

Safer Recruitment, DBS and Confidential Declarations – a practical guide in the Diocese of York

In July 2016 the Church of England published an updated policy and guidance for safer recruitment for people working or volunteering with children and adults. This addresses two key areas – the recruitment process in general for volunteers and paid workers, and criminal records checks (DBS).

Process

When recruiting someone for a voluntary or paid role to work with children or vulnerable adults, you should make sure the following are done:

1. A clear **job description** or role description is needed, which sets out what tasks the applicant will do and what skills are required. This also needs to state clearly whether a DBS check is required, and at what level (see below for more information on DBS). If the role is paid, this needs to be a formal job description/person specification. If it is a voluntary role, a simple role description may be used.
2. An **application form** is always required for a paid role to ensure that the applicant is suitable for the post. It is also good practice to use an application form for voluntary roles.
3. Always ask for and take up **references**, asking specifically about the applicant's suitability to work with vulnerable people.
4. Everyone working with children and/or vulnerable adults should complete a **Confidential Declaration Form** (regardless of whether they also have a DBS check) which, broadly, asks if there is any reason why they should not be working with vulnerable people. If any information is disclosed, you should contact the Diocesan Safeguarding Adviser or DBS Administrator for advice on how to proceed. If the applicant does not wish to complete the form, the application must not proceed and must be terminated.
5. There should always be an **interview or discussion** with clear pre-planned questions with the applicant about their suitability for the role. This may incorporate pertinent information from the application form, Confidential Declaration Form and references.
6. If the role involves working regularly with children and/or vulnerable adults, then a **DBS check** will be required at some level (see below for more information). A role with some occasional contact with children and/or vulnerable adults, or a leadership role such as churchwarden, may also be eligible for a DBS check. If the applicant does not wish to complete a DBS check, the application must not proceed and must be terminated.
 - a. If there is no information disclosed at all on the certificate, the PSR/Verifier should make a record of the certificate number and issue date, and send this information to the DBS Administrator via phone/email/letter.
 - b. If there is any conviction, caution or any other information at all, however apparently minor, the applicant **must not** start in post yet. The certificate (along with the Confidential Declaration Form and references) **must** be sent

via Recorded Delivery to the DBS Administrator for a confidential assessment of the risk. A blemished certificate does not necessarily prohibit working with children or vulnerable adults, but it is important that all blemishes are dealt with appropriately.

7. The **decision** to appoint someone to paid or voluntary work must be made by those who have that authority (usually the PCC at parish level, or their delegated person). All paid posts should receive a letter of appointment. It is also good practice for volunteers to receive a letter of appointment as well, which may include both the church's commitment to its volunteers and what it requests from them.
8. An **induction** is always required for roles that include working with vulnerable people. This should include relevant safeguarding training from the Diocese (see the Diocesan website at <http://dioceseofyork.org.uk/safeguarding/training/> for more information), which should be updated every three years.
9. A **probation**/settling in period is good practice for all roles so that both the person and the church can see whether they are suited to the role. For paid roles, the person's role should be confirmed in writing at the end of the probation period.
10. **Supervision and review** is always required for paid roles, and is also good practice in volunteer roles. The Confidential Declaration Form should be completed every five years (or at least reviewed by the person and re-signed and dated if there is no new information to declare). The DBS check should be renewed every five years – this is the parish's responsibility and no reminder will be sent from the Diocese. The level of DBS check should also be reviewed if the person's responsibilities change, or if they change from working with children to vulnerable adults, or vice versa (please contact the DBS Administrator for advice).

Confidential Declaration Form

These have been required at parish level for some time now for anyone working with children or adults (regardless of whether they also have a DBS check), but will now also be implemented at Diocesan level for all clergy and readers. This will be done at the time of appointment for all new appointments, and at the same time as the DBS renewal for anyone not changing role.

Confidential Declaration Forms should be renewed every five years, usually at the same time as the DBS renewal (see below).

Levels of DBS check and who to check

When using the online Thirtyone:eight (formerly known as CCPAS) application system, please follow the guidance in the EBulk Recruiters' Guide sent to all Recruiters when they are registered to establish which level of check to use.

