



Safer Recruitment Policy

June 21st 2023

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

Contents

	Page
Policy and procedures	3
Appendix A: Eligibility for Disclosure & Barring (DBS) checks in the Benefice	7
Appendix B: Church of England Guidance on eligibility for a DBS check	8
Appendix C: Church of England roles where the activity is seen to be eligible for a DBS check	11
Appendices D – I & K for internal use only	
Appendix J: Diocese of Bath & Wells' Policy Statement on the Recruitment of Ex-offenders	13

Policy & procedures

INTRODUCTION

Throughout this policy:

- The term 'Benefice' is used to denote the three churches of Creech St. Michael, Ruishton & Thornfalcon jointly, plus the incumbent.
- The term 'Parish' is used to denote an individual PCC plus the incumbent, who together are responsible for ensuring that safeguarding policies and procedures are implemented.

The Benefice recognises the importance of its ministry to children, young people and vulnerable adults and its responsibility to protect and safeguard the welfare of children, young people and vulnerable adults entrusted to its care.

As part of its mission, the Benefice is committed to:

- Valuing, listening to and respecting children, young people and vulnerable adults as well as promoting their welfare and protection.
- Safe recruitment, supervision and training for all children and youth workers (employed or voluntary) and those working with vulnerable adults within the Benefice.
- Adopting a procedure for dealing with concerns about possible abuse.
- Encouraging and supporting parents and carers.
- Supporting those in the Benefice affected by abuse.
- Maintaining good links with the statutory authorities and other organisations.

BENEFICE POLICY

The Benefice recognises the need to provide a safe and caring environment for children and vulnerable adults and follows the principles laid down in the *Benefice Safeguarding Policy*. It acknowledges that children and vulnerable adults can be the victims of physical, sexual, emotional, financial or spiritual abuse, and neglect. The Benefice has therefore adopted the procedures set out in this document (hereafter "the policy") in order that recruitment of volunteers and paid workers is carried out safely and in line with Diocesan Safe Recruitment Guidelines. This policy reflects these guidelines, whilst also being tailored to our needs in the Benefice. (See also the Benefice policy: *Safeguarding of Children and Adults*). The Benefice will abide by the Diocese of Bath and Wells' policy statement on the recruitment of ex-offenders (Appendix J)

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

RECRUITMENT OF VOLUNTEERS: PROCEDURE

- The following procedure applies to anyone volunteering or applying for any role involving work with children, young people or vulnerable adults in the Benefice.
- The appropriate team leader will inform the Benefice Safeguarding Officer that a volunteer has come forward.
- All volunteers will be provided with the opportunity to 'visit' a role for a period of 2 months (they should visit at least twice in this period).
- At the end of the 2 month 'visiting' period, the volunteer will meet with the relevant team leader and the Benefice Safeguarding Officer to ensure that the applicant is fully aware of the responsibilities of the role and the Safeguarding policy and practices of the Benefice and that an objective assessment of the applicant's ability to meet the job description can be made.
- At this meeting, the volunteer will be provided with an up-to-date job description for the role (See Appendix E for pro forma). The volunteer and team leader will sign a copy of the job description – this will be held on file by the Benefice Safeguarding Officer.
- For all roles, the eligibility of the role for a Disclosure and Barring Service (DBS) check (with or without Barring List check) will be determined (Appendices A, B and C) and, if required, a DBS application will be completed using the online application service. Identity documents will be verified by the Benefice Safeguarding Officer or incumbent and the information submitted to the Diocesan Safeguarding office for checking and forwarding to the DBS. No applicant will commence their employment until the DBS check is completed and the Safeguarding Officer has been informed of the outcome of the DBS check. Depending on the outcome, the applicant may or may not be able to join the team they have volunteered for. The minimum age for a DBS check is 16.
- Once the Benefice Safeguarding Officer has been informed that the DBS check has been successfully completed, they will inform the volunteer's team leader. Only then may the volunteer take up their position and commence work.
- The exception to the above occurs if the applicant has a previous DBS disclosure, they have registered with the Update Service and have given permission for the Diocese of Bath and Wells to use this service to check their clearance to work with Children and Young People and/or Vulnerable Adults.
- DBS checks will be required to be updated after 3 years (unless registering with the Update service, when the Diocese will ask for permission to access the person's DBS information on the Update service).
- If a role requires a DBS check, a Confidential Declaration form must also be completed (Appendix D)
- All details of DBS checks, Confidential Declarations forms etc. are stored securely with access to these only possible by the Benefice Safeguarding Officer and the incumbent. An up-to-date record sheet detailing those with current checks and the dates of expiry will be kept in the Benefice office, again with access only made available to the Benefice Safeguarding Officer and the incumbent.

