

Safer Recruitment Policy, Procedures and Guidance



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The **Methodist** Church

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This document replaces the former 'Practice Guidance on Carrying out Disclosure and Barring (DBS) Checks as part of Safer Recruitment' (January, 2018).
It forms part of the *Safeguarding Policy, Procedures and Guidance for the Methodist Church.* It also references the *Lay Employment Advisory Information* (for employees and those who oversee their recruitment and employment)https://www.methodist.org.uk/forchurches/employees-andvolunteers/lay-employment-advisory-information/

Foreword

For most people, the Methodist Church is a safe place free of any form of physical, emotional, spiritual, sexual or psychological danger. It is a place where children, young people and vulnerable adults are free from harm, discrimination and other harmful influences.

Sadly, for some members of the Church family, their experience has been of not being safe and this broken trust has left them physically and/or psychologically harmed. The Safer Recruitment Policy makes explicit the Church's commitment to establishing a worshipping and serving community that welcomes and is safe for all.

This policy sets out the necessary actions that the Church needs to implement in its recruitment and selection procedures in order to identify and deter people who are a potential risk to children or vulnerable adults.

Safer Recruitment is more than the undertaking of Disclosure and Barring Service (DBS) checks. It is about promoting and exercising a safe culture including the supervision and oversight of those who work with children and vulnerable adults.

However, even the most robust selection and recruitment policy and procedures cannot eliminate every risk to children, young people and vulnerable adults. That is why **safeguarding is everyone's responsibility.** We must make it as difficult as possible for abusers to obtain access to children, young people and vulnerable adults. It is for this reason that once an individual is appointed, whether paid or unpaid, effective oversight arrangements are in place to monitor and respond to any concerns that emerge. I commend these procedures to you.

The Revd Jonathan Hustler, Secretary of the Conference

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PART 1 INTRODUCTION

1.1 The Methodist Church values every human being as part of God's creation and the whole people of God. At the heart of the Methodist community is a deep sense of the place of welcome, hospitality and openness, which demonstrates the nature of God's grace and love for all. Our church communities are called to be places where the transformational love of God is embodied and life in all its fullness is a gift, offered to all people.

Every individual has the right to be safe from harm and treated without discrimination, irrespective of any personal or protected characteristic. Protected characteristics are the nine specific aspects of a person's identity defined by the Equality Act 2010 (age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex and sexual orientation).

The Church welcomes all people who desire to share their skills, talent and potential within its life and mission, where it is safe to do so. Even those who may come with a criminal record can be assured that this information will not necessarily exclude them from service to the church.

Based on the foundations above, the Methodist Church is committed to:

- promoting a safe environment and culture; and,
- safely recruiting and supporting all those with any responsibility for children and adults within the Church.

This will be done in accordance with the Church's policy, procedures and guidance supported by effective training, support and quality assurance.

Safer recruitment is an approach to the selection of staff and volunteers that highlights the importance of safeguarding and uses multiple sources of information to make informed decisions. This is particularly important in situations where the post holder may work with children, vulnerable adults or be in a position of influence or responsibility. The purpose of this policy is to assist the Church in identifying, deterring and not appointing those who may cause harm or are unsuited to the role for which they are applying.

In developing and implementing this policy, the following foundations guide the Methodist Church:

- the gospel and the Church's mission; and,
- human rights, international and national law.

1.2 Status of Policy, Procedure and Guidance

This document sets out the policy, procedures and guidance relating to safer recruitment within the Methodist Church. The provisions outlined are informed by current legislation and accepted good practice from within the Church, statutory and voluntary organisations.

Sections designated as policy and procedure, are mandatory while those identified as ‘guidance’ are regarded as good practice.

The policy applies to all paid and voluntary roles to which individuals are recruited in churches, circuits, districts and other church bodies.

2 SOCIETAL CONTEXT AND LEGAL FRAMEWORK

2.1 Societal Context

Following the Bichard inquiry (2004) into the murders of two young girls by their school caretaker, there has been an increased understanding of the importance of effective recruitment and vetting of those seeking to work with children and vulnerable adults. While much of the emphasis in the report focused on the work of statutory agencies, the continuing importance of information sharing, diligent recruitment processes and criminal record checks is equally applicable to non-statutory and third sector agencies that provide services to children, young people and vulnerable adults.

More recently, the Dame Janet Smith Review Report (2016) following the revelations about Jimmy Savile and the Sheldon inquiry (2021) reporting on historical child sexual abuse in football, highlight the on-going need to implement effective measures to ensure those who are predisposed to hurt or abuse children, young people and vulnerable adults are not employed in positions of trust.

2.2 Legislative Context and Jurisdiction

This document reflects legislation applicable to mainland England and Wales, specifically:

- Safeguarding Vulnerable Adults Act 2006 as amended by the Protection of Freedoms Act 2012
- The Rehabilitation of Offenders Act 1974 (Exceptions) Order
- Sexual Offences Act 2003

Legal arrangements and requirements vary between England, Scotland, Wales, the Isle of Man, the Channel Islands, Gibraltar and Malta. For the Methodist Church in Scotland there is separate guidance relating to the Protection of Vulnerable Groups (PVG) scheme.

https://www.methodist.org.uk/safeguarding/recruitment-dbspvg-forms-etc/saferrecruitmentpolicy-and-practice-guidance/

For other contexts such as Malta and Gibraltar, every effort should be made to reflect the principles and detailed provisions of this process into their specific context. District Safeguarding Officers should be consulted where local differences arise outside the UK.

2.3 Working Together to Safeguard Children (England and Wales)

The statutory guidance as set out in Working Together to Safeguard Children (2018: p57), requires that all faith-based organisations should have ‘safe recruitment practices and ongoing safe working practices for individuals whom the organisation or agency permit to work regularly with children, including policies on when to obtain a criminal record check.’

2.4 Police, Crime, Sentencing and Courts Bill 2021: Positions of Trust

The Bill sets out the government's intention to extend the position of trust offences under Section 22 of the Sexual Offences Act 2003 to include activities in respect of sports and religion.

