young people or vulnerable adults, they must be included to some degree in the process, in an appropriate manner.

Guidance

4.1.1–4.1.4 Identifying a responsible person

Why?

Identifying who is responsible for the recruitment into a role where this code applies 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. In this code, there may be a different person who is ultimately responsible and a person who has the whole or part of the process delegated to them. However, for the purposes of this code, they must be a **relevant person**.

How?

Given the complexity of the Church of England, there are many different positions that may have the role of the responsible person in relation to volunteers 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. interview panel members,

volunteer manager, DBS administrator and so on, but the responsible person should maintain oversight of the whole process.

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

Overall Responsibilities	
Church Body	Responsibilities
Parishes and Bishops' Mission Orders (BMOs) Volunteers	Parochial Church Council (PCC) or BMOs equivalent body. 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. Often the responsibility is delegated to the incumbent. At least two individuals (who could include the incumbent) must be responsible for recruitment overall.
Diocesan Volunteers	Diocesan Secretary (on behalf of Diocesan Board of Finance) and Diocesan Bishop
Cathedral Volunteers	Dean
Religious Communities	Governed by their constitutions, and in line with the Safeguarding in Religious Communities policy

4.1.5 Conflicts of Interest

A conflict of interest arises when there is a conflict between a role to be performed 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 spouse or 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 and mitigate the conflict. The conflict and the steps taken should be recorded. 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.

4.1.6 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.

Where other individuals are involved, the responsible person needs to ensure they are supported to understand their purpose and role in the process, as well as provided with appropriate training and/or support.

4.2 Volunteer Role Descriptions and Person Specifications

Requirements

4.2.1 All volunteer roles that fall within the scope of this code must have a written volunteer role description and person specification.

4.2.2 Volunteer role descriptions and person specifications must make any safeguarding aspects clear and refer to the Church Body's commitment to protecting children, young people and vulnerable adults.

Guidance

4.2.1-4.2.2 Volunteer Role Descriptions and Person Specifications

Why?

Having clearly written documents enables a Church Body to thoroughly consider what they want from a volunteer role, and what sort of person would be suitable.

Having such documents in place gives people confidence that the Church Body takes its work with children, young people and vulnerable adults seriously - the role and responsibilities are clear, as well as who the role is accountable to.

How?

Consider the role

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

The Role Consider:	• What contact & responsibilities does the volunteer's role have in respect of children, young people and vulnerable adults - both direct & indirect? • What is the role's purpose and what duties are involved? • How and where will the role be carried out? • What skills are needed for the role? • What training is required? • Where does the role fit into the Church Body's structure? • To whom does the role report? • Is the role supervised or unsupervised? • Is the role eligible for a DBS check? If so, at what level? (see Section 4.8.2: Disclosure & Barring Service (DBS))
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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 volunteering directly with these groups but presents certain opportunities, e.g. where it is based, the hours volunteered. The role may not meet the criteria for carrying out an Enhanced DBS (with/without Barred List/s) 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 role descriptions are likely to be similar but the contents will need to reflect local requirements, as well as the nature of the role.

Volunteer Role Descriptions Identify:	• The role title. • The main purpose of the role. • The expectations of the role. • To whom the role reports. • The extent of the role's contact with children, young people and vulnerable adults and the responsibility for safeguarding. • A statement that the person appointed will be expected to work within the policy and procedures of the relevant safeguarding policy. • A statement that the person will be required to attend relevant safeguarding training. • General statements relevant to all roles, such as requirements relating to health and safety. The time commitment anticipated (including, for example, setting up, clearing up, preparation during the week, meetings, training). • Where appropriate, a statement that the person appointed will require an Enhanced DBS (with/without Barred List/s) check.
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Toolkit: [Volunteer Role Description template](#)

Person Specifications

The person specification describes the attributes a suitable volunteer 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 to focus on during the selection process.

Volunteer Person Specifications Describe:	• Any qualifications or specific training required for the role. • Any experience needed. • Knowledge, skills and competencies required to carry out the duties of the role. • General attributes which must include the need for commitment to the protection and safeguarding of children, young people and vulnerable adults. • Any Occupational Requirements under the Equality Act 2010 – e.g. if there is a genuine requirement for an individual to be a practising Christian.
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The person specification should clearly indicate whether the stated criteria are:

- Essential – those areas without which the 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.

4.3 Advertising

Requirements

4.3.1 All advertisements/notices for volunteer roles that fall within the scope of this code must include the following details, or clearly indicate where they can be found:

- 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.

4.3.2 If a 'personal approach' is used to invite applicants to apply for a volunteer role that falls within the scope of this code, the requirements of this code must still apply.

Guidance 4.3.1

Advertising

Why?

There is no legal requirement for vacancies to be advertised, either internally or externally, but it is good practice to do so. 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. 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.

The Scolding Review into [Soul Survivor](#) (p95, Sections 28-30) recommends that new roles should be properly advertised so as to ensure that recruitment is matched to people with the correct skills and to ensure fair processes. People should be recruited to meet a specific need and the requirements of this code must be applied, including ongoing support. It is important to note that the level of advertising will be proportionate to the role. For example, adverts for volunteers are more likely to utilise free services, such as newsletters, word of mouth or noticeboards.

How?

An example statement which confirms the Church Body's commitment to safeguarding that can be used and/or adapted for advertisements/notices:

Example:

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

An example statement clearly outlining the pre-appointment checks that are required for a role that can be used and/or adapted for advertisements/notices.

Example:

"All appointments are subject to acceptable pre-appointment checks, including a satisfactory Enhanced DBS (with/without Barred List/s) 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. There must also be a suitable volunteer recruitment privacy notice in place.

4.3.2 The ‘personal approach’

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.

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 necessarily mean they are the best person to carry out the role.

Examples of the sort of situations that need to be avoided:
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.
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.
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.
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.

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

All church officers, that is everyone who has a role within the church, need to be vigilant to being groomed into offering roles without the proper and 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.

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 this code must still be followed, regardless of whether the applicant is known to the Church Body and/or responsible person.

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 employed as the church administrator but after a period of time is volunteering 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 this code. This is where the ongoing support and oversight systems put in place (see **Section 4.13: Ongoing Support, Accountability, Oversight & Supervision**) are so important. Effective systems will keep roles under review so that any such changes are quickly identified.

New church members

Some Church Bodies advise anyone new joining the church should have a six-month ‘sabbatical’ before getting involved in volunteering. This not only gives the individual a rest (if they have come from another church setting, they have often been involved in volunteering in one way or another), but more importantly gives the new Church Body the opportunity to get to know them.

4.4 Application Process

Requirements

4.4.1 When applying for a volunteer role that falls within the scope of this code, 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.¹⁷**
- **The volunteer role description and person specification.**
- **The selection procedure for the role.**
- **A privacy notice detailing how the volunteer’s personal data will be processed during the recruitment and selection process.**

4.4.2 An application form must be used for recruitment to all volunteer posts that fall within the scope of this code. CVs must not be accepted on their own.

4.4.3 All application forms for volunteer roles must ask for:

- **Personal details, including current names 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 volunteer believes they bring to the role.**
- **A completed Church of England Confidential Declaration form (see [Section 4.5: Confidential Declaration Forms](#)).**

¹⁷ 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.