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

- All volunteers will be required to complete a short registration form (Appendix F). This will include contact details for the volunteer and, if the role meets DBS requirements, the name of two referees willing to provide references.
- If references are required, these will be requested and held on file by the Benefice Safeguarding Officer (Appendices G and H).
- A copy of the Safe Recruitment record (Appendix K) will be held, along with all relevant paperwork, securely by the Benefice Safeguarding Officer.

YOUNG HELPERS

- Young people under the age of 16 who wish to volunteer to help at Benefice events where children and/or young people are present are welcomed.
- The Team Leader and the Safeguarding Officer will discuss the responsibilities of the role with the young person and their parents/carers and the young person will be invited to visit the role at least twice over a 2-month period.
- If the young person wishes to continue to volunteer then (s)he, his/her parents/carers and the Team Leader will agree and sign a three-way agreement (Appendix I) in which the young person acknowledges their understanding of the role and agrees to safeguard the well-being of vulnerable children and young people; parents/carers give their permission for the young person to be a volunteer; and the team leader agrees to support the volunteer in the volunteer role.

RECRUITMENT OF PAID EMPLOYEES: PROCEDURE

- If the appointment is an officially advertised role, all applications received should be scrutinised in a systematic way before sending invitations to interview. All appropriate checks will be undertaken, including references, before interview. A face-to-face interview will be conducted with the applicant(s) based on an objective assessment of the applicants' ability to meet the job description and person specification. The interview panel should include the Benefice Safeguarding Officer and at least two others. The successful applicant will be informed that the offer of employment is conditional on receiving satisfactory information from all necessary checks, including Disclosure and Barring Service check, where appropriate.
- For all roles, the eligibility of the role for a Disclosure and Barring Service (DBS) check (with or without Barring List check) will be determined (Appendices A, B and C) and, if required, a DBS application will be completed using the online application service. Identity documents will be verified by the Benefice Safeguarding Officer or incumbent and the information submitted to the Diocesan Safeguarding office for checking and forwarding to the DBS. No applicant will commence their employment until the DBS check is completed and the Safeguarding Officer has been informed of the outcome of the DBS check. Depending on the outcome, the applicant may or may not be able to join the team they have volunteered for. The minimum age for a DBS check is 16.
- Once the Benefice Safeguarding Officer has been informed that the DBS check has been successfully completed, they will inform the employee's line manager. Only then may the employee take up their position and commence work.

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

- The exception to the above occurs if the applicant has a previous DBS disclosure, they have registered with the Update Service and have given permission for the Diocese of Bath and Wells to use this service to check their clearance to work with Children and Young People and/or Vulnerable Adults.
- DBS checks are required to be updated every 3 years (unless registering with the Update service, when no further check will be required but the Diocese must be given permission to access the person's DBS information on the Update service).
- If a role requires a DBS check, a Confidential Declaration form must also be completed (Appendix D)
- All details of DBS checks, Confidential Declarations forms etc. will be stored securely with access only possible by the Benefice Safeguarding Officer and the incumbent. An up-to-date record sheet detailing those with current checks and the date of expiry of such is kept in the Benefice office, again with access only made available to the Benefice Safeguarding Officer and the incumbent.
- Officially advertised appointments will be minuted by PCCs at their next meeting(s). The PCCs will be updated annually regarding those volunteers working with children, young people and vulnerable adults.
- A copy of the Safe Recruitment record sheet (Appendix K) will be held, along with all relevant paperwork, securely by the Benefice Safeguarding Officer.

FURTHER INFORMATION

For more information about Safe Recruitment in the Church of England please refer to the following website:

<https://www.churchofengland.org/safeguarding/safeguarding-e-manual/safer-recruitment-and-people-management-guidance>

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

APPENDIX A: ELIGIBILITY FOR DISCLOSURE AND BARRING SERVICE CHECKS IN THE BENEFICE

DBS checks (these are also known as disclosures)

There will be two types of check (also known as a disclosure). An 'Enhanced DBS plus Barring List Check' discloses whether the individual is barred from Regulated Activity with children and/or vulnerable adults, as well as the convictions/cautions and other relevant information. This is only available for those in Regulated Activity (as defined in the Protection of Freedoms Act 2012.)

