

St Peter's DBS application

Before an appointment can be made applicants who will have substantial contact with children and / or adults experiencing, or at risk of abuse or neglect in their roles will be required to obtain an enhanced criminal record check (with or without a barred list check (as appropriate)) from the Disclosure and Barring Service.

All information declared on this form will be carefully assessed to decide whether it is relevant to the post applied for and will only be used for the purpose of safeguarding children, young people and / or adults experiencing, or at risk of abuse or neglect.

Please note that the existence of a criminal record will not necessarily prevent a person from being appointed, it is only if the nature of any matters revealed may be considered to place a child and / or an adult experiencing, or at risk of abuse or neglect at risk.

Please refer to the attached notes for more details

1	Have you ever been convicted of or charged with a criminal offence or been bound over to keep the peace that has not been filtered in accordance with the DBS filtering rules (Include both 'spent[1]' and 'unspent' convictions)	Yes / No
2	Have you ever received a caution, reprimand or warning from the police that has not been filtered in accordance with the DBS filtering rules[2]?	Yes / No
3	Are you at present (or have you ever been) under investigation by the police or an employer or the Church or other organisation for which you worked for any offence / misconduct?	Yes / No
4	Are you or have you ever been prohibited and / or barred from work with children and/or vulnerable adults?	Yes / No
5	Has a court ever made a finding of fact in relation to you, that you have ill-treated, neglected or otherwise caused harm to a child and / or vulnerable adult, or has any court made an order against you on the basis of any finding or allegation that any child and / or vulnerable adult was at risk of ill-treatment, neglect or other significant harm from you[3]?	Yes / No
6	Has your conduct ever caused or been likely to cause ill-treatment, neglect or other harm to a child and /or vulnerable adult, and/or put a child or vulnerable adult at risk of ill-treatment, neglect or other harm?	Yes / No
Note: if you have answered 'yes' to any of the questions above, please give details here		Yes / No
7	To your knowledge, has there ever been an allegation made against you (whether substantiated or not) that your conduct has amounted to or resulted in ill-treatment, neglect or other harm to a child and/or vulnerable adult, or putting a child or vulnerable adult at risk of ill-treatment, neglect or other harm?	Yes / No
8	Have you ever had any allegation made against you, which has been reported/referred to, and investigated by the Police/Social Services/Social Work Department (Children or Adult's Social Care)?	Yes / No
If you reply yes to questions 7 and/or 8, please give details here.		
9	Has a child in your care or for whom you have or had parental responsibility ever been removed from your care, placed by you in care, subject to child protection planning, subject to a care order, a supervision order, a child assessment order or an emergency protection order under the Children Act 1989, or a similar order under any other legislation?	Yes / No
10	Has a child in your care or for whom you have or had parental responsibility ever been in the care of the local authority, or been accommodated by the local authority?	Yes / No

I declare the above information (and that on any attached sheets) is true, accurate and complete to the best of my knowledge. I declare that I have disclosed any additional information I have which could be considered relevant to the questions in this Confidential Declaration

During my role as a volunteer, I agree to inform you if I am charged, cautioned or convicted of any offence or if I become subject to a Police/Social Services/Social Work Department (Children or Adult's Social Care) investigation.

Signed..... Name.....

Address.....

Email address :

Date.....

Please return in a sealed envelope to the safeguarding officer or vicar

Notes:

*Notes applicable to questions 1 and 2: Declare all convictions, cautions, warnings, and reprimands etc. that are not subject to the DBS filtering rules. Please also provide details of the circumstances and/or reasons that led to the offence(s). Broadly, where your position / role involves substantial contact with children and / or adults experiencing, or at risk of abuse or neglect (i.e. where you are eligible for an enhanced criminal records check) you will be expected to declare **all** convictions and / or cautions etc., even if they are 'spent' provided they have not been filtered by the DBS filtering rules. Convictions, cautions etc. and the equivalent obtained abroad must be declared as well as those received in the UK. If you are unsure of how to respond to any of the above please seek advice from an appropriate independent representative (e.g. your solicitor) because any failure to disclose relevant convictions, cautions etc. could result in the withdrawal of approval to work with children and / or adults experiencing, or at risk of abuse or neglect. Although it is important to note that the existence of a conviction, caution etc. will not necessarily bar you from working with vulnerable groups unless it will place such groups at risk.*