For paper based applications, the DBS Information Checklist aims to get the information that the DBS Administrator needs to request the correct level of check from DBS. Occasionally

we may need to contact you for additional information. See page 3 for some examples of who needs to be checked.

There are now more different types and levels of DBS check that can be done, depending on the work that the applicant is doing. These are:

- **Basic** – not currently used by the Diocese – checks for convictions only.
- **Standard** – not used by the Diocese anymore – checks for convictions, cautions, reprimands, and warnings only.
- **Enhanced only** – as for Standard, plus any additional local police information that may be relevant.
- **Enhanced plus barring** – as for Enhanced, plus a check of the DBS barred lists for working with children/adults (as appropriate).

Which level of check is required depends on a number of criteria, including the type of work the applicant is doing, and how frequently they do it. **Broadly speaking, as before, anyone over 16, who has substantial contact with children and/or adults experiencing or at risk of abuse or neglect, will need to have a DBS check at some level.**

Some roles will always be fully checked using Enhanced plus barring for work with both children and adults – this includes all Clergy (including trainee Ordinands and retired Clergy with PTO), and licensed Readers (including those still in training). As before, these are administered centrally, including sending out reminders for renewals when they are due. Undergoing a DBS check is a mandatory condition of the licence for these roles.

(Previously, all checks were done at either Standard level (for treasurers) or Enhanced plus barring level for anyone working with children or adults (with the relevant barring list checked).)

In Appendix 1 & Appendix 2 at the end of this document are the official lists and descriptions of what types of work are eligible for each level of check, but below is a list of roles that will probably need a DBS check or some sort, and in Appendix 3 there are some example scenarios of how the new guidance may apply practically in the church. Please bear in mind that this list is not exhaustive, as there will always be some local variations, so please contact the DBS Administrator if you are not sure.

The main thing to remember is that if you follow the flowchart in the Thirtyone:eight (formerly known as CCPAS) Recruiters' Guide (or fully complete the DBS Information Checklist with each paper application), the correct level of check will be done. Thirtyone:eight (formerly known as CCPAS) will also check the level requested before the application is submitted, so it is important to provide full information about the person's role within the Section Y part of the application.

Will probably need a check (both voluntary and paid):

- All clergy (both in an appointment and with PTO)
- All readers
- Sunday School Leaders & Helpers
- Youth & Children's Workers & Helpers
- Holiday Club Leaders & Helpers

- Open The Book volunteers
- Crèche Leaders
- Crèche Helpers & Workers (if the parents are **not** present)
- Parents & Toddler Group Leaders
- Bell Ringing Captains & Instructors (if there are children in the ringing team)
- Organists & Musical Directors (if there are children in the choir/music group)
- Head Servers (if they are going to be supervising children)
- Drivers for youth & children's church activities (not for private arrangements)
- Recognised Parish Assistants
- Child Protection/Safeguarding Representative
- Pastoral Care team/visitors – as long as they are doing so frequently (once a week or more) or intensively (four or more times a month).
- Home Communion Visitors – as long as they are doing so frequently (once a week or more) or intensively (four or more times a month), and their visits also include some pastoral work
- Anyone driving vulnerable adults (to any event/location) – as long as they are doing so frequently (once a week or more) or intensively (four or more times a month).
- Members of the PCC including churchwardens (where the parish has children's/vulnerable adults' work)

Does NOT USUALLY need a check:

- Worship Leaders
- Welcome team
- Vergers
- Servers
- Choir members
- Bell ringers
- Tour guides
- Caretakers & gardeners
- Cleaners

DBS renewals

DBS checks should still be renewed every five years **if the person is in the same role in the same church.**

However, a new check is required straight away where:

- A person wants to change from working with children to working with adults (or vice versa)
- The level of check required changes to a higher level (e.g. if they want to work more frequent, or if it becomes Regulated Activity – see Appendices 1 & 2)
- A person wants to start working with children or adults in the applicant's own home (if they weren't previously)

If someone is changing role, you should always contact the DBS Administrator at Bishopthorpe Palace to confirm whether a new check is required or not.