A 'Standard DBS check without Barring list information' provides information about convictions/cautions and other relevant information but NOT whether a person is barred from Regulated Activity, (the Chief Officer of Police may provide information if it is relevant for the role in question).

'Regulated Activity' and eligibility for a DBS check

Whether or not a role requires a DBS Check is determined by whether or not it involves a 'regulated activity'. Regulated Activity is different for work with children or adults. Details of what constitutes a regulated activity and eligibility for an enhanced criminal record check with or without barring may be found in Appendices B and C which are drawn from *Practice guidance: Safe Recruitment - section 7 & appendix 7 (Published jointly by the Church of England and the Methodist Church, June 2015)*.

PCC members

Since the Benefice sponsors work with children and young people, three members of the PCC should undergo DBS checks. This would normally be two churchwardens and the safeguarding officer. However, where there is only one churchwarden another member of the committee may, on the approval of the PCC, undergo the check instead.

Other volunteers

All other volunteers in the Benefice will be safely recruited and, according to the role, may be required to undergo a DBS check, with or without barring, as appropriate.

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

APPENDIX B: CHURCH OF ENGLAND GUIDANCE ON ELIGIBILITY FOR A DBS CHECK

Taken from Section 7 *Practice guidance: Safe Recruitment* - (Published jointly by the Church of England and the Methodist Church, 2017).

What activities make a person eligible for an enhanced criminal record check?

An individual will be eligible for an enhanced criminal record check, if he/she engages in work which is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended) and is 'work with children' and / or 'work with adults' as defined in the Police Act 1997 (Criminal Records) Regulations 2002 (as amended). Such work includes the following:

WORK WITH CHILDREN AND YOUNG PEOPLE

A. AN ENHANCED CRIMINAL RECORD CHECK WITH BARRING INFORMATION

Frequency criteria

- (i) once a week or more;
- (ii) four days or more in any 30-day period;
- (iii) overnight between the hours of 02:00 & 06:00. ((iii)only applies to work of a 'Specified Nature' (see below))

Children and young people—Regulated Activity

Each of the following situations **MUST** satisfy one of the Frequency Criteria:

1. **Specified Nature:** Teach, train, instruct, care for or supervise children (unsupervised –where supervised see **Section B**); or provide advice / guidance on physical, emotional or educational well-being.
2. **Specified Establishment:** Work in a 'specified establishment' (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 supervising or caring for the children.

Each of the following situations **DOES NOT** have to satisfy the Frequency Criteria:

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 to do any of these tasks. Assistance with eating, drinking for reasons of 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 child.**

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

7. **Day to day management** on a regular basis of a **person** who is **providing a regulated activity** in relation to **children**. Please note this includes a supervisor of a person who would be in regulated activity if not under regular supervision.
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. *(Although this is not 'regulated activity' the Police Act 1997 (Criminal Records) (No 2) Regulations 2009 (as amended) allows a barred list check in such circumstances).*

B. AN ENHANCED CRIMINAL RECORD CHECK WITHOUT BARRING INFORMATION

Children and young people – Non-regulated Activity

1. Work of a 'Specified Nature'(as defined above) where that work is **supervised** (*Supervision -Where the supervisor -who has him / herself been safely recruited -is always able to see the supervised worker's actions during his / her work.*
2. Work of a **supervised volunteer** (or occasional or temporary contract work) in a 'Specified Establishment'(as defined above).
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.

WORK WITH VULNERABLE ADULTS

C. AN ENHANCED CRIMINAL RECORD CHECK WITH BARRING INFORMATION

Adults -Regulated Activity

Frequency Criteria: 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)

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.

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

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.

D. AN ENHANCED CRIMINAL RECORD CHECK WITHOUT BARRING INFORMATION

Adults - Non-regulated Activity

1. **Activities that used to be regulated activity** under Schedule 4 Part 2 of the Safeguarding Vulnerable Groups Act 2006 prior to 10 September 2012, **provided for adults who require assistance** because of their age, illness or disability **or are residents in specific accommodation** –such as care homes or prisons.

Please note that the following Frequency Criteria **MUST** be satisfied in relation to any such activity listed below.

The activities will include:

- 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** (except where already included in Regulated Activity (above) –Adults –No. 6 “Conveying”)
2. Individuals who are **trustees** of a vulnerable adult's charity.