- **Details of appropriate referees (see [Section 4.8: Pre-appointment checks](#)).**
- **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.
- A declaration that all information provided on the application form is “true & complete”.

Guidance

4.4.1 – 4.4.3 Application Process

Why?

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 volunteer 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. A standardised application form helps ensure information can be gathered in a consistent format.

In some Church Bodies, application packs may be in paper format, but in others this will mean providing a link to the Church Body’s website where all relevant information can be found, including the relevant statements and policies as outlined in this code.

The application form should include important information about a volunteer’s history, including their experience of working or volunteering with the relevant group (i.e. children, young people and/or vulnerable adults) and their motivation for volunteering with this group. Only information that is needed to assess the individual’s suitability at this stage should be requested.

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

It is good practice to include a declaration on the volunteer application form that all information provided 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 the termination of my role as a volunteer”.

If the individual is shortlisted (see [Section 4.6: Shortlisting](#)), then the information provided within an application form can be followed up during the subsequent interview process, e.g. if someone has moved from role to role, each time getting involved in children’s and/or vulnerable adults’ work for only a relatively short time, or there are large and/or frequent gaps in someone’s history then these are things that should be flagged and explored during the interview.

Toolkit: [Application Form Template for Volunteers](#)

4.5 Confidential Declaration Forms

Requirements

- 4.5.1** A Church of England Confidential Declaration Form (CDF) must be completed by all applicants for volunteer positions that engage in regulated activity or volunteer roles which, although outside regulated activity, are still eligible for an Enhanced DBS check. If an applicant refuses to complete a CDF the recruitment process must be terminated.
- 4.5.2** The CDF must be submitted at the same time as the volunteer application form and for re-checks, it must be submitted at the point of the DBS application being made.
- 4.5.3** All recruitment documentation must detail that a completed CDF is required for that role and the basis on which that requirement is made.
- 4.5.4** The CDF must only be viewed by those who need to see it as part of the recruitment & selection process.

Guidance

4.5.1-4.5.4 Confidential Declaration Forms

Why?

The [Rehabilitation of Offenders Act 1974](#) (ROA) allows certain convictions and cautions to be considered 'spent' after a specified period of time¹³. 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 many voluntary roles. If someone's caution or conviction is spent, it's unlawful for organisations to consider it when making a decision about their suitability for a role.

However, 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 have substantial contact/work with children, young people or vulnerable adults. If the role you are appointing to is exempt (which should be defined as part of the [volunteer role description](#)), this means the individual will be eligible for an Enhanced DBS (with/without Barred List/s) check (see [Section 4.8.2: Disclosure & Barring Service \(DBS\)](#)).

Applicants for roles that are exempt must be asked to complete and submit the Church of England CDF 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 an enhanced DBS certificate.

¹³ A sentence of over four years is never spent.

The information declared by the applicant on the CDF (as well as any subsequently viewed on the Enhanced DBS certificate later in this process) can be considered when deciding on an individual's suitability for the role for which they have volunteered. The CDF should be held on the volunteer's file if the appointment goes ahead.

How?

Asking volunteers applying for exempt roles to declare their criminal record and other information via the Church of England CDF 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 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. The same documentation must also explain exactly what information will be requested from them and at which stage of the process.

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

The Church of England's [Confidential Declaration form](#) is available online and can be completed electronically or by hand.

When?

There is nothing to prevent Church Bodies from requesting a CDF at an early stage of the recruitment process, provided there is sufficient justification or legitimate purpose for doing so. 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 reasonable.

For example, you may have a candidate applying for a role in regulated activity but the CDF identifies that they are barred from that activity by the DBS. If you don't ask a candidate to complete the CDF 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 the CDF at the same time as their job application form, this situation is avoided.

What?

If the volunteer has declared information on their CDF, this should be assessed in accordance with the Church 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 recording the discussions with the individual should be kept within the interview notes. The information provided during the interview discussion must be referred to the appropriate point of contact within the safeguarding team relevant to the body (e.g. Cathedral or Diocesan Safeguarding Officer (CSO/DSO)) and considered in a reasonable and measured way.

A record must be kept at this stage as to why, based on the information provided within the CDF and the subsequent discussion with the individual, this information does or does not affect his/her ability to be progressed to the next stage.

Throughout this process, transparency with applicants is key. Criminal record information is sensitive, special category data and subject to additional protection under data protection legislation. Ensuring individuals are fully aware of a Church 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. Church Bodies will need to have a retention policy about storing the information, whether a candidate is successful or not.

A separate privacy notice must be attached to the CDF to detail how a person's personal data will be processed in this context. A [template privacy notice](#) for the CDF can be found online.

Church Bodies should consult their data protection lead if they have any queries in relation to the processing of this personal data or the privacy notice.

Finally, if an applicant does not wish to complete a CDF, which is entirely his/her choice, the application should not proceed further and must be terminated, and relevant retention rules applied to data already collected.

4.6 Shortlisting

Requirements

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

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

4.6.3 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.

Guidance

4.6.1 – 4.6.3 Shortlisting

Why?

The purpose of shortlisting is to identify, from their application form, those volunteers 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 volunteer to be considered, their application still needs to be assessed to ensure they meet the essential selection criteria.

How?

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

Shortlisting Panel

The person responsible for the role (see [Section 1: Responsibilities](#)) 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.

Incomplete application forms

If an application is not fully completed, or it is not clear how the volunteer meets all 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.

4.7 Interviews

Requirements

4.7.1 All volunteer roles falling within the scope of this code require an interview of shortlisted candidates (even where there is only one applicant).

4.7.2 Interviews must be held with a panel of at least two, one of whom must:

- **have completed the Church of England Safer Recruitment & People Management training within the last three years;**
- **be competent in interviewing ;**
- **possess the appropriate expertise to assess the candidate's competence in the role.**

4.7.3 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.

4.7.4 Interviews must explore issues relating to safeguarding and promoting the welfare of children, young people and/or 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.

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

Guidance

4.7.1 – 4.7.6 Interviews

Why?

An interview gives the opportunity to investigate the individual's motivation for volunteering with children, young people and/or vulnerable adults as well as explore his/her past experience of working or volunteering 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 their work with children, young people and vulnerable adults and the seriousness with which the body takes the appointment of those who volunteer with such groups.

How?

Interview candidates should receive:

- Confirmation of the interview.
- Details of the interview process; and who will be present.
- A 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).

It is best practice to hold interviews face-to-face. Exceptions to this might 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.

Interview questions

Questions asked during the interview for 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 behaviour. □ 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, Anomalies & Discrepancies

The interview is an ideal place to address any gaps or discrepancies that have been identified in the application so far. It is recognised that such conversations can be challenging and uncomfortable but are vital for ensuring nothing is left to chance. Candidates should understand that such anomalies are queried and there is a need for as much clarity as possible.

4.8 Pre-appointment checks and Disclosure and Barring Service (DBS) checks

Requirements

4.8.1.1 All appointments to volunteer posts that fall within the scope of this code must be subject to the completion of satisfactory pre-appointment checks and procedures, as outlined in the following requirements.