2.5 Charity Governing Bodies

The Charity Commission's guidance published in 2017 (updated 2019) states: 'As part of fulfilling your trustee duties, you must take reasonable steps to protect from harm people who come into contact with your charity.' It goes on to make clear that trustees will be held responsible when things go wrong and expect them to put them right.

Charities have a responsibility to:

- make sure that employees and volunteers are suitable to work with children and vulnerable adults
- request appropriate checks from the Disclosure and Barring Service where the role is eligible
- be quick to respond to and handle concerns in a full and open manner, carrying out the appropriate investigations
- make sure that protecting people from harm is central to its culture.

2.6 Ecumenical Context

Among Churches, there continues to be growth in ecumenical agreements and cooperation on safeguarding, especially between the Methodist Church and the Church of England, as part of the ongoing Covenant.

Our continued participation in the Christian Forum for Safeguarding (CFS) is of benefit in building and maintaining relations with all denominations. This includes the Baptist Union of GB and the United Reformed Church amongst many others. Furthermore, the CFS enhances our participation in discussions with government departments and agencies, e.g. the work of the DBS sub-group of the CFS.

PART 3 SAFER RECRUITMENT PROCEDURES

3.1 Responsibilities for Safer Recruitment in the Methodist Church

The Constitutional Practice and Discipline of the Methodist Church sets out how Church Councils, Circuit Meetings and District Synods hold ultimate responsibility for safeguarding including safer recruitment of all volunteers and employees in their respective environments. All churches, circuits and districts are required to have their own safeguarding policy, which includes a commitment to implementing safer recruitment practices. It is part of the role of safeguarding officers, acting on behalf of each of those bodies to carry out activities, which promote and support safe recruitment. At district level, lay employment advisors will provide guidance to support recruitment. The Human Resources department of the Connexional Team manages appointments to ministry and the Connexional Team.

The '12 Steps to Safer Recruitment' are the means of ensuring that recruitment decisions are made with care and particular reference to the protection of children and vulnerable adults. In addition, they serve to reduce the likelihood of issues arising when people have been appointed. The 12 Steps are mirrored in both the lay employment handbook and Creating Safer Spaces: Advanced Module Safeguarding Training. They apply to both volunteer and paid roles, as detailed in the resource available here: css-lm-infosaferrecruitment.pdf (methodist.org.uk).

Table 1.1 The Twelve Steps to Safer Recruitment

STEP 1	Produce an **up-to-date recruitment and selection policy** that describes the process.
STEP 2	Ensure there is a **Safeguarding policy,** which is reviewed annually and includes a commitment to safer recruitment. There are template safeguarding policies, which include safer recruitment commitments in the model policies for church, circuit and district, available on the Methodist Church website.
STEP 3	**Check and update role description and person specification** for the role(s). This will be a role outline for volunteer posts. Consider whether the activities specified require a criminal record check.
STEP 4	**Advertisement** containing: • Details about the role • a timetable for recruitment • your commitment to safeguarding • whether a criminal record check will be required. Even volunteer roles should be advertised in a manner appropriate to the vacancy. This will ensure that suitable parties have a fair opportunity to come forward and will know who to speak to if they are interested. This could be on the church noticeboard, via a bulletin, online or highlighted during verbal notices at a service.
STEP 5	Produce an information pack which might include: • information about the organisation • information about the role • recruitment timetable

	• safeguarding policy/statement • application form • safeguarding declaration (where appropriate)
STEP 6	Scrutinise each application carefully and fairly with reference to the criteria for the role before carrying out interviews or discussions with candidates.
STEP 7	Carry out appropriate checks for your shortlisted candidates, including references. Confirm identity and relevant certificates of qualifications/course attendance, as appropriate.
STEP 8	If there are several candidates, ensure all shortlisted candidates receive the same letter of invitation to interview, supplying them with all necessary information.
STEP 9	Conduct a **face-to-face interview** for ALL shortlisted candidates based on an objective assessment of the candidate's ability to meet the person specification and job description.
STEP 10	Ensure that all **specific questions** designed to gain required information about each candidate's suitability are asked, including those needed to address any gaps in information supplied on the application form.
STEP 11	Make a selection of a preferred candidate based upon their suitability for the role.
STEP 12	**Inform the chosen candidate in writing** that they will be offered the role and where applicable advise them that this is subject to satisfactory checks. Including the relevant level of DBS certificate. Unsuccessful candidates will be notified.

3.2 Safeguarding Declarations

A safeguarding declaration provides the applicant with the opportunity to declare any relevant issues prior to a criminal record check. This gives the applicant a chance to discuss any matters of relevance prior to the commencement of the DBS process and may help to reduce time and cost if issues of concern arise which could affect the likelihood of their acceptance for a specified role. On occasion, when applicants become aware of the full extent of the DBS checks, they may decide to withdraw their application. In the interests of all parties, it is helpful to have open and transparent discussions about any potential concerns that may arise prior to the DBS application being submitted.

The confidential safeguarding declaration is included in the Volunteer Application Form and is used to confirm whether an applicant has any relevant convictions, cautions or barred list entries. A safeguarding self-declaration **must** be completed prior to undertaking any role that is covered by the exclusions listed in table 1.1 below or, any role or responsibility where it is felt that additional reassurance is necessary due to the nature of the work. For example, an inherent requirement of the role involves spending time with children, young people and/or vulnerable adults.

The Standing Order 010 Declaration form for Methodist Council Members and Methodist Church Council Members is relevant roles are listed as subject to Standing Order 010 (see 3.3.2).

3.3 Restrictions on Appointments in the Methodist Church

The Constitutional Practice and Discipline of the Methodist Church (CPD) identifies in Standing Order 010 circumstances in which there are restrictions to appointment and to the roles (voluntary and paid) to which they apply as listed in Book VI Part 1 regulations (CPD). *See table 1.2 below.*

If the role or any general feature of the role is included in the table below, the restrictions of Standing Order 010 apply. The restrictions are relevant to both new applicants and those already in roles and relate to those with specified convictions, cautions or circumstances detailed.