Further information regarding eligibility for DBS checks may be found on the following Church of England website:

<https://www.churchofengland.org/safeguarding/safeguarding-e-manual/safer-recruitment-and-people-management-guidance/section-9>

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

APPENDIX C: CHURCH OF ENGLAND ROLES WHERE THE ACTIVITY IS SEEN TO BE ELIGIBLE FOR A DBS CHECK

Taken from Appendix 7 *Practice guidance: Safe Recruitment - (Published jointly by the Church of England and the Methodist Church, 2017).*

A. Clergy.

All will require an enhanced DBS (including barring information)

All Church of England ordained and licensed Clergy including Archbishops, Bishops, Archdeacons, Deans, stipendiary parish Clergy, self-supporting Minister / non stipendiary Ministers, Chaplains, locally ordained Clergy, Clergy with 'permission to officiate', and those seeking ordination training or ordination.

B. Those employees and volunteers working with vulnerable groups (i.e., children (i.e., those aged under 18) and those working with adults experiencing, or at risk of abuse or neglect (18+)) (note, this will always include those in training and individuals on student placements).

Those working with children. Most **will** require an enhanced criminal record check (including barring information) unless they are supervised (*The Church of England defines supervised activity as: Activity where the supervisor - who has him / herself been safely recruited - is always able to see the supervised worker's actions during his / her work. Where you are uncertain whether this level of monitoring can be maintained continuously – for example, ensuring cover for all holidays and sickness absence by the supervisor - then the role is not a supervised position*) or they are on a rota and do not satisfy the 'period condition', (i.e., frequent, intensive or overnight).

Those working with adults experiencing, or at risk of abuse or neglect. Most will **not** be in Regulated Activity but will require an enhanced criminal record check without barring information. Some will be in Regulated Activity and need an enhanced criminal record check (including barring information) if, for example, they provide, personal care, assistance with cash, bills or shopping, conveying someone to or from healthcare, personal care or social care (but not to Church activities).

<ul style="list-style-type: none"> *Readers * Authorised Lay Ministers *Licensed Evangelists *Lay people authorised to provide pastoral care. <i>For example: Parish Pastoral Assistant, Pastoral Home Visitor, Street Pastor, Authorised Listener Pastoral Outreach Worker and equivalents in Cathedrals e.g., Cathedral Verger who has pastoral care in job role</i> *Youth worker or Leader *Children's worker or Leader *Sunday school teacher or Leader *Family workers who work with children or their Leader *Bell ringers who teach or train children plus the Tower Captains who manage those adults who teach or train. *Music leader where the choir or musical group includes children *Head Server– only when the role includes supervision or training of children. 	<ul style="list-style-type: none"> * Parish volunteer driver for vulnerable groups (children or adults) for children's / adults' activities organised by the Church – (<i>Please note – private / personal arrangements among parents / friends etc. are exempt</i>) *Diocesan Safeguarding Advisers and Parish Safeguarding Officers who manage (<i>Management in this context includes planning, organising, advising or directing</i>) people engaged in activities with vulnerable groups (children or adults). *Diocesan Education staff who either have substantial contact with children or manage those who do. *Leader of Parent & Toddler Groups (but not parent helpers who supervise their own children or if a self – help group. *Managers of individuals working with vulnerable groups (children and adults) * Those in religious communities (e.g., monks, nuns, brothers and sisters) who are in active ministry and work with vulnerable groups (children or adults).
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The Benefice of Creech St. Michael, Ruishton & Thornfalcon

C. Charity Trustees of children’s or vulnerable adults’ charities (A children’s charity and a vulnerable adults charity were defined in the Safeguarding Vulnerable Groups Act 2006 in Schedule 4. The relevant provisions have now been repealed but retain their relevance in relation to eligibility for check . Broadly, a charity is a children’s charity or vulnerable adults’ charity if the individuals who are workers for the charity normally include individuals engaging in regulated activity.).

A PCC is a charity **and** provided it sponsors and approves, in its own name, children’s work or work with vulnerable adults (e.g., a Youth Club, Sunday School, home visiting scheme for the housebound or a luncheon club for adults with special needs who require assistance with feeding or toileting) then this recommendation applies. **It does not apply to all PCCs only those that sponsor and approve children’s work and work with vulnerable adults. Although in such cases all members of the PCC will be eligible, which members of the PCC should be checked is a matter for local determination.**

D. Roles that are not eligible for an enhanced criminal record check (unless undertaking any role in A or B or are included in C) but remain eligible for a basic criminal conviction check through Disclosure Scotland