4.8.1.2 All pre-appointment checks must be:

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

4.8.1.3 All volunteer applicants must be able to provide proof of identity.

4.8.1.4 References:

- A minimum of two written references must be obtained.
- Referees must be over 18 and not be family members or relatives.
- 'Self-supplied' or generic and verbal references must not be accepted.
- 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.

4.8.1.5 DBS (see also 4.8.2):

- If a DBS check is required for the volunteer role, an application at the appropriate level for the role must be made.
- If an applicant refuses to allow their DBS certificate to be viewed, then the onboarding process must be terminated.

4.8.1.6 Overseas Criminal Record Checks:

- If an Enhanced DBS (with/without Barred List/s) check is required for the role and the applicant has lived, worked or volunteered outside the United Kingdom, in the same country, 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.

- If the appropriate documentation cannot be obtained from an embassy, the applicant must provide evidence of their attempt to obtain a certificate.
- If the appropriate documentation cannot be obtained, the applicant must provide evidence of their attempt to obtain a certificate, or if it is not safe to try and obtain such a check, additional references should be sought wherever possible.

4.8.1.7 Qualifications:

- If required for the role, applicants must be able to provide original proof of qualifications.

4.8.1.8 Professional Status:

- If required for the role, applicants must be able to provide original proof of professional status.

4.8.1.9 Health Information:

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

Guidance

4.8.1 Pre-appointment checks

Why?

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

If at any point during this process a discrepancy is highlighted in the information provided by the volunteer, e.g. dates of volunteering provided on an application form differing to those received on a reference, they should be given the opportunity to explain the discrepancy. It is a good idea to keep a written record of such clarifications on the individual's application file.

Whilst reference checking plays an important part in the pre-appointment checks process, references don't always provide much information 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?

4.8.1.3 Proof of ID

If an Enhanced DBS check is being undertaken, then an ID check is automatically completed as part of that process. Where an Enhanced DBS check is not able to be sought, then 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 licence 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'.

4.8.1.4 Employment/Volunteering/Education References

This type of reference should be sought directly from the relevant organisation, including overseas where relevant, not from an applicant's colleague and, ideally, be provided on headed paper/from a business email to verify the legitimacy of the organisation providing it.

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 to demonstrate how they addressed such challenges for each individual case if asked to do so.

It is not unusual for written references to provide limited information, e.g. confirmation of employment/volunteer dates. 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.

There are a few situations where people will struggle to provide a referee, e.g. if just leaving school, 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 wherever possible.

Toolkit: [Reference Request Forms for Volunteer Positions](#)

4.8.1.6 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 the government website:

<https://www.gov.uk/government/publications/criminal-records-checks-for-overseas-applicants>

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. In such cases, it would be advisable to seek additional references, as well as speak to referees on the telephone.

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'.

There may be occasions when it is deemed not safe to try and obtain such a check (e.g. an applicant may have fled a country and sought asylum). In such cases, the person responsible for the recruitment of the individual would need to ensure they are satisfied with that decision and that the decision-making process and reasons for reaching that decision are well documented so that it can be evidenced later if required.

4.8.1.9 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 volunteering duties safely.

Health data is special category personal data under current data protection legislation, which means Church 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 are necessary and relate to the volunteer's ability to perform the core duties of the role should be asked. This means asking whether the individual suffers from any health problems that might prevent them from performing a 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 volunteering, but that it is important for the Church Body to be aware of any relevant health information so that they can support the individual in that role.

4.8.2 Disclosure and Barring Service (DBS)

Requirements

4.8.2.1 All volunteer roles that fall within the scope of this code must be subject to a DBS check at the appropriate level.

4.8.2.2 All volunteer roles that fall within the scope of this code must have a written volunteer role description (see Section 4.2: Volunteer 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.

4.8.2.3 If an Enhanced DBS (with/without Barred List/s) check is requested, Church Bodies must ensure that the role meets the eligibility criteria for this and allows a DBS application to be submitted.

4.8.2.4 An Enhanced DBS (with/without a Barred List/s) check is required for roles that manage volunteers undertaking regulated activity.

4.8.2.5 DBS certificates obtained for volunteer roles outside of the Church Body being applied to 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 volunteer role for which he/she is being considered.

4.8.2.6 For all roles requiring an Enhanced DBS (with/without Barred List/s) check, a re-check must be carried out every three years. If a Basic DBS check is carried out on any roles, it must also be repeated every three years.

4.8.2.7 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 and make that available to individuals at the point of requesting the DBS check.

4.8.2.8 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 secure handling of information provided by DBS, be that electronically or otherwise, and make that available to individuals at the point of requesting the DBS check.

Guidance

4.8.2.1-4.8.2.8 DBS checks

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 four levels of DBS Check – Basic¹⁴, Standard¹⁵, 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

¹⁴ In legislative terms, a Basic DBS check is not called a criminal record check but a 'criminal conviction check'.

¹⁵ Standard checks are not relevant to Church Bodies/activities as they only relate to certain positions e.g. lawyers, certain FCA positions etc.

they are barred from working with children or vulnerable adults and if the police hold any other relevant information about that person.

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 this code.

How?

Eligibility

It is essential to ensure that the law allows for a DBS check application to be submitted at the appropriate level. A Church Body asking an individual to apply for an Enhanced DBS (with/without Barred List/s) 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 to carry out Enhanced DBS (with/without Barred List/s) 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.

External resources:

DBS website: <https://www.gov.uk/government/organisations/disclosure-and-barring-service>

Further **Guidance** on DBS Eligibility can be found on the DBS website here: <https://www.gov.uk/government/collections/dbs-eligibility-Guidance>

Basic DBS Check

There are no eligibility requirements attached to Basic DBS checks and their use is left to local determination. Local 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 CDF must 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 different CDF would need to be used in this situation, for which legal advice should be sought, 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’¹⁶. 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

¹⁶ Further information on the definition of regulated activity can be found on the following pages [New disclosure and barring services - GOV.UK \(www.gov.uk\)](#) and [Keeping children safe in education - GOV.UK \(www.gov.uk\)](#)

a responsibility to request criminal record checks on everybody that it is appointing to work or volunteer in regulated activity. See [Appendix A](#) for more information on regulated activity in a church context.

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.

4.8.2.5 Update Service

Disclosure certificates obtained in previous or other current volunteer roles outside of the Church Body being applied to are not portable unless the individual is registered with the 'DBS Update 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 (i.e. Child, Adult, Child & Adult, Other) and level of check meets the requirements of the new role, and if it is, then the DBS Update Service can be accessed for confirmation as to whether 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 DBS Update service in order that this can be accessed for any future DBS rechecks, rather than a full application having to be repeated.

4.9 Risk Assessing Criminal Record Information

Requirements

4.9.1 Church Bodies must have a clear process for assessing and making decisions in respect of criminal record information disclosed on a CDF, Overseas Criminal Record check and/or DBS certificate.

4.9.2 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 Officer, Cathedral Safeguarding Officer, Chief Operating Officer, Dean, Diocesan Registrar.

Guidance

Why?

Over 12.5 million people in the UK have a criminal record – about 33% of the working-age population¹⁷. Criminal record information may come to light at any stage of the safer recruitment process, as well as during the ongoing volunteering relationship.