If an individual is already in a role covered by these provisions, then the DSO, working with the Circuit Superintendent Minister and local church, should ensure that the person stands down from their role whilst the new information and current circumstances are assessed.

Table 1.2 Restrictions to Appointment under Standing Order 010

Relevant conviction, caution or circumstances	Restriction	Roles Applicable
▪ conviction for an offence contained in Schedule 1 of the Children and Young Persons Act 1933 ▪ caution for an offence contained in Schedule 1 of the Children and Young Persons Act 1933 ▪ barred by the Disclosure and Barring Service, PVG or equivalent body in the relevant jurisdiction from working with children or vulnerable adults ▪ Safeguarding Committee of the Methodist Church has concluded that the person otherwise poses a risk to children, young people or vulnerable adults	Not permitted to work with children, young people or vulnerable adults	**General** *(all roles, voluntary and paid which include specified activity)* • Lone access to church premises • Face-to-face contact with children and young people without the presence of another adult • Carrying out duties off church premises in circumstances in which the person concerned may be seen as a representative of the church **Representational Roles** *(membership of any of the following bodies)* ▪ Church Council ▪ Circuit Meeting ▪ District Synod ▪ Methodist Council

▪ Conviction or caution for an offence under the Sexual Offences Act 2003 or included within Schedule 15 of the Criminal Justice Act 2003. ▪ Barred by the Disclosure and Barring Service, PVG or equivalent body in the relevant jurisdiction from working with children or vulnerable adults ▪ Safeguarding Committee has concluded, following risk assessment that the person represents a significant risk of serious harm to children, young people or vulnerable adults.	Not permitted to be appointed or re-appointed to a role or position covered by Book VI Part 1 (CPD)	▪ Methodist Conference **Liturgical or Pastoral Roles** ▪ Ministers ▪ Local Preachers ▪ Worship Leaders ▪ Organists/choir leaders/***worship band leaders*** ▪ Pastoral Visitors ▪ Class Leaders ▪ Communion Stewards ▪ Workers with Children and Young People

3.3.1 Procedures Regarding Restrictions of Appointment

An applicant for a role, whether voluntary or paid, is subject to restrictions of appointment if:

- a DBS certificate or Disclosure Scotland (or equivalent body in other jurisdictions) indicates that they have a conviction;
- they received a caution from the police for an offence that indicates they pose a risk to children, young people or vulnerable adults;
- they have been subject to relevant bail or licence conditions; or,
- they have been subject of to a court order or any other enactment; which would prohibit engagement in the activities required for the role.

However, in exceptional circumstances an appointment may still be considered if the person is not prohibited by any legal restriction from undertaking the duties envisaged.

3.3.2 Restrictions to Appointment for Roles Requiring a Criminal Record Check

If both the applicant and the employer wish to continue with the application, as part of the blemished DBS process, the Connexional Safeguarding Team will undertake a further review of the circumstances. In the case of an existing role holder, all available information provided directly by the applicant or via a third party, with consent to disclose, will provide the basis for a risk assessment at an agreed level. The Connexional Safeguarding Team will seek the views of both the District Safeguarding Officer and appointing body as part of their considerations.

3.3.3 Restrictions to Appointments Requiring a Safeguarding Declaration only

The District Safeguarding Officer should be notified at the earliest opportunity that the applicant's circumstances would make them subject to restrictions of appointment. The

issue may have been revealed through information provided by the applicant on completion of the safeguarding self-declaration or, via an internal or external third party.

Working with the relevant role holder from the employing organisation, the DSO will confirm the following actions have been taken:

- The applicant was provided with a detailed explanation of the process to consider their situation and agreed to the application continuing. They were also advised that the employer would be contacted and that their support necessary for the process to continue.
- If the applicant wishes to continue with the application, the DSO will contact the employer and request written confirmation of their support and any written comments that they wish to be considered regarding the applicant and their suitability for the role.
- Either party may decide to withdraw at this stage or the person will no longer be considered for the role.

A casework supervisor from the Connexional Safeguarding Team will be informed of the circumstances by the District Safeguarding Officer and will collate relevant information on the form for that purpose. This will include a copy of the confidential safeguarding declaration and any other relevant documents.

If this process has not been followed and an application for a DBS certificate has already been made, then the Casework Supervisor will become involved via the blemished DBS process in the usual way.

On conclusion, the Director of Safeguarding will make one of the following decisions:

1. Permission given for the appointment to go ahead on the basis that the circumstances do not indicate any connection to behaviour indicative of abuse towards vulnerable adults, children, young people or those with protected characteristics. This will apply only to cases that involve specified offences included in Schedule 15 of the Criminal Justice Act 2003 (see Appendix A). The Chair of the Safeguarding Committee will be consulted with on any complex cases.
2. The circumstances warrant further exploration either in the form of a district risk assessment or, a Connexional risk assessment depending on the nature of the situation. This will apply to any offences included in the Sexual Offences Act 2003 and/or the Children and Young Persons Act 1933. It will also include offences included in Schedule 15 of the Criminal Justice Act 2003, unless the Director of Safeguarding has already made a determination. Where the consideration does not relate to a conviction or caution but does include significant risk of serious harm to vulnerable groups, a Connexional risk assessment will always be undertaken.

3. The risk assessment will be submitted for consideration by a safeguarding panel in line with the arrangements contained in the Safeguarding Risk Assessment Policy. The panel will make a final decision regarding suitability of appointment.

