

# **SECTION 4**

## **SAFE RECRUITMENT CRIMINAL RECORDS BUREAU**

### **INDEPENDENT SAFEGUARDING AUTHORITY**

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## INTRODUCING VOLUNTEERS

Newcastle Diocese follows the national guidance in 'Safe from Harm' in recommending that a careful process is followed before a new worker starts to take responsibility for any work with children. While this process should be kept as simple as possible with Volunteers it is not dissimilar from that of making a paid appointment. Parishes will adapt what follows to their own needs but it is recommended that all the following steps should be covered.

1. Volunteer is identified either by volunteering themselves or by an invitation from parish staff.
2. Volunteer told that there is a careful application and induction process and that references will be required..
3. Volunteer fills in personal details and declaration forms (Forms CP2 and CP3 CP4 in Section 5 of these guidelines).
4. Volunteer meets with small panel representing PCC (this will normally be taken from the Responsible Caring Group) and existing leaders of the work to be undertaken, e.g. teaching children, youth work, etc.

The purpose of this meeting is to clarify mutual understandings of what work the parish would like undertaken and what the volunteer feels able to offer. It should cover the following issues:

- Clarification of Personal Details and Declaration Forms (Note should particularly be taken of any 'gaps' in the Volunteer's stated life history).
- Clarification of Volunteer's skills and gifts. This should be affirming and supportive.
- Outline of work to be undertaken including location, times, frequency, team meetings etc. Clarification (and where necessary negotiation) to ensure that this broadly fits with the Volunteer's expectations.
- Identification of Church leader of this work and other staff and volunteers engaged in it, First Aider and other relevant personnel.
- Clear statement of the support that will be available.
- Identification of Volunteer's training needs.
- Description of induction needs and process. **The Volunteer should never be expected to start the task without Induction and as far as possible this should be in line with the Volunteer's stated needs.**
- Discussion of Child Protection issues and Parish policies in this area. Identification of Child Protection training needs.
- Identification of a review date after Volunteer has been working for a while.
- Useful telephone numbers and contacts.

5. If proposals are satisfactory to volunteer and panel, the volunteer is asked to apply for CRB disclosure in accordance with Parish practice. N.B. The volunteer should not work with children on his/her own until a satisfactory CRB disclosure is obtained. Volunteer should be informed of this. From October 12<sup>th</sup> 2009, volunteers will be required to register with the Independent Safeguarding Authority (see page 10).
6. A new worker needs to experience identifiable ongoing personal support as they begin their volunteering. The parish should identify who will provide this.
7. Review of work should be undertaken as arranged under item 4.

## **CRIMINAL RECORDS BUREAU**

Information for those applying for clearance

### **What is the Criminal Records Bureau?**

The CRB is an Agency set up by the Government which enables organisations to access the criminal records of individuals for reference purposes. It will also access the lists kept by Government of those barred from working with children in health, social work and education.

### **Why does this affect the Church?**

We know that a lot of the people who might harm children because of their sexual or violent behaviour have Church connections although very often we do not know who they are. Being able to check people with the CRB will enable the Church to identify such persons with a criminal record and ensure they are kept away from children.

### **How will this be achieved?**

Newcastle Diocese and the Church of England through its House of Bishops' Policy is committed to the use of CRB Disclosures on appropriate persons as part of its work to safeguard children. **This includes young people aged 16 to 18 years of age.**

Parishes must make sure they comply with this commitment.

### **Will it cost anything?**

The Diocese of Newcastle has registered with the CRB and paid the charge for this centrally.

After this there is **no cost** for volunteers to be checked. A check on paid employees will be paid for by the diocese.

### **Who is responsible for starting the process?**

Clergy and Readers will be the responsibility of Bishop's House  
Cathedral staff will be the responsibility of the Dean  
Education staff and Church House staff will be the responsibility of the Diocesan Director of Education and the Diocesan Secretary respectively  
Parish volunteers will be the responsibility of the PCC.

**N.B. CRB Disclosures do not replace but are additional to other means of ensuring the appropriateness of individuals working with children e.g. Confidential Declaration Forms and taking up references.**

## **MODEL PARISH CRB POLICY**

(use paragraphs appropriate to parish situation)

1. The Parish of ..... is committed to the recognition of each individual's abilities, skills, experience and qualifications and will take every step to ensure that these are given appropriate weight and consideration in the appointment and recruitment process of paid and voluntary staff.
2. The Parish of ..... will ensure that all information obtained for or through the CRB processes will be kept securely. In particular information relating to an individual's criminal record will be stored securely and only revealed to those who are authorised to receive it within the course of their duties.
3. The Parish of ..... will ensure that each paid post, office or volunteer position is assessed for the appropriateness of a CRB Disclosure, that any advertisement or other indication of a paid post or volunteer position will indicate the level of Disclosure to be sought, and that any offer of a paid or volunteer position will be subject to the receipt of satisfactory Disclosure information.
4. The Parish of ..... will request candidates for a paid post or volunteer position to submit in writing on the Confidential Declaration Form