Having a criminal record does not necessarily prevent an individual volunteering with children, young people and/or vulnerable adults - this will depend on the exact nature of the volunteer position 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?

4.9.1 Policy Statement

As per [Section 4.8.2: Disclosure and Barring Service](#), 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 volunteers who may have a criminal record, including no automatic discrimination. This ensures that both the Church Body requesting the DBS check and the volunteer 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 4.8.2: Disclosure and Barring Service](#)), the policy should identify that this is made clear in job adverts/notices ([see Section 4.3: Advertising](#)) and throughout the recruitment process. It should also make reference to the policy itself being made available to prospective volunteers at the outset of the recruitment process.

A sample policy on the recruitment of ex-offenders can be found on the “e-manual”.

4.9.2 Assessing information disclosed within a DBS Certificate and/or Overseas Criminal Record check

(see also [Section 4.5 Confidential Declarations and Section 4.8.2 Disclosure and Barring Service](#))

Once the DBS Certificate and/or Overseas Criminal Record check is viewed, the contents should be verified against what has been previously declared on the Church of England CDF by the appropriate member of the safeguarding team relevant to the body (e.g. CSO/DSO).

The relevant safeguarding officer (e.g. CSO/DSO) will carry out a risk assessment once all the above relevant information is gathered. The safeguarding officer will make a recommendation concerning the suitability of the individual to the person responsible for the appointment in line with local arrangements. 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.

The risk assessment should evidence the decision-making process that has taken place and document the rationale behind the final recruitment decision – this is particularly important in the case of potential discrimination claims. The risk assessment should also include any approvals and authorisations required by local policy.

¹⁷ As at April 2024 – see [Key facts - Unlock](#)

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

If the DBS Certificate and/or Overseas Criminal Record check identifies relevant information that the individual has not disclosed on his/her CDF or at any other time during the proceedings to date, then serious consideration must be given as to whether this volunteer 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.

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 or Overseas Criminal Record checks. If an individual disagrees with the information contained within any of these documents, it is his/her responsibility to appeal directly to the relevant organisation (e.g. DBS). 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. Church Bodies should consult their data protection lead if they have any queries in relation to criminal records.

External Resource:

NACRO provide useful background information on dealing with criminal convictions: <https://www.nacro.org.uk>

Toolkit: [Example DBS Risk Assessment form](#)

4.10 Appointment

Requirements

4.10.1 All volunteer roles that fall within the scope of this code must be subject to the completion of satisfactory pre-appointment checks and procedures (see Section 4.8).

4.10.2 A start date for the volunteer must only be agreed when all pre-appointment checks and actions are satisfactorily completed.

4.10.3 All volunteers that fall within the scope of this code must be issued with a volunteer agreement.

4.10.4 All volunteers 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.
- Standards of conduct and behaviour expected.
- Other relevant procedures/documentation, e.g. whistleblowing, disciplinary procedures, privacy notice relevant to appointment.

4.10.5 All volunteers must sign a document to indicate that they have received, understood and agree to adhere to all the written statements identified at 4.10.4 above as well as the role description for their volunteer role.

Guidance

Why?

When the person responsible for the role (see [Section 4.1: Responsibilities](#)) is content that all pre-appointment checks have been satisfactorily completed and given their final sign off on the volunteer file, a start date for the volunteer can be agreed.

Volunteer 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 welcome, along with the volunteer agreement. This pack should contain all the documentation as outlined in the requirements.

Toolkit: [Appointment Letter for Volunteers; Model Volunteer Agreement](#)

4.11 Induction

Requirements

4.11.1 All volunteer roles that fall within the scope of this code must undergo a safeguarding induction process appropriate to the role being undertaken.

4.11.2 Induction must include:

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

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

Guidance Why?

A planned, proportionate and consistent safeguarding induction process ensures that volunteers fully understand and know how to follow safeguarding policies and procedures, and that expectations are clear.

How?

A good induction is more than just a series of meetings and, whilst there are many aspects to any sort of induction process, specifically in regard to safeguarding, it is a necessary and important step. Being able to put names to faces and build relationships helps establish a culture where people feel comfortable and able to raise and report any concerns, safeguarding or otherwise.

Induction meetings must 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 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 4.12 Settling-in Process](#) and [14.13 Ongoing Support, Accountability, Oversight & Supervision](#).

Toolkit: [Induction Checklist](#); [The Church of England's 'The Code of Safer Working Practice'](#)

4.12 Settling in process

Requirements

4.12.1 A settling in period must be in place for all volunteer roles that fall within the scope of this code.

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

4.12.3 Any safeguarding concerns must be thoroughly discussed and documented and appropriate next steps taken, including discussion with the appropriate member of the safeguarding team relevant to the body (e.g. PSO/CSO/DSO) where necessary.

4.12.4 The 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 the volunteer is

demonstrating safe behaviour, maintaining appropriate boundaries, can spot causes of concern and knows when to report and who to.

4.12.5 Basic and Foundation (where the latter is required) safeguarding training must be completed during the settling-in period.

Guidance

Why?

A settling in period is an important part of a volunteer's role. As part of that, volunteers should receive a full induction with the aim being to ensure that the volunteer understands their role, the contribution they will be making and that they can fulfil their tasks safely and effectively. A handbook might be a helpful tool as volunteers can take it away and refer to it at other times.

How?

4.12.1 – 4.12.5 Settling in Period

The period should be long enough for the responsible person to provide the necessary support and **Guidance** to enable volunteers to fulfil their role, as well as make a proper assessment of the individual's conduct and ability, including his/her attitude and approach to safeguarding.

During this period, there should be regular catch-ups between the responsible person and the volunteer. As described in [Section 4.13: 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 volunteer, but should there be any safeguarding concerns, these should be discussed fully and openly and the resolution recorded.

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.

4.13 Ongoing support, accountability, oversight and supervision

Requirements

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

4.13.2 Regular meetings must continue to be scheduled between the responsible person (or someone to whom this task has been delegated) and the volunteer and safeguarding must form a core part of these ongoing meetings. 4.13.3 Any safeguarding concerns must be thoroughly discussed and documented. These opportunities must also be used to develop the volunteer’s safeguarding understanding and skills. 4.13.4 If a volunteer becomes involved in, or fails to disclose their involvement in, criminal activity, or other potentially unacceptable behaviour, the Volunteer Pathway of the Managing Safeguarding Concerns and Allegations Code of Practice must be instigated and followed.
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Guidance

Why?

Support for people is generally quite intensive during the settling in period, and whilst it can usually be reduced once that stage has passed, a level of continued support for volunteers is important and has many general benefits, including:

- Whether they are happy in the role.
- Whether there are any personal issues which may be affecting them.
- 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 volunteer needs or wants.
- Provide updates on any developments within the Church Body, where appropriate.
- Identifying ‘role drift’ (see [Section 4.3: Advertising](#)).
- Address any other concerns.
- What are the volunteer’s 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 volunteer’s understanding of safeguarding, their skills and expected behaviours.

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 for 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.

Meetings with volunteers should be appropriate and proportionate to the role being 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 recognised 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 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.