PART 4 DISCLOSURE and BARRING SERVICE PROCEDURES

4.1 Types of Checks

A DBS check provides prospective employers for both paid and unpaid roles, with information about an applicant's criminal history as it details any spent and unspent convictions, cautions, reprimands and final warnings held on central police records (this does not include protected convictions and cautions). There are four[1] distinct DBS checks applicable to the roles and type of work an individual is undertaking however, the Church frequently uses the two forms of checks outlined below:

Enhanced Disclosure Checks will disclose the same information as a standard check but can also include other non-conviction information that the police believe is relevant to the workforce. For instance, an Enhanced DBS check must be applied for if a role meets the definition of 'work with children' (the child workforce) and/or 'work with adults' (the adult workforce). Only an employer or recruiter can apply via an organisation registered with the DBS.

Enhanced Disclosure with Barred List Checks will disclose the same information as an Enhanced Disclosure Check and include a check of the Children's Barred List, the Adults' Barred List or both, depending on which group the individual is working with and whether the role is eligible. If the role is eligible, an employer can request that one or both (Adults, Children or Adults and Children) of the DBS barred lists is checked.

The certificate may also contain non-conviction information supplied by relevant police forces, if deemed relevant and necessary for inclusion by the chief officer of the relevant force. Most frequently, this type of information may be added where there has been an investigation but no conviction and the police remain concerned about the issue. This can be a source of confusion for an applicant who believes that because they do not have a caution or conviction that they have an unblemished criminal record and and therefore does not disclose this information on their self-declaration form.

[1] **Basic Disclosure Checks** can be done for any purpose, including employment or volunteer activities. The certificate will contain details of any unspent convictions and conditional cautions. Anyone can apply for a Basic Disclosure Check themselves via the DBS website or an employer can apply for a basic check on an individual's behalf if they have the person's consent.
This form of check is rarely used in the Methodist Church. However, it may be relevant in the case of a church shop assistant for example, who has no contact with vulnerable individuals/groups, but has unsupervised access to church premises.
Standard Disclosure Checks is a form of DBS check only suitable for roles that put applicants in positions of trust but not with children, young people and/or vulnerable adults for example, working with finance. The certificate will contain details of both spent and unspent convictions, cautions, reprimands and warnings that are held on the Police National Computer, which are not subject to filtering (the process that identifies which criminal records will be disclosed on a Standard or Enhanced DBS certificate). An individual cannot apply for a standard check, as this must be done by the recruiting organisation who need the applicant to get the check. This form of check is rarely used in the Methodist Church.

4.2 Eligibility

4.2.1 It is neither legal nor appropriate that all types of roles are DBS-checked to enhanced levels. Eligibility is based on the nature of the role and activities involved, often referred to as 'regulated activity' (see the glossary of key terms for full definition). Therefore, it is essential that employing organisations make the decision as to whether a DBS check will be required or not when compiling the job description or role outline.

The activities included within the job description or role outline must provide the evidence for the type of DBS that will be sought at the conclusion of the recruitment process. Notification that a post will be subject to a DBS check must be included in advertisements, the job description or role outline and communications during the recruitment process. In each case, the eligibility for a DBS check should be considered based on the activities in the role outline or job description. **The tables below** provide an example of roles and the DBS that is most likely to be required. This provides a guide as to when eligibility may be considered in, but not limited to the examples depicted.

4.2.2 Trustees

Trustees on the governing body of charities that work with children and vulnerable adults are eligible to apply for an enhanced DBS check if the charity provides regulated activities for those specified groups. The Charity Commission 'strongly recommends that charities obtain the relevant DBS checks for which the '*trustee position is eligible*.' In other words, the type of check undertaken should reflect the provision of services offered by the organisation. For instance, if a church does not provide any regulated activities for the groups identified, trustees would not be required to undertake an enhanced DBS check.

The Methodist Church requires that trustees undertake an enhanced DBS check where regulated activity for children and vulnerable adults is provided. This satisfies the criteria of the charity being a provider of services covered under the definition of regulated activities and, that trustees are suitable and legally able to act in their positions.

For further information on the application process, please see Appendix B.

Table 1.3 Working with Children and Young People

Activity	Period/Duration	Type of Check
Teaching, training or instruction, care or supervision of children e.g. during weekend services and religious festivals	More than **3 days in a 30 day period OR overnight** between **2am & 6am** with the opportunity for face-to-face contact with children	**Enhanced DBS** check with a Children's Barred List check
Providing advice and guidance wholly or mainly to children in relation to their emotional, physical or educational wellbeing – e.g. advice on staying healthy while fasting, educational advice when considering a life of faith or emotional guidance when going through difficult times in life such as bereavement	More than **3 days in a 30 day period OR overnight** between **2am & 6am** with the opportunity for face-to-face contact with children	**Enhanced DBS** check with a Children's Barred List check
Anyone who drives children or young people.	More than 3 days in a 30-day period	**Enhanced DBS** check with a Children's Barred List check
Youth Worker who is not supervised by someone with an Enhanced DBS check including Barred List	More than 3 days in a 30-day period	**Enhanced DBS** check with a Children's Barred List check
Anyone who has responsibility for the day-to-day management of people (paid or volunteers) who undertake regulated activities	The same level of check is required as the person/people they are managing/supervising.	**Enhanced DBS** check with a Children's Barred List check
Teaching, training or instruction, care or supervision of children	Up to three times a month	**Enhanced DBS** check without a Children's Barred List check
Youth Worker who is closely supervised by someone with an Enhanced DBS check including Barred List.	Duration not specified, as the key element is the supervision.	**Enhanced DBS** check without a Children's Barred List check
A member of leadership, caretaker e.g. role is limited to strategy/policy or cleaning, locking up/general maintenance of building. ***However, higher level checks would be required if the premises included an Ofsted registered nursery.***		Basic DBS

This document outlines the procedures for undertaking DBS checks within the Methodist Church in England and Wales and Isle of Man. For Scotland, please refer to **the Guide to PVG and the Methodist Church in Scotland (2020)** which is available on the Methodist Church website: ***https://www.methodist.org.uk/safeguarding/recruitment-dbspvg-forms-etc/safer-recruitment-policy-and-practice-guidance/*** . All DBS applications follow a path from initial digital application through to final decision, which is outlined in Appendix B. All applications must go via the Church's DBS provider, Due Diligence Checking (DDC). DDC have also provided a helpful guide to using their system for both DBS and PVG applications: DDC Quick Start Guide PVGChecks. For further information, see ***https://www.ddc.uk.net/***

