

**OFFICE USE ONLY:**

REVIEWED BY:

DATE:

## **Church of England Confidential Declaration Form**

### **Church of England Confidential Declaration Guidance and Privacy Notice**

The Confidential Declaration must be completed by all those wishing to work with children and/or adults experiencing, or at risk of abuse or neglect. It applies to all roles, including clergy, employees, ordinands and volunteers who are to be in substantial contact with children and/or adults experiencing or at risk of abuse or neglect.

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

The Privacy Notice accompanying this form 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").

If you do not complete this form, or if you do not give true, accurate and complete information in response to the questions it contains, this may amount to misconduct under the Clergy Discipline Measure 2003 and your appointment will not proceed.

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' and 'unspent' convictions). YES  NO
  
2. Have you ever received a caution from the police (excluding youth cautions, reprimands or warnings) that has not been filtered in accordance with the DBS filtering rules? 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? 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
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
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
11. If you are working from home with children, is there anyone who is 16 years of age or over living or employed in your household who has ever been charged with, cautioned or convicted in relation to any criminal offence not subject to DBS filtering rules; or is that person at present the subject of a criminal investigation/pending prosecution? YES\*  NO

\*If yes, please give details including the nature of the offence(s) and the dates. Please give any further details, such as the reasons or circumstances, which led to the offence(s).

**Declaration**

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 on a separate sheet any additional information I have which could be considered relevant to the questions in this Confidential Declaration.

After I have been appointed, I agree to inform my Bishop/Archbishop 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.....Full Name.....

Address.....

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Date.....

Please return the completed form to:

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.

## Notes:

**Notes applicable to Questions 1&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.

*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>. 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-rog/>. 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.*

**Notes applicable to Questions 3, 4, 5 & 6:** Please note that 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. If you have answered 'yes' to any of the questions, please give details.

*'Harm' involves ill-treatment of any kind including neglect, physical, emotional or sexual abuse, or impairment of physical or mental health development. It will also include matters such as a sexual relationship with a young person or adult for whom an individual had pastoral responsibility or was in a position of respect, responsibility or authority, where he/she was trusted by others. It also includes domestic abuse.*

**Notes applicable to Questions 7, 8, 9 & 10:** Declare any complaints or allegations made against you, however long ago (including Domestic Abuse). Checks will be made with the relevant authorities.

**Notes applicable to Question 11:** You are only required to answer this if you work from home with children. The DBS define home based working as where the applicant for the DBS check carries out some or all of his or her work with children or adults from the place where the applicant lives (this will include all clergy): <https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance>. Please inform relevant members of your household that you have included their details on this form (if applicable) and give them a copy of the Privacy Notice.