An important feature in determining ongoing support is the potential of conflicts of interests arising. For example, there are circumstances where the person giving support may be related or married to the person they are supporting. This can pose challenging dynamics particularly around safeguarding issues. The potential conflict of interest needs to be fully 'declared', and all possible alternative work arounds considered and documented as to why they will/won't work. It may even be necessary to carry out some form of risk assessment, or for support to be given for another role for specific aspects such as safeguarding.

Toolkit: [Model template/agenda for volunteer support meeting](#)

4.14 Learning and development

Requirements

4.14.1 Safeguarding learning is mandatory and learning requirements will vary according to role and responsibility as set out in the [Safeguarding Learning and Development Framework](#).

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

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

4.14.4 Basic and Foundation (where the latter is required) safeguarding training must be completed during the settling in period.

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

Guidance

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 volunteer roles involving contact with children, young people and/or vulnerable adults, equipping individuals to have the confidence, knowledge and skills they need 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 which emphasise the importance of consistently maintaining proper boundaries.

How?

Please refer to the [Safeguarding Learning & Development Framework](#) for details.

Section 5 – Elected Members

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. PCC elections are governed by the [Church Representation Rules](#), and the election of Churchwardens by the [Churchwardens Measure 2001](#). These appointments are not conditional upon the receipt of satisfactory criminal record checks or references and once elected, the person concerned is validly elected to their office. This section explains how this process can work alongside safer recruitment practices. Once a person has been properly elected to a role, there is no “Responsible Person” in terms of anyone who has oversight of them. The principle of charity governance is that Boards are self-policing, with ultimate recourse to the Charity Commission if charity legislation and Safeguarding Guidance/Codes of Practice are not being complied with. All information must make any safeguarding aspects clear and refer to the Church Body's commitment to protecting children, young people and vulnerable adults.

5.1 Nominations and Disqualifications

Requirements

- 5.1. Under the [Church Representation Rules](#), a PCC Member or Churchwarden cannot carry out any formal duties until the PCC Member Trustee Eligibility Declaration has been signed and duly scrutinised.**

Guidance

5.1 Nominations and Disqualifications

Prior to election, [the PCC Member Trustee Eligibility Declaration](#) must be signed²³. This declaration must be properly scrutinised by the incumbent, who may delegate this to the PSO. This document must be signed prior to any formal duties being undertaken. There may be cases where someone chooses or is required to stand for election on the night. In which case, the declaration may need to be signed straight after the election if a meeting is to happen afterwards.

If a person is included on a Barred List, or is convicted of an offence in Schedule 1 to the Children and Young Persons Act 1933, that person is disqualified from standing, and if they are already elected, they must vacate their seat.¹⁸ However, see later Section 5.3 on Confidential Declarations and DBS checks.

5.2 Election

Requirements

5.2.1 The incumbent is responsible for chairing the election meeting of a PCC, and is responsible for ensuring the process is carried out in accordance with the [Church Representation Rules](#).

The [Parish Resources Website](#) contains all the information needed to run an election, including a helpful [Checklist](#) which includes safeguarding and legal considerations.

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

5.3 Confidential Declarations/DBS checks

Requirements

5.3.1 Where it is applicable, and as soon as possible after election, the PSO must ensure any required DBS checks and the Confidential Declaration Form (CDF) are completed.

5.3.2 A CDF can only be carried out where the role attracts an Enhanced DBS check (with or without barring list) and must be completed when a DBS check is applied for.

Guidance

5.3.1-5.3.2 Confidential Declarations/DBS checks

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 that individual is found to be on any DBS barred list. In addition, there are further provisions which 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 which can be found at <https://www.legislation.gov.uk/ukpga/1989/41/schedule/1>. This particular disqualification can be waived by the bishop. Similar provisions apply to members of Cathedral Chapters, as specified in Sections 36-39 of the [Cathedrals Measure 2021](#).

However, simply being on a PCC does not automatically qualify someone for a DBS check, therefore in the vast majority of cases, it will not be possible to check whether a PCC member or churchwarden is on the DBS barred list. This is because a Church Body can only carry out an Enhanced DBS with barred list check if:

¹⁸ [Church Representation Rules online - part 7 | The Church of England](#)

- an individual is/will be engaging in “regulated activity” specifically as part of their PCC role, or
- the PCC is a children’s or vulnerable adult’s charity.

“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. See [Appendix C](#) for further information on Regulated Activity and the definition of children/vulnerable adult charities.

It is 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. This is why having a healthy and safe culture is the most effective safeguarding tool, and an over-reliance on DBS checks should be avoided.

Following 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, and whether that is regulated activity, or if the PCC is a children’s/vulnerable adults charity. If yes, then the DBS requirements should be followed and such work not undertaken until all appropriate checks have been completed. If the DBS certificate gives a blemished result, 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 above). In any event, advice must be sought from the Diocesan Registrar and the Diocesan Safeguarding Officer (DSO) as to what action would be appropriate. All PCC members can be asked to complete a basic DBS check as long as that is clear at the point of standing for election.

5.5 Induction

Requirements

5.5 The PCC must ensure that all it’s members undertake the required safeguarding training, supported by the PSO if necessary.

Guidance 5.5

Induction

Why?

A proper 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. In particular for elected members, it is important they fully understand and accept their responsibilities as trustees.

How?

It is important that elected members know what their responsibilities are for safeguarding, and the roles of others involved in 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. [Toolkit: Induction Checklist](#); [Safeguarding for trustees | NCVO](#)

5.6 Learning and development

Requirements

5.6.1 Elected Members must comply with all Safeguarding Guidance/Codes of Practice, including the Safeguarding Learning and Development Framework.

Guidance

5.6.1-5.6.2 Learning & Development

Why?

An individual's safeguarding competency is an ongoing development – it is not simply learning a set of actions and using checklists. Whilst elected members may not be working directly with children or vulnerable adults, their safeguarding responsibilities as Trustees need to be well understood, and as leaders, elected members need to model good practice for others to follow.

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 which emphasise the importance of consistently maintaining proper boundaries.

How?

Please refer to the [Safeguarding Learning & Development Framework](#) for details.

5.7 Suspension/Removal of Elected Members

Rule 69 of the [Church Representation rules](#) allows for the suspension of an elected member if they are:

- Arrested on suspicion of committing an offence in Schedule 1 to the Children and Young Persons Act 1933;
- Charged with such an offence without being arrested; or
- On the basis of information provided by a local authority or the police, presenting a risk of significant harm,

Section 6A of the [Church Wardens Measure](#) (2001) sets out the equivalent processes for that role.

Appendix A: What roles are within the scope of the Safer Recruitment and People Management processes?

This Code of Practice sets out the process that must be followed – proportionately – for roles having substantial contact with children and vulnerable adults. This Appendix helps explain what those roles might be. However, with the exception of certain levels of DBS checks, safer recruitment is simply good recruitment, and Church Bodies should consider these processes for all posts/roles. A basic DBS can be asked for in any role, whether safely recruited or not, as long as this is made clear at the point of applying, e.g., by being outlined in a local supplementary policy.

It must be noted that just because a role is safely recruited, it does not automatically follow that an Enhanced DBS check (with/without Barred List) is required, and the normal DBS process to determine eligibility must be followed.