Table 1.4 Working with Vulnerable Adults

Activity	Type of Check
Physical assistance with eating, drinking, toileting, washing, bathing, dressing, oral care or the care of skin, hair or nails for adults who can't carry this out themselves because age, illness or disability	**Enhanced DBS** check with an adults barred list check
Prompting and then supervising with eating, drinking, toileting, washing, bathing, dressing, oral care or the care of skin, hair or nails for adults who can't decide to do this for themselves because of age, illness or disability	**Enhanced DBS** check with an adults barred list check
Providing health care by, or under the direction or supervision of, a regulated health care professional	**Enhanced DBS** check with an adults barred list check
Training, instructing, providing advice or providing guidance on how to physically assist an adult with eating, drinking, toileting, washing, bathing, dressing, oral care or the care of skin, hair or nails for adults who can't carry this out themselves because age, illness or disability	**Enhanced DBS** check with an adults barred list check
Providing social work by a social care worker to an adult who is a client or potential client	**Enhanced DBS** check with an adults barred list check
Conveying adults to, from or between health care, personal care and/or social work services who can't convey themselves because of their age, illness or disability	**Enhanced DBS** check with an adults barred list check
Day-to-day management or supervision of anyone carrying out the above activities	**Enhanced DBS** check with an adults barred list check
Assisting an adult who cannot manage themselves because of their age, illness or disability with the day-today running of their household relating to: – managing the adult's cash; – paying the adult's bills; – shopping.	**Enhanced DBS** check with an adults barred list check
Assistance in the conduct of an adult's own affairs, where: – a lasting power of attorney is created – an enduring power of attorney is registered or applied for - the Court of Protection has made an order in relation to the making of decisions on the adult's behalf – an independent mental health or mental capacity advocate is appointed – independent advocacy services are provided – a representative is appointed to receive benefits payments on the adult's behalf	**Enhanced DBS** check with an adults barred list check
Transporting vulnerable adults to and from church on behalf of the Church	**Enhanced DBS** check without an adults barred list check
Care of any description or assistance provided to an adult by reason of his age, health or any disability, which is provided to the adult in the place where they are, for the time being, living, whether provided continuously or not	**Enhanced DBS** check without an adults barred list check
Conveying of an adult to or from church services as part of an agreed arrangement	**Enhanced DBS** check without an adults barred list check

Further details on the procedures for undertaking a DBS in specific circumstances can be found here.

4.3 Verification

As part of the DBS process, it is necessary for the applicant's identity and address to be checked before the application can be processed. Documents required for verification should be seen and checked in original hard copy by the verifier *(see glossary)*. Scanned copies are not acceptable in ordinary circumstances (although this requirement was changed temporarily during the pandemic)

All verifiers should review the guidance from the DBS service providing information about how to identify false documents, which can be found at the following link:
https://www.gov.uk/government/publications/recognising-fraudulent-identity-documents

There are three different acceptable routes determined by the DBS for the verification of documents. This is to allow for those situations where individuals do not hold certain documents. They should be attempted in order with the second and third routes only used if it is not possible to verify documents via route one. The routes to verification and required documents for each route can be found at the following link:
https://www.gov.uk/government/publications/dbs-identity-checking-guidelines

On very rare occasions, a person does not have sufficient documents to satisfy any of the three routes and another route is needed. In these situations, police will undertake a fingerprint check to confirm the identity of the applicant for the check however, there is a specific process where this is required. It will be arranged following the submission of an application via the DBS, and the police in their area will send the applicant an appointment. Further details are available about this process on the DDC website. Applicants should not turn up at local police stations expecting a check to be done without following the relevant procedure, as they will be turned away.

Verification for those who have Changed Gender

Applicants may contact the DBS directly to carry out verification if they prefer the Church did not to know about their change of gender.

DBS transgender applications team sensitive@dbs.gov.uk
Telephone:
0151 676 1452
Monday to Friday, 9am to 5pm

Verification for those who have Changed Names

Documents for verification should all be in the same name as the application. All former and current names must be disclosed in the application.

For detailed information on the application process, please refer to Appendix C

4.4 REFERRALS TO THE DISCLOSURE AND BARRING SERVICE

The Safeguarding Vulnerable Groups Act (2006) confers a legal duty on employers who are responsible for the management or control of regulated activity whether paid or voluntary to refer to DBS any person who has harmed or puts a child or vulnerable adult at risk of harm. This includes churches and other organisations that employ individuals to carry out regulated activity on their behalf. The duty to refer also includes attempts to cause harm, inciting others to do so, both by action and lack of action.

The nature of the harm that took place or is at risk of taking place may include, but is not limited to:

- sexual harm
- physical harm
- financial harm
- neglect
- emotional harm
- psychological harm
- verbal harm

A referral must be made in the following circumstances:

a) the person is no longer permitted to undertake regulated activity with children and/or vulnerable adults. This may be achieved by moving them to another position where this type of work is not carried out.

b) the person would no longer have been permitted to undertake regulated activity but they resigned, retired or left the role.

c) the person has engaged in an action or inaction that has resulted in the harm of a child or vulnerable adult or put them at risk or harm or;

d) Since taking up post, the person has been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence

The purpose of the referral is for the DBS to consider whether that person should be barred from working with children and/or vulnerable adults. The duty to refer exists even if it is believed that another organisation or person has made a referral to DBS or a referral to another body has been made e.g. to a statutory agency or the Charity Commission.

Where there is a duty to refer, it is a criminal offence not to do so without reasonable justification.