DBS portability

As before, DBS checks are only accepted from outside the church if the applicant has subscribed to the Update Service. If not, a new check is always required.

DBS checks are now portable between parishes, providing that the existing certificate is at the right level. Always contact the DBS Administrator for guidance to ensure that the correct level of check is in place.

If a member of clergy or a reader is moving to a new parish within the Diocese, and already has a valid DBS check for the same role, then no new DBS check is required (it will still need to be renewed after five years). A new Confidential Declaration Form should still be completed.

A new check is still required if they are moving into the Diocese from elsewhere, coming from another organisation, seeking ordination or reader or lay ministry training, or if the level of check required is different.

How to check a DBS certificate that is subscribed to the Update Service:

1. Check whether the certificate is at Enhanced or Standard level – this can be found in big letters at the top of the certificate. This needs to be Enhanced. If not, you need to do a new check.
2. Check the workforce – this can be found within the ‘Position applied for’ section on the right near the top of the certificate. This needs to include the same workforce (Child, Adult or both) as they will be working with in your church. If not, you need to do a new check.
3. Check for barred list information – on the bottom half of the certificate there are five boxes that may contain information. The barred list checks are the third (‘DBS Children’s Barred List information’) and fourth (‘DBS Adults’ Barred List information’) boxes. If these say “None Recorded” then the barring check(s) was(were) done, and no information was disclosed. If they say “Not Requested” then the barring check(s) was(were) not done. The checks done need to be at the same level as you would have requested for a new application – if you need help with this, please contact the DBS Administrator.
 - As before, if there is any information disclosed in any of the five boxes, you should send the certificate (along with the Confidential Declaration Form and references) to the DBS Administrator at Bishopthorpe Palace for a confidential risk assessment.
 - Home based working information is **not** available on the Update Service, so if your applicant will be working with children or vulnerable adults in the applicant’s own home, you will always need to do a new application.
4. If you are satisfied that the checks were done at the level you need, then check the applicant’s ID documents, make a note of their full name, date of birth, issue date and number of the certificate (found at the top on the right), workforce and check level, and send these to the DBS Administrator who will check the details on the

Update Service and let you know whether the certificate is still valid. If not, you will need to do a new check.

Appendix 1

Children's Work

COLUMN A An enhanced criminal record check with barring information	COLUMN B An enhanced criminal record check without barring information
<p><i>Frequency Criteria:</i></p> <ul style="list-style-type: none"> <i>i. once a week or more</i> <i>ii. four days or more in any 30 day period</i> <i>iii. overnight between the hours of 02:00 & 06:00 (iii. only applies to work of a 'Specified Nature' (see below))</i> <p><u>Children – Regulated Activity</u></p> <p>Each of the following situations MUST also satisfy one of the Frequency Criteria:</p> <ul style="list-style-type: none"> 1. Specified Nature: Teach, train, instruct, care for or supervise children (unsupervised – where supervised see Column B); or provide advice/guidance on physical, emotional or educational well-being. 2. Specified Establishment: Work in a 'specified establishment' where there is opportunity for contact with children, (e.g. a nursery school, school, Further Education Establishment, children's homes, childcare premises) – but not work by supervised volunteers or occasional or temporary contract work that is not of a 'Specified Nature', (e.g. maintenance contractors). 3. Moderating an online forum for children: Used wholly or mainly by children and must be carried out by the same person. 4. Driving a vehicle used to convey children and any person 	<ul style="list-style-type: none"> 1. Work of a 'Specified Nature' (as defined in Column A) where that work is supervised. 2. Work of a supervised volunteer (or occasional or temporary contract work) in a 'Specified Establishment' (as defined in Column A). 3. Any activity that involves people in certain defined positions of responsibility (e.g. trustees of a children's charity or school governors). 4. Work done infrequently which if done frequently would be regulated activity relating to children (either as defined now or as defined prior to 10 September 2012). 5. Obtaining information in respect of any person who is aged 16 or over and who lives in the same household as an individual who is engaged in activity which used to be regulated activity as defined prior to 10 September 2012, where the activity normally takes place on the premises where the relevant individuals live.