Guidance

Substantial contact

As described in the main body of text, this phrase is used to differentiate between roles who spend the majority of their time with children or vulnerable adults, and whose roles is specifically for that purpose, or those who (like the shopkeeper in the example), simply come into contact with children or vulnerable adults as part of their job or role. Below is an illustrative list of roles that are **likely** to be subject to the process in this code, but it is not exhaustive and relies on proper scrutiny of every job role.

- Clergy¹⁹
- Youth ministers and youth workers, whether leaders or supporters/helpers
- Sunday school teachers and helpers
- Parent Toddler leader and supporters/helpers
- DSAs, PSOs, some NST staff
- Parish Volunteer driver for children
- Roles which involve the supervision or training of children, e.g. some Tower Captains, Music Leaders, Head Servers
- Readers; Worship Leaders; Authorised Lay Ministers; Licensed Evangelists
- Leader of a group for people with dementia, and supporters/helpers
- Those providing home (pastoral) visits/prayer ministry

Roles that would not normally be subject to safer recruitment processes

This section sets out examples of roles that are unlikely to require safer recruitment, as they will mostly come into contact with children or vulnerable adults only as part of their role.

- Shop staff
- Flower arrangers, gardeners, maintenance staff, cleaners
- Visitor engagement staff/Welcome team
- Choir members, bell ringers etc with no responsibility for training or supervising children
- Those helping with refreshments after services
- Sidesperson
- Church administrator

¹⁹ Clergy are always subject to SRPM and an Enhanced DBS check plus barring list because of the nature of their role

-
- DBF staff/Governance boards other than PCCS

Questions that will help

The following questions might help decide if a role should be safely recruited. If in doubt, advice from an HR or safeguarding professional should be sought.

- Does the main purpose of the role involve children or vulnerable adults?
- What will the role spend most of its time doing?
- Does the role involve teaching or supervision of children?

Appendix B: Examples of proportionality

The table below gives some examples of how the Requirements might be applied differently and proportionally for different roles that are subject to the Requirements of the Code.

Requirement	Church Body Employee	Parish Employee	Parish Volunteer
Advertising	- Internal/ intranet - CofE Pathways - External job boards e.g. Indeed - Social media, e.g. Linked-in - Local print media	- Website - Church services - Noticeboards - Local newsagents /community boards - Local free sheets - Social media e.g. Facebook groups	- Church notice sheet - Church services - Church noticeboards - Local newsagents /community boards
Interviews	Panel Interview May include presentation, exercises, etc.	Semi-formal interview (question and answer session) with manager and one other	Conversation with incumbent and/or churchwarden
Induction/Settling in process	- Structured programme of meetings and training according to diocesan policy - Weekly check-ins with manager	- Meetings with key people - Understanding where to raise concerns - Regular catch-up with manager	- Introduction to who is who and responsibilities of role - May be some observed sessions - Check-in with manager after an appropriate time
Ongoing support	Structured, monthly 1-2-1 sessions with manager	Monthly or two monthly catch ups with manager	- At least annual 1-2-1 catch up with manager - Can also have more regular group sessions

Appendix C: What is Regulated Activity

The definition of Regulated Activity is set out in the [Safeguarding Vulnerable Groups Act \(2006\)](#). The definition is more restricted than might be thought, and it is an important factor to get right, therefore the following

information should help you decide. Further information can be found on the [DBS website](#), and if you are in any doubt, please do speak to your [DBS Outreach Worker](#).

Regulated Activity Relating to Children

The following table is a good starting point for looking at any specific roles and up-to-date **Guidance** can be found at: [Regulated activity with children in England and Wales - GOV.UK](#). It is broken down into activity, how often that activity is done, and whether or not it is supervised.

What activity, how often, and is it Supervised?

	Once	More than 3 times in a 30 day period	Once o/night with opportunity for contact between 2am and 6am
Providing health care	Yes	Yes	Yes
Providing personal care	Yes	Yes	Yes
Teaching, training and instruction – unsupervised	No	Yes	Yes
Caring for or supervising – unsupervised	No	Yes	Yes
Providing advice or Guidance on physical, emotional or educational well being	No	Yes	Yes
Driving children under arrangement	No	Yes	No
Moderating a web based service*	No	Yes	No
Registering to be childminder	Not applicable		
Registering to be a Foster Carer	Not applicable		
Day to day managers of staff in regulated activity			

*Only if this role is being carried out **wholly or mainly in respect of children as service users**. That means if the service is wholly or mainly for children, so children are not just attending incidentally. It also includes having the responsibility to add, remove or alter and content. It could include things like a closed group that has only children within it, whereas an open group or page is open to the public and therefore anybody can be a part of the page or group so the wholly or mainly for children element would not be met. The period condition of more than three days in a 30-day period must also be satisfied for this to be deemed as regulated activity.

For further information, see: [Child workforce guide.pdf](#)

The roles highlighted **Yes** in green would be eligible for **Enhanced DBS check with children's barring list**. Those roles highlighted in bold are the ones which are most likely to apply in a church setting. It should be noted that driving children under arrangement is where there is a formal agreement (possibly paid) in place, not just when one parent agrees to pick up the children of other parents as a favour.

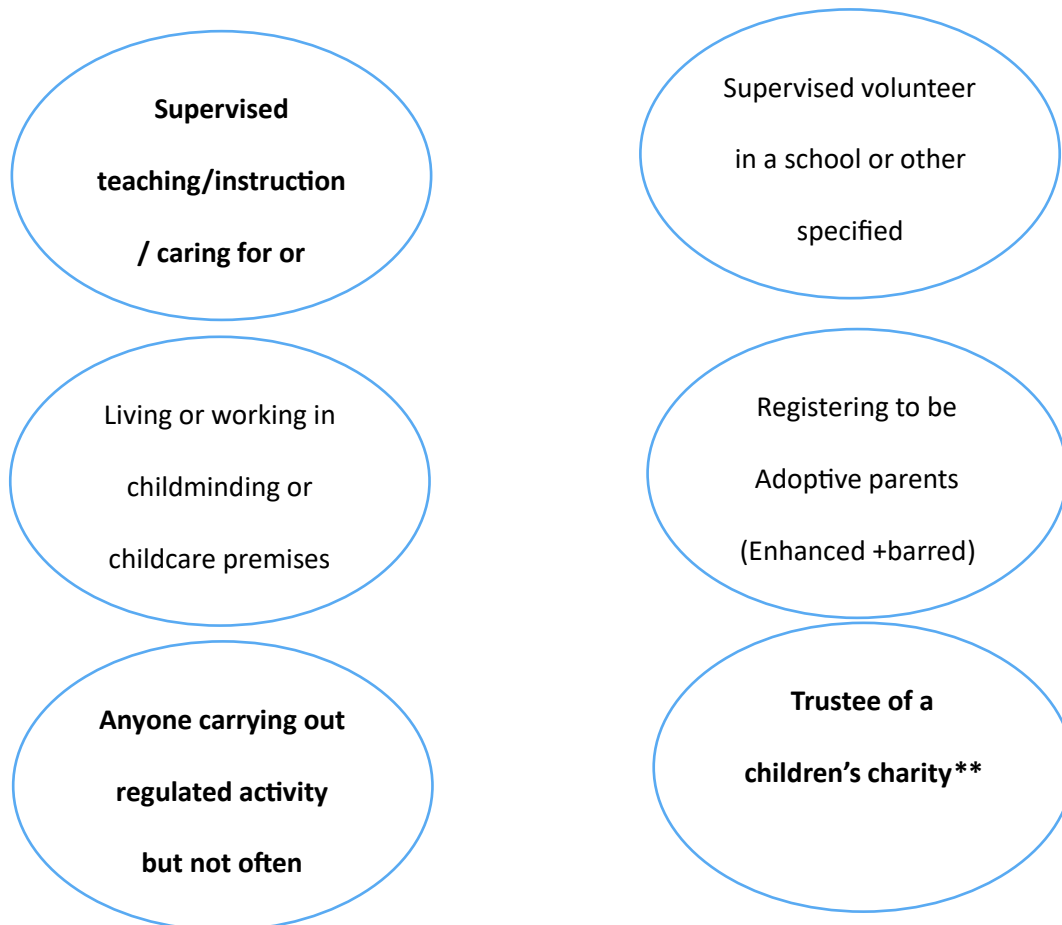
If a role does not fall within any of the above categories which are in bold, you cannot ask for an Enhanced DBS check with children's barring list, and to do so would be a criminal offence.