The DBS provides a referral flowchart that can be found here:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/911179/Referrals_Flowchart.pdf

4.5 RENEWING A DBS CERTIFICATE

A DBS check is a check of the records held by police at a particular moment in time. For this reason, checks must be renewed on a regular basis. The Methodist Church requires all checks to be undertaken every five years if the person decides to continue in the role. If the applicant is a minister or local preacher and they no longer carry out ministry or pastoral work, an application must be submitted for an exemption. The application process for renewals should be undertaken at least one month in the case of volunteers and three months in respect of ministers, prior to the existing certificate expiring to ensure that the new certificate is in place prior to the end of the **five-year period**. Renewals are applied for in the same way as the original check including verification of documents. However, records relating to the clearance of previous blemished DBS checks are retained by the Connexional Safeguarding Team and will be reviewed prior to further requests for clarification being sent out. This should avoid the need for revisiting previous circumstances in full on each renewal occasion.

4.6 Exemptions from DBS Checks for Ministers and Local Preachers

Checks are required for all ministers who are still exercising ministry by preaching or undertaking pastoral activities. Checks are also required for all local preachers still exercising their ministry.

If a minister or local preacher is no longer exercising their ministry, an exemption form must be completed and sent to:

- their District Chair, in respect of a minister
- the Superintendent, in respect of a local preacher.

If a minister/local preacher is unable to complete the relevant exemption form due to ill health, another appropriate party may do so on their behalf by completing the correct section of the form.

The DBS exemption form in respect of ministers should be forwarded to the Conference Office for approval by the Secretary of Conference. The exemption should only be considered as granted once written confirmation of this has been received by the District Chair and applicant.

For local preachers, the DBS exemption should be forwarded to the Circuit Superintendent.

DBS Exemption forms for ministers and local preachers (methodist.org.uk)

4.7 DBS Update Service

The DBS Update service is available to those who apply to join it within 19 days of their original certificate being issued. There is a cost to those in paid employment, but it is free to volunteers. It only applies to Standard and Enhanced (with or without Barred list) checks.

It should be noted that for both renewals and new applicants the update service can only be used in the following circumstances:

a) for those whose original check was with the same workforce as their current certificate e.g. adult, child, adult and child;

b) for those whose role continues to require the same level of check as the last one e.g. enhanced, enhanced plus Children's barred list check, enhanced plus Adults' barred list check etc.;

c) and, for those who have given consent for the update service to be used.

These requirements relate to the way data is held by the DBS and are to prevent employers being able to access a level of information that they are not eligible to hold about an applicant. The update service is applicable in the following circumstances:

- The update service may be used for renewals of DBS for paid and volunteer roles within the Methodist Church where someone is continuing in the same role and location.
- The update service can be used for both voluntary and paid roles where a party is undertaking a new or additional role in the Methodist Church in Great Britain and the original role was in the Church.

For information on how to use the update service, please see Appendix D.

4.8 Portability

Portability means using a criminal record check obtained in one role for a different role, sometimes with a different employer or organisation. There can be some portability of a criminal record check **within** the Methodist Church in Britain. For example, an individual applying for a new role within the Methodist Church in Britain does not require a second criminal record check if the role is with the same 'workforce' (children and adults) and at the same level (enhanced, enhanced with barred check). The check must be less than five years old for a volunteer and less than two years old for paid roles. Prior to the appointment, contact should be made with the supervisor for their previous role within the Church to confirm there were no known safeguarding concerns. See the flowchart in Appendix E for further detail.

GLOSSARY OF KEY TERMS

Barred List Roles that require applicants to work in regulated activity with children and vulnerable adults include a check of DBS barred lists. There are two barred lists maintained by DBS, one for those barred from working from children and, one for vulnerable adults. It is a criminal offence for someone to work in a regulated activity with children who is barred and an offence by the employer to hire a person to work in regulated activity with children or adults if they are barred.

Child or Young Person A 'child' is a person under 18 years of age. All children and young people under 18 are considered vulnerable due to their age.

Position of Trust is a legal term that refers to certain roles and settings where an adult has regular and direct contact with children. For example, teachers, doctors, social workers and more recently, faith leaders and sports coaches.

Regulated Activity the frequency, type of and location of activities carried out with children, young people and vulnerable adults. Regulated activity is work that a barred person must not do.

Substantial Contact with Children is the level of contact required for an activity that would be regulated activity but does not fit the frequency criteria. The threshold frequently quoted by the Government is that the level of contact should be greater than the sort of casual contact with a local shopkeeper. In church terms, examples would be more contact than the door steward or coffee maker after service. This is of relevance when the role includes a type of activity that would be regulated by nature but frequency requirements are not met. While an application cannot be made for an enhanced check with barred list, if there is substantial contact, an enhanced check without barred list is legitimate.

Supervised Activity The Methodist Church define 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.' Those who supervise from a distance and are not present to the level at which they are able to carry out physical supervision, do not qualify as supervisors in this context.

Trustee: Charity trustees are the people who are responsible for the general control and management of the administration of the charity