*Parish Verger *Server *Caretaker * Refreshment helper *Shop Staff *Flower arranger *Sidesperson *PCC members (including Church wardens where the PCC does not qualify as a children’s/vulnerable adult’s charity) *Bell ringers (rank and file).	*Choir leader or musical director for adult choir *Organist unless also directing a choir which contains children * Choir members / music group members (unless the role includes responsibility for teaching, training, caring for or supervising vulnerable groups (children or adults). * Food bank helpers unless undertaking work with vulnerable groups (children or adults) as indicated in B above.
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The Benefice of Creech St. Michael, Ruishton & Thornfalcon

APPENDICES E – I & K for internal use only

APPENDIX J: DIOCESE OF BATH AND WELLS' POLICY STATEMENT ON THE RECRUITMENT OF EX-OFFENDERS

Principles:

The Code of Practice published under section 122 of the Police Act 1997 advises that it is a requirement that all registered bodies must treat DBS applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed. A copy of the Code of Practice can be found at: <https://www.gov.uk/government/publications/dbs-code-of-practice>

Information regarding conviction information

On the 29 May 2013, legislation¹ came into force that allows certain old and minor cautions and convictions to no longer be subject to disclosure.

- In addition, employers will no longer be able to take an individual's old and minor cautions and convictions into account when making decisions.
- All cautions and convictions for specified serious violent and sexual offences, and other specified offences of relevance for posts concerned with safeguarding children and vulnerable adults, will remain subject to disclosure. In addition, all convictions resulting in a custodial sentence, whether or not suspended, will remain subject to disclosure, as will all convictions where an individual has more than one conviction recorded.
- Further guidance is available from the Disclosure & Barring Service regarding the filtering of old and minor cautions and convictions which are now 'protected' and therefore not subject to disclosure to employers.

Diocese of Bath & Wells Policy Statement

- As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order using criminal record checks processed through the Disclosure and Barring Service (DBS), the Diocese of Bath & Wells complies fully with the Code of Practice and undertakes to treat all applicants for positions fairly.
- The Diocese of Bath & Wells undertakes not to discriminate unfairly against any subject of a criminal record check on the basis of a conviction or other information revealed.
- The Diocese of Bath & Wells will only ask an individual to provide details of convictions and cautions that we are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations as amended), the Diocese of Bath & Wells will only ask an individual about convictions and cautions that are not protected.
- The Diocese of Bath & Wells is committed to the fair treatment of its staff, potential staff or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability or offending background.

¹ See Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (Amendment) (England and Wales) Order 2013; and Police Act 1997 (Criminal Record Certificates: Relevant Matters) (Amendment) (England and Wales) Order 2013.

The Benefice of Creech St. Michael, Ruishton & Thornfalcon

- The Diocese of Bath & Wells actively promotes equality of opportunity for all with the right mix of talent, skills and potential and welcome applications from a wide range of candidates, including those with criminal records. The Diocese of Bath & Wells selects all candidates for interview based on their skills, qualifications and experience.
- An application for a criminal record check is only submitted to the DBS after a risk assessment has indicated that one is both proportionate and relevant to the position concerned.
- For those positions where a criminal record check is identified as necessary, the application pack will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- All volunteers and applicants, who are provided with a conditional offer of employment, will be required to complete a Confidential Declaration Form as part of their pre-employment checks. The Confidential Declaration Form, in broad summary, asks if there is any reason why he/she should not be working with children and adults experiencing, or at risk of abuse or neglect. Should a volunteer or applicant not wish to complete the Confidential Declaration, which is entirely his/her choice, the application will not proceed further and will be terminated.
- Having a criminal record may not necessarily be a bar to working with children or adults experiencing, or at risk of abuse or neglect. Any information provided on either a Confidential Declaration Form or a DBS certificate will be assessed by the Diocesan Safeguarding Adviser to assess whether an appointment can be made.
- The Diocese of Bath & Wells ensures that those involved in the recruitment process have been suitably trained to identify and assess the relevance and circumstances of offences or are aware of whom to seek guidance from which will normally be the Diocesan Safeguarding Adviser. The Diocese of Bath & Wells also ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g. the Rehabilitation of Offenders Act 1974.
- At interview, or in a separate discussion, the Diocese of Bath & Wells ensures that an open and measured discussion takes place on the subject of any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment.
- The Diocese of Bath & Wells undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment. Where a DBS check reveals convictions that may be relevant, the Diocese reserves the right to employ an individual subject to a risk assessment and a risk management plan being put in place. Failure to accept the outcomes of the risk assessment or abide by the risk management plan could result in employment not being offered or the employment being terminated.