However, a role may be eligible for an Enhanced DBS check without children's barred list. For further Guidance on this please see below.

Work with children that is not regulated activity, but is eligible for an Enhanced DBS check without children's barred list

See: [Child workforce guide.pdf](#), [Definition of work with children - GOV.UK](#), [DBS checks for working with children in places of worship - GOV.UK](#)

There are a number of roles working with children which are not classed as regulated activity but are still eligible for an **Enhanced DBS check without a check of the children's barred list**. These are shown below, again those in bold are the ones which are most likely to apply to church roles.



* It should be noted that a church is not a specified establishment for these purposes.

** A PCC (or Cathedral Chapter, Religious Community, etc.) is **not necessarily** a children's charity, simply because they run activities for children.

[What makes a charity \(CC4\) - GOV.UK](#)

[Working with children in the charity sector and overseas aid organisations - GOV.UK](#)

A charity is a children's charity if the individuals who are workers for the charity normally include individuals engaging in regulated activity relating to children (see first table above). An individual is a worker for a charity if he does work under arrangements made by the charity.

Provision of a Sunday School **would not generally** satisfy this requirement because the teaching of children in church on Sundays is, as a matter of law, an activity carried out in furtherance of the incumbent's duty (under Canon C 24.4) to "instruct the parishioners of the benefice, or cause them to be instructed, in the Christian faith". PCCs have no specific duties in relation to providing instruction in the Christian faith. A careful analysis will be required to see whether the PCC does qualify, there can be no blanket approach. You are advised to seek advice from the Registrar if there is any doubt.

Example:

If a PCC is a charity, and it sponsors and approves in its own name a youth group that provides advice or Guidance on physical, emotional or educational well being more than three times in a 30-day period, and those who provide it are under an employment contract with the PCC, then it would be considered a children's charity.

The same applies to vulnerable adults.

Regulated Activity Relating to Adults

Regulated activity in relation to adults only needs to happen once for it to be eligible for an Enhanced DBS check with Adults Barred list.

See: [Adult Workforce Guide v11.0](#)

[Regulated activity with adults in England and Wales - GOV.UK](#)

If done once, the following activities are regulated activity with adults	
Providing health care	By or under the supervision of a healthcare professional
Providing personal care	Washing and dressing, eating, drinking and toileting

Social Work	Provided by a social care worker to an adult who is a client or potential client
Assistance with the day-to-day financial running of the adult's own household	Managing cash, bills or shopping
Assistance with the conduct of an adult's affairs	Power of attorney, deputies appointed under Mental Health Orders
Conveying an adult	Must be for health, personal or social care due to age, illness or disability

Roles in bold are those most likely to happen in a Church context. **Only** if these roles are being undertaken can a role be eligible for and **Enhanced DBS with Adults Barred List** check.

Work with adults that is not regulated activity, but is eligible for an Enhanced DBS check without adult's barred list

See: [Working with adults in the charity sector and overseas aid organisations - GOV.UK](#)

There are three stages to determining eligibility for an Enhanced DBS without adult's barred list checks for the adult workforce.

Step 1 – Who

The first step is to determine **who** the role holder will be working with. For adults, this must be someone who meets the criteria of paragraphs 9 and 10 of the [Adult Workforce Guidance](#).

For roles within the Church²⁰, these are **likely**²¹ to be only:

d) care of any description or assistance provided to an adult by reason of his age, health or any disability he has, which is provided to the adult in the place where he is, for the time being, living, whether provided continuously or not.

f) support, assistance or advice for the purpose of developing an adult's capacity to live independently in accommodation, or sustaining their capacity to do so.

²⁰ That is non- clergy roles. Clergy are always subject to Enhanced DBS checks for both workforces, and therefore for ease have been excluded here.

²¹ But each Church Body must review the list and make their own decisions

Step 2 – What

What **activity** is the role-holder going to be providing to the person? This is set out in Paragraph 6 of the [Adult Workforce Guidance](#). For roles within the Church, this is likely to be only:

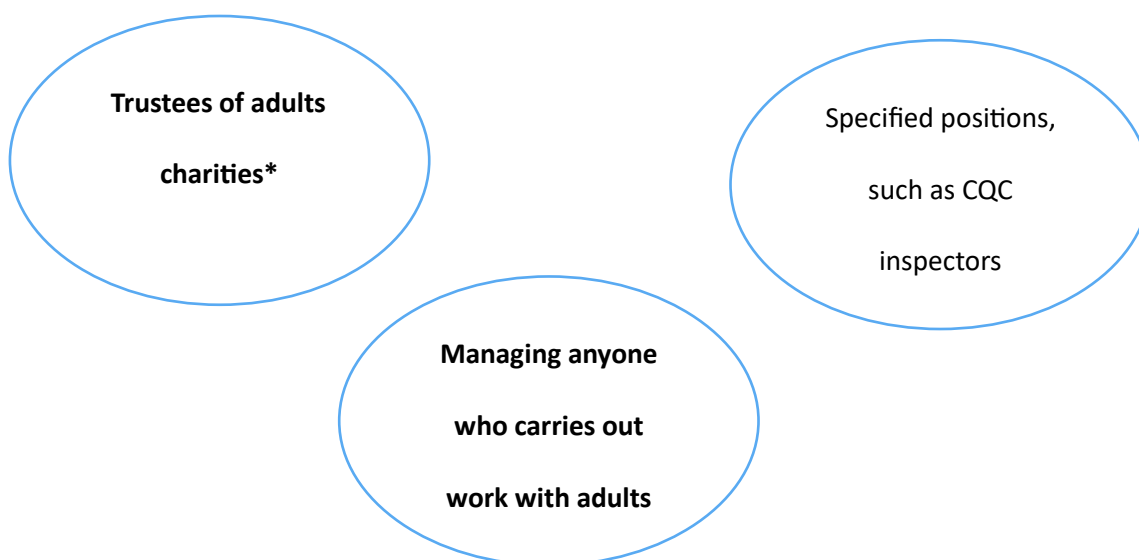
c) any form of training, teaching, instruction, assistance, advice or Guidance provided wholly or mainly for adults who receive a health or social care service within the meaning of paragraph 9 or a specified activity within the meaning of paragraph 10.