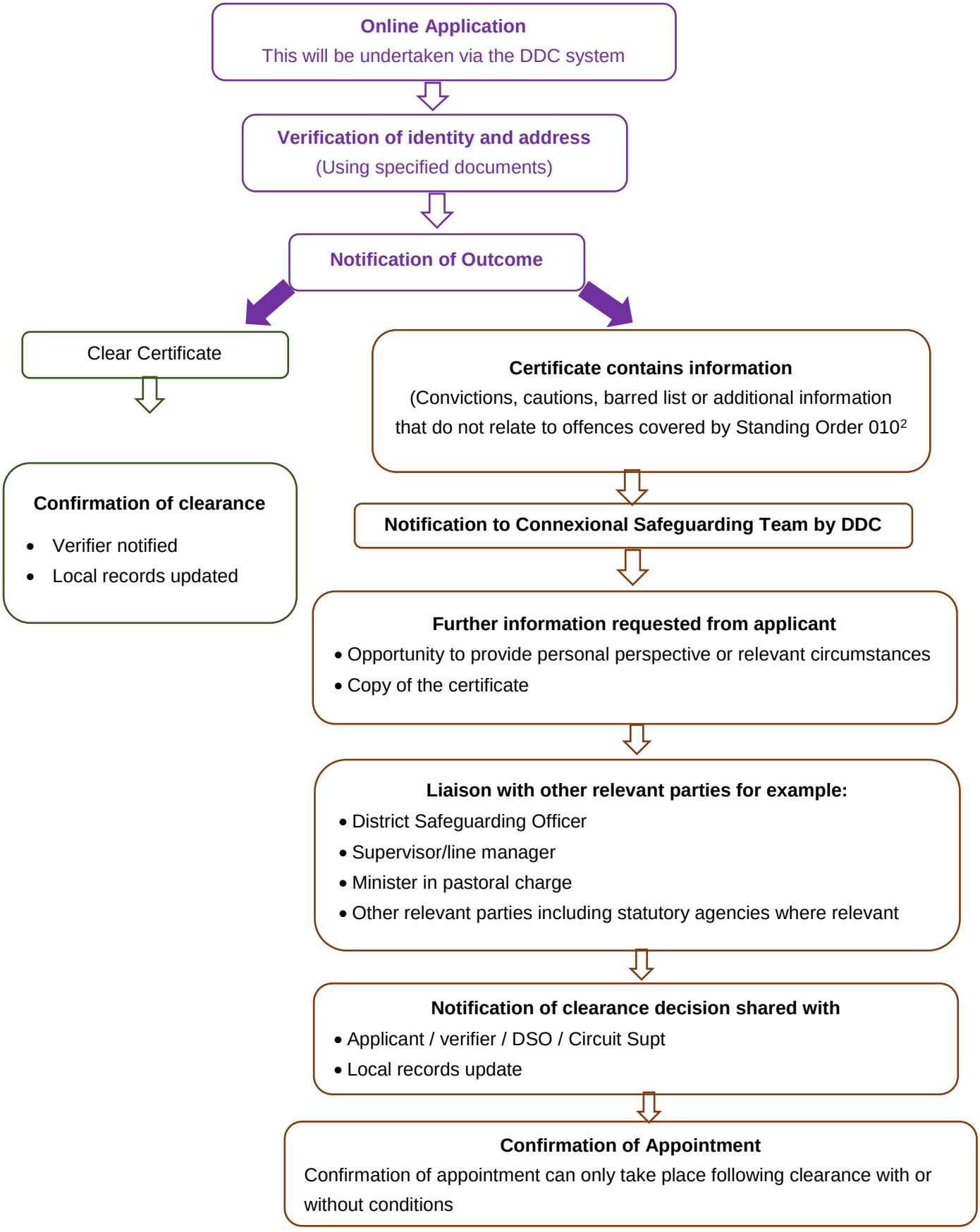
Verifier individuals who carry out the verification of applicants' identity and address prior to the DBS certificate being processed. All ministers are verifiers and have access to the system allowing them to nominate those who can undertake this role. Verifiers should always be known to the minister and be part of the Methodist Church as a member, role holder, employee, volunteer or minister.

Volunteer a person engaged in an activity that involves spending time, unpaid (except for travel and other approved out-of-pocket expenses), doing something that aims to benefit some thirdparty other than, or in addition to a close relative.

Vulnerable adult The Church defines anyone over 18 years old who may be vulnerable by reason of age, illness, disability; and any adult who has been made vulnerable by their situation or circumstance, such as by discrimination, bereavement or, a victim of abuse. In safeguarding practice, there has been a move away from the term 'vulnerable adult' in recognition of the fact that any adult can be vulnerable depending on the particular circumstances and to avoid labelling or categorising people. The preferred

term used by statutory services is ‘adult at risk’, which is defined as an adult being at risk of abuse or neglect. The term ‘vulnerable adult(s)’ is still employed in the Safeguarding Vulnerable Groups Act 2006 (as amended) therefore, in line with the legislation in force; this term will be used in the Safer Recruitment Policy and Procedures while recognising the wider concept.

APPENDIX A – FLOW CHART METHODIST CHURCH DBS PROCESS



In situations where the certificate reveals offences subject to restrictions of appointment under Standing Order 010, the Connexional Safeguarding Team will undertake a review to consider any safeguarding risk relevant to planned engagement with the Church.

[2] Standing Order 010 provides details of offences for which restrictions of appointment apply for certain roles in the Methodist Church. [2] Records relating to DBS for ministers are held by the Connexional Safeguarding Team.

APPENDIX B – COMPLETING THE DBS APPLICATION PROCESS

All DBS forms are now completed online but assistance is available via the verifier or minister to assist with this where required. It is important that the correct role, workforce and details are included in the application, as incorrect details will lead to the check being rejected and the process will have to start again from the beginning. Due Diligence Checking, the Church's provider for DBS checks has a system that is set up to automatically determine the right level of check relevant to the role.

All presbyters and deacons, including supernumeraries, are required to have an enhanced with barred list check. This must be renewed every 5 years. The only exception to this is where ministers no longer exercise public ministry or role and have an authorised exemption.

APPENDIX C – PROCEDURES FOR SPECIFIC CIRCUMSTANCES

C.1 One-off Events with Visitors and Helpers

Where a volunteer's role will be helping at a 'one-off' event, such as accompanying staff and children on a day outing, or helping at a day or evening event, the above recruitment measures would be unnecessary if the person is known to the organisation and is always supervised. It is not necessary to obtain a criminal record check for visitors who will only have contact with children on an ad hoc or irregular basis for short periods. It is good practice to ensure that visitors sign in and out and are escorted whilst on the premises by a member of staff or appropriately vetted volunteer.

C.2 3Generate

3Generate is the annual Methodist Church youth event Children and Youth Assembly which is usually held as a weekend residential event. Many youth workers leaders from local churches bring groups. Leaders must have an enhanced DBS certificate with a Children's Workforce Barred List check.