<p>supervising or caring for the children under arrangements made by a third party.</p> <p>Each of the following situations DOES NOT have to satisfy the Frequency Criteria:</p> <ol style="list-style-type: none">5. Healthcare (e.g. doctor or nurse etc) or personal care: Personal care includes assistance with toileting, washing, bathing and dressing for reasons of age, illness or disability (and prompting and supervision of the same) or teaching a child for reasons of age, illness or disability (and prompting and supervision of the same) or teaching a child for reasons of illness or disability to do these tasks.6. Child-minding or fostering a child7. Day to day management on a regular basis of a person who is providing a regulated activity in relation to children. <i>Please note this includes a supervisor of a person who would be in regulated activity if not under regular supervision.</i>8. Assessing the suitability of any person who is aged 16 or over to have regular contact with children and who lives in the same household as an individual who is engaged in regulated activity, where the activity normally takes place on the premises where the relevant individuals live.	
---	--

Appendix 2Adults' Work

COLUMN A An enhanced criminal record check with barring information	COLUMN B An enhanced criminal record check without barring information
<p><u>Regulated Activity</u></p> <p>Frequency Criteria: <i>There is no longer a requirement for a person to carry out activities over a certain period. Any time a person engages in an activity set out below, he/she is engaging in regulated activity (i.e. includes one off events)</i></p> <ol style="list-style-type: none"> 1. Healthcare (by a healthcare professional). 2. Personal Care. Personal care includes assistance with eating, drinking, toileting, washing or bathing, dressing, oral care or care of skin, hair or nails due to age, illness or disability (and prompting and supervision of the same) or teaching someone to do one of these tasks. 3. Social Work by a Social Worker. 4. Assistance with a person's cash, bills or shopping because of their age, illness or disability. 5. Assistance with the conduct of an adult's own affairs, for example, lasting or enduring powers of attorney, or deputies appointed under the Mental Capacity Act 2005. 6. Conveying: conveying adults for reasons of age, illness or disability to, from or between places where they receive healthcare, personal care or social work. This would not include friends or family or taxi drivers. 7. A person whose role includes the day to day management or supervision of any person who is engaging in regulated activity. 	<p>Frequency Criteria:</p> <ol style="list-style-type: none"> <i>i. once a week or more</i> <i>ii. four days or more in any 30 day period</i> <i>iii. overnight between the hours of 02:00 & 06:00 (iii. only applies to work of a 'Specified Nature' (see below))</i> <p>1. Provision of any activity listed below to an adult who receives a health or social care service (e.g. includes adults in care homes; sheltered housing or receiving any form of care or assistance due to age, illness or disability) or a "specified activity" (e.g. in prison).</p> <p>Please note that you MUST satisfy the Frequency Criteria in relation to any such activity listed below.</p> <p>The activities will include:</p> <ol style="list-style-type: none"> a. Any form of care or supervision; b. Any form of treatment or therapy; c. Any form of training, teaching, instruction, assistance, advice or guidance; d. Moderating a public electronic interactive communication service; e. Any form of work carried on in a care home; f. Advocacy services; g. Transportation of an adult who receives a health or social care service etc. (whether or not the adult is accompanied by a carer) (except where already included in Column A – Adults – No. 6 "Conveying"). <p>2. Individuals who are trustees of a vulnerable adult's charity.</p>

Appendix 3 – Example situations

Children's Work:

- Anyone working unsupervised with children on a regular basis (meeting the frequency criteria in Appendix 1) will still require an Enhanced plus barring check.
- Parish Safeguarding Representatives require an Enhanced plus barring check, as they are managing people who work with children and/or adults.
- A parish is running a Sunday School each week during their main Sunday service. The children will be taken to a separate room away from their parents; all children and leaders/helpers stay together in one room for the duration. There are four leaders who all help every week – they all require an Enhanced check with barring, because they all meet the frequency criteria (see Appendix 1).
- A parish is running a Sunday School each week during their main Sunday service. The children will be taken to a separate room away from their parents; all children and leaders/helpers stay together in one room for the duration. Occasionally a different person will come to run a one off workshop. The one off helper does not require a DBS check at all, but should still complete the Confidential Declaration form and should be under constant supervision from those who are checked.
- A parish is running a Sunday School each week during their main Sunday service. The children will be taken to a separate room away from their parents; all children and leaders/helpers stay together in one room for the duration. There are two people who alternate taking overall charge of the group, plus another five people who are on a rota to help, no more than once or twice a month each. The main leaders of the group who are in overall charge require an Enhanced plus barring check, because they are managing the other helpers. The other helpers require an Enhanced check (without barring) because they do not meet the frequency criteria (see Appendix 1).
- A parish is running a Sunday School each week. The group meets in a parishioner's home near to the church each week; all children and leaders/helpers stay together in one room for the duration. There are two people who alternate taking overall charge of the group, plus another five people who are on a rota to help, no more than once or twice a month each. The main leaders of the group who are in overall charge require an Enhanced plus barring check, because they are managing the other helpers, as should the person whose home they are in. The other helpers require an Enhanced check (without barring) because they do not meet the frequency criteria. Any other adults (over 16) living in the home also require an Enhanced plus barring check.
- A parish is running a Parent & Toddler group which meets weekly with three leaders. The parents are always with their own children, so no-one is ever unsupervised. However, the leaders require an Enhanced check (without barring), because they are leading/managing a group that involves children.
- Those working within the Open The Book programme require a DBS check at Enhanced level (without barring) as they are regularly working (although supervised) in a Specified Establishment.
- Worship Leaders, or people who are reading the intercessions in services (for example), do not require a DBS check.

- In a parish where there is any children's work, the **entire PCC** must all have an Enhanced (without barring) check, even if they are not working with children themselves. This is because the PCC is a charity and its members are the trustees, so these people are classed as trustees of a children's charity.

Adults' Work:

- Most people working with adults within the church will **not** require an Enhanced check with barring. Notable exceptions are:
 - Parish nurses where they may be helping adults with toileting, for example.
 - Home visiting groups that include assisting with shopping.
 - Groups that formally arrange transport to/from healthcare appointments (but not if this is a private arrangement between friends, and not to church activities).
- Parish Safeguarding Representatives now require an Enhanced check with barring, as they are managing people who work with children and/or adults.
- Recognised Parish Assistants who are working specifically in pastoral care now require a DBS check at Enhanced level (with/without barring). This depends on what they are actually doing when visiting people. Please contact the DBS Administrator for more information.
- Pastoral Visitors (and Home Communion Visitors if their visit also includes some pastoral care) now require an Enhanced (without barring) DBS check as long as they meet the frequency criteria (unless they are doing more personal work, in which case the barring will be included) – see Appendix 2 for more information.
- Anyone who is driving adults on behalf of the church to any location (not just to medical appointments as in the past) will need an Enhanced (without barring) check, as long as they meet the frequency criteria
- Worship Leaders, or people who are reading the intercessions in services (for example), do not require a check (but should still complete a Confidential Declaration Form).
- In a parish where there is any work with vulnerable adults (e.g. a home visiting scheme for the housebound, or a lunch club for adults with special needs who need help with feeding etc), the **entire PCC** must all have an Enhanced (without barring) check, even if they are not working with vulnerable adults themselves. This is because the PCC is a charity and its members are the trustees, so these people are trustees of a vulnerable adults' charity.

Other Workers:

- Treasurers no longer require a DBS check at any level.

Contact Details

If you have any queries regarding DBS checks in the Diocese of York, please contact the DBS Administrator:

Becci Richardson
Bishopthorpe Palace, Bishopthorpe, York YO23 2GE
01904 707021
becci.richardson@archbishopofyork.org

For general safeguarding queries, please contact the Diocesan Safeguarding Adviser or Assistant Diocesan Safeguarding Adviser:

Julie O'Hara or Rob Marshall
Diocese of York
Amy Johnson Way
Clifton Moor
York
YO30 4XT
07551 124951
safeguarding@yorkdiocese.org