Step 3 – How Often

The work must be carried out:

- More than three days in any period of 30 days **or**
- Anytime between 2am and 6am **or**
- Once a week on an ongoing basis

The following are also included in work with adults:



** But see note above about children's charities, the principles of which also apply to vulnerable adults.

Examples

Activity	Level of check	Reason
Joshua runs a bible story club for children aged 7 - 11 year. He teaches the children every Saturday morning in the local church.	Enhanced with children's barred list	- Teaching children - Frequency criteria met
Kate supports at the bible story club for children aged 7 - 11 year. She is supervised by Joshua.	Enhanced	Supervised by someone with Enhanced plus children's barred list check

Alex volunteers with his local Neighbourhood Church Association Group. His role is to go shopping for elderly members of the church who can't leave their house. He is given cash from the members to do their shopping.	Enhanced with adult's barred list check	By doing shopping for the elderly members, he is assisting them with the day to day financial running of their households.
John is a PCC member. As part of his role he manages the youth group leader who has an enhanced with barred list check (children).	Enhanced with children's barred list check	Managing staff who have that level of check for that workforce
Caroline is a safeguarding administrator. She keeps records of who has had DBS checks and at what level. She also carries out ID checks and submits applications for DBS checks.	Basic	Not regulated activity or other work with children/adults
Sophia volunteers with her local Neighbourhood Church Association Group. Her role is to deliver food parcels to local residents. Some of the residents may have health and social care needs.	Basic	Not regulated activity or other work with children/adults

Appendix D: Clergy Current Status Letter (CCSL), Confidential Declaration Form (CDF) and Disclosure & Barring Service (DBS) Certificate

	CCSL	CDF	DBS
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What is it?	A bishop to bishop reference letter, that follows a set template.	The opportunity to disclose details of any convictions, cautions, final warnings and reprimands which are not eligible for being filtered out in accordance with the <u>DBS filtering rules</u> , and will be displayed on an enhanced DBS (with/without barring list/s checks) certificate.	A criminal records and intelligence check which is required by law if undertaking certain types of activity.
Who is it for?	Clergy moving from a role in one diocese to a new role in another diocese	Any role that requires an Enhanced or Enhanced plus barring list/s DBS check	Basic BBS check can be done on any role. Enhanced checks and Enhanced checks plus barring lists must be carried out in accordance with legislation, see Appendix A
When is it done?	Before the appointment is made	As part of a recruitment process: At the same time as the job/role application is made As part of a DBS re-check process: At the same time as a DBS application is made	Clergy: During discernment, then every three years after Other roles: On appointment in a role in a new Church Body, and every three years after
Who is able to view it?	The sending and receiving bishops, and both Safeguarding Officers	As limited as possible, but needs to be seen by those who need to make a decision, e.g. Safeguarding Officers, as well as the recruiting manager who will have the ultimate decision.	As limited as possible but needs to be seen by those who administer, make decisions or have responsibility, e.g. the DBS Administrator, HR, safeguarding, legal, and the recruiting manager.
Where is it kept?	In the Clergy personnel records (clergy blue file)	In Clergy blue files, employment or volunteer files	In Clergy files, blue or employment volunteer files
How long is it kept for?	70 years after death	Until replaced or 70 years after death	In accordance with Government DBS

What information is contained on different levels of DBS checks?

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

Appendix E: Volunteers/Employees under the age of 18

Church Bodies can benefit from the time, support and skills that young people can offer. Likewise, volunteering or employed opportunities can be a great way for young people to serve and show their commitment, learn and develop new skills, gain experience, improve their confidence, make new friends, improve how things work, and 'give back' to an organisation that has previously offered them support.

Further information and advice on employing young people can be found here:

[People under 18 - Pay and hours for young workers - ACAS](#)

[Child employment: Minimum ages children can work - GOV.UK](#)

Whilst there is no specific legislation about young people volunteering for a not-for-profit organisation, following the rules for employing young people can help ensure you are not expecting them to undertake excessive hours or carry out inappropriate tasks.

Additionally, below are considerations in respect of the arrangements put in place for those under 18. This Appendix should be read in conjunction with the [Safer Environments & Activities Practice Guidance](#) on 'Young Helpers'.

- It is recommended that 14 is the minimum age for young volunteers.
- Make sure you observe appropriate age gaps between young people and the children they are working with. A five-year age gap between children and those working with them is highly advisable, e.g. a 17-year old helping with children's work should help with those 12 years old or younger. Maintaining this gap may not always be possible with, for example, trainee youth-workers, but in that instance the group should be led by other adults who are at least five years older than the young people in the group.
- It is good practice to designate any person under 18 who is volunteering, as a 'helper' rather than a leader. They should not be counted as part of the adult/child ratios outlined in the Safer Environment & Activities **Guidance** - they are additional helpers, not part of the core team.
- It is important to remember that being under 18, the young person is considered a child in the context of safeguarding and therefore the adult leader/s have safeguarding responsibilities for them too. Ensure the young person is supervised by an adult who has been safely recruited, and who can take overall responsibility for the leadership of the group.
- When completing the risk assessment for the activity, you should reference any volunteers under the age of 18 and give special consideration to their particular needs, capacities and pressures, which might be very different to those of adults.
- It is particularly important to follow the lone working rule, and not to consider an older child who is helping out to be the equivalent of an adult for the purposes of observing this rule. For example, a 17-year old who is volunteering should not be in a planning meeting on their own with the adult leader. Two adults should be present with children at all times.
- DBS checks cannot be carried out on anyone under the age of 16. Whilst that is only one aspect of safer recruitment, this would prevent anyone under the age of 16 from performing a role which requires a DBS.
- Those in the 16/17 age bracket can have a DBS check and therefore could engage in such a role – whether this is felt to be appropriate is for local decision as scenarios will vary from setting to setting. If 16/17-year olds are permitted to volunteer in such roles, then the applicable Safer Recruitment & People Management pathway must be applied to them in the same way as it would be for any other individual carrying out such a role, and they would be deemed a church officer.
- It is recommended good practice to obtain a consent form, signed by the child's parent or guardian, giving permission for them to volunteer. The parent/guardian should also be asked to provide appropriate details like emergency contacts, medical needs, etc.
- All volunteers engaging in children's and/or vulnerable adult's work must undertake the relevant Church of England safeguarding training as set out in the [Safeguarding Learning and Development Framework](#). Where under 16s are involved, the Church Body must satisfy itself that the individual is capable of undertaking safeguarding training, which does include descriptions of types of abuse, reporting procedures and advice on physical contact, etc.
- Ensure young volunteers know what is expected of them in terms of the role and their behaviour/conduct and that appropriate ongoing support is provided.
- Links to external organisations offering further **Guidance** and advice specifically around young volunteers:

[Engaging and supporting young people to volunteer | NCVO](#)

[Young volunteers and safeguarding | NSPCC Learning](#)