Volunteers at 3Generate must have a minimum of an enhanced DBS certificate (for the Children's Workforce) and may need a barred list check dependant on their role.

In both situations, the validity of which the certificate should be within the five-year renewal period at the time of the individual attending the event, if issued through the Methodist Church or within two years if from a different organisation.

C.3 Self-Help Groups

Family members, self-help groups or other vulnerable adults do not require a criminal record check where they are assisting a leader in providing an activity for people who experience the same situation as himself or herself or their relative/close friend.

C.4 Student Placements

When offering student placements for professional or vocational training where there is a practice placement element, a criminal record check should be applied for as soon as the place on the programme has been accepted, so that the information is received prior to the student commencing the work-based elements of their training. No student should ever start a placement where either an enhanced or an enhanced with barred check is required, prior to receiving clearance.

C.5 16-18 Year Olds

Whilst acknowledging the need to nurture young people aged between 16– 18 years in leadership roles, no young person under 18 should be expected to take on a role of sole responsibility. If they assist others in leadership roles, support and supervision must be given in

proportion to their requirements. Therefore, young people in this category should not require an enhanced check with barred list, as they should not undertake regulated activity.

C.6 Ecumenical Events

For an occasional event, a decision should always be made about which body is 'hosting' the event. This matters for both safeguarding and for insurance arrangements.

When recruiting the workers (either paid or volunteer), suitable assurances should be obtained from the 'home' church or organisation which first recruited them, that the person has been recruited safely with criminal record check if required.

For a more permanent arrangement – for example, street pastor provision via the local Council of Churches – a decision should be reached about whether the group should organise criminal record checks or whether one of the ecumenical partners should take the lead for all members.

This usually mirrors the arrangements for safeguarding generally, so that if the group is following Church of England or Methodist procedures, then it makes sense for that denomination to take the lead with criminal record checks. Alternatively, where the group is of sufficient size to make it appropriate to have an independent arrangement for criminal record checks, then the group should also have independent safeguarding policy and procedures.

C.7 Those who have Lived or Spent Time Working Overseas

DBS checks only cover the UK criminal record system. Where someone has lived or worked abroad for a significant period, additional safer recruitment checks must be undertaken in the country where they have lived or worked. The applicant must be asked to provide a certificate of good conduct/police record from the relevant embassy or policy force to cover the relevant dates. A certificate should cover the complete dates of residence abroad and any gaps should be carefully explored.

The applicant and recruiter should check the Home Office website to confirm the necessary arrangements for the relevant country.

In some circumstances, it may not possible to obtain a certificate that meets the Church's requirements. If this is likely to be the case, the situation should only be accepted if the country of origin has clearly been identified on the Home Office list as not being able to provide it. Further clarification should be sought from the home country's consulate or embassy in the UK to obtain confirmation if the Home Office list does not refer to the specific nation, or there is any doubt. Confirmation of appointment should not take place until an appropriate certificate has been received and reviewed.

There are two scenarios where it might not be possible to obtain a police certificate:

a) where it is stated on the Home Office site that it is not possible or confirmation has been received by an embassy or consulate that this the case

b) where someone is seeking asylum or is a refugee and there is deemed to be a risk to their safety if authorities were alerted in that location about their current situation.

Great care should be taken in obtaining references and a phone call to the referee to confirm the situation along with written references should be sought. A record should be made of the circumstances and the actions taken as part of the recruitment process notes where the usual certificate of good conduct is not available.

In the case of the latter example, the asylum status should be confirmed if possible, by documentation. Additional support should be offered including referral to local agencies and charities as available.

C.8 Those who are Working for the Church Overseas

The Church should undertake a criminal record check in relation to people who are engaging in ministry or pastoral work while abroad in the name of the Church in exactly the same way that they would if the individual was carrying out such work in the UK. This includes those who are supernumerary who retire outside the UK, but continue to carry out ministry or pastoral activities. The application is completed in the same way as it would be if the individual were being employed to work in the UK as the requirements apply to UK citizens whether they are working with children and vulnerable adults at home or, abroad.

If the applicant is not working for the Methodist Church in Great Britain, they may need to apply for a either a UK police certificate or International Child Protection Certificate but the requirements may differ in line with visas, employers and country requirements so further information should be confirmed before application.

APPENDIX D – USING THE UPDATE SERVICE

If an update service check is permissible, you can carry out what is called a DBS 'status check'. Under these circumstances, the following steps should be followed:

1. Obtain the written consent of the applicant to carry out a 'status check'.
2. Go to the Disclosure and Barring Service website via the link below

https://secure.crbonline.gov.uk/crsc/check?execution=e1s1

3. Once you have inputted the details, you will receive one of the following outcomes:

a) This Certificate did not reveal any information and remains current as no further information has been identified since its issue. This means that the individual's certificate contains no criminality or barring information and no new information is available.

b) This certificate remains current, as no further information has been identified since its issue. This means that the individual's certificate did contain criminality or barring information and no new information is available.

c) This certificate is no longer current. Please apply for a new DBS check to get the most up to date information. This means that the individual's certificate should not be relied upon as new information is now available and you should request a new DBS check.

Check the wording on the outcome very carefully as they are very similar to each other.

What do the outcomes mean?

a) The initial certificate was clear and the check is clear. A confirmation of clearance or completed renewal may go ahead. If the applicant is a minister, the Connexional Safeguarding Team must be notified. In other cases, local arrangements for notification and recording apply.

b) The initial certificate was blemished but there is no new information. Make a note of the details of the status check (date and outcome) and refer the case to the Connexional Safeguarding Team via the District Safeguarding Officer. The Connexional Safeguarding Team will check previous records and decide whether a full new check is required. Confirmation of appointment or renewal of DBS cannot be given with this outcome.

c) There is new information on the certificate. Make a note of the details of the status check and request that the applicant submit an application in the ordinary way. It is not valid to continue with a check from the update service in these circumstances.

APPENDIX E – PORTABILITY OF CERTIFICATES WITHIN THE METHODIST CHURCH