*Notes applicable to question 4: You **only** need to mention if you have been placed on the DBS Barred List with regard to children and/or vulnerable adults if you will be taking up a position that involves engaging in "regulated activity" with children and/or vulnerable adults. If you are unsure whether the position involves "regulated activity" please contact the appointing organisation/person.*

¹ You do not have to declare any adult conviction where: (a) 11 years (or 5.5 years if under 18 at the time of the conviction) have passed since the date of the conviction; (b) it did not result in a prison sentence or suspended prison sentence (or detention order) and (c) it does not appear on the DBS's list of specified offences relevant to safeguarding (broadly violent, drug related and/or sexual in nature). **Please note that a conviction must comply with (a), (b) and (c) in order to be filtered.** Further guidance is provided by the DBS and can be found at <https://www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide>

² Please note that the 'rehabilitation periods' (i.e. the amount of time which has to pass before a conviction etc. can become 'spent') have recently been amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012. Since 10 March 2014, custodial sentences greater than 4 years are never 'spent'. For further guidance in relation to the 'rehabilitation periods', please see <http://hub.unlock.org.uk/knowledgebase/spent-now-brief-guide-changes-roa/>

³ You do not have to declare any adult caution where: (a) 6 years have passed since the date of the caution etc. and (b) it does not appear on the DBS's list of specified offences referred to in footnote 1 above. As of 28 November 2020, youth reprimands, warnings and cautions, are automatically filtered. **Please note that a caution etc. must comply with (a) and (b) in order to be filtered**

Privacy Notice

This notice explains how the information you supply in your Confidential Declaration is used and your rights with respect to that data as required by the General Data Protection Regulation 2016/679 (the "GDPR") and the Data Protection Act 2018, (the "DPA 2018").

1. Who we are: The PCC of St Peter's is the data controller. This means we decide how your personal data is processed and for what purposes.

2. The data we collect about you: We collect your name and address as provided by you in the Confidential Declaration Form, and where applicable, relevant conduct data and/or criminal offence data (including allegations); barring data; court findings or orders.

3. Purposes and lawful bases for using your personal data: The overall purpose of the confidential declaration is to ensure that I/we take all reasonable steps to prevent those who might harm children or adults from taking up positions of respect, responsibility or authority where they are trusted by others in accordance with the Safer Recruitment: Practice Guidance (2016).

We use your data for the following purposes and lawful bases: Appointing individuals to positions of respect, responsibility or authority where they are trusted by others, For the Diocesan Safeguarding Adviser to conduct a risk assessment where applicant discloses information on the form.

It is the legitimate interest the PCC to ensure that only appropriate individuals are appointed to certain positions, as established by the Promoting a Safer Church - House of Bishops Policy Statement (2017).

It is also necessary for reasons of substantial public interest in order to prevent or detect unlawful act and protect members of the public from harm, including dishonesty, malpractice and other seriously improper conduct or for the purposes of safeguarding children and adults at risk. (Safer Recruitment Practice Guidance (2016)).

4. Sharing your data Your personal data will be treated as strictly confidential and will only be shared with those involved in the recruitment/appointment process and, where appropriate, the Diocesan Safeguarding Adviser. It may be shared outside the Church for the prevention or detection of an unlawful act; to protect members of the public from harm or safeguarding purposes, or as required by law, under Schedule 1, Part 1, Part 2 or Part 3 (as appropriate) of the Data Protection Act 2018, with the following: Police, Children's or Adults Social services in Local Authorities, Statutory or regulatory agencies, (e.g. the DBS)

5. Data Retention We keep your personal data, if your application is successful, for no longer than reasonably necessary for the periods and purposes as set out in the retention table below at the following link:

<https://www.churchofengland.org/sites/default/files/2017-10/Safeguarding%20Records-%20Retention%20Tool%20kit%20-Dec%202015.pdf>

If your application isn't successful, your data will be held for 6 months after the recruitment process ends, and then destroyed.

6. Your Legal Rights and Complaints

Unless subject to an exemption under the GDPR or DPA 2018, you have the following rights with respect to your personal data: -

- The right to be informed about any data we hold about you;
- The right to request a copy of your personal data which we hold about you;
- The right to request that we correct any personal data if it is found to be inaccurate or out of date;
- The right to request your personal data is erased where it is no longer necessary for us to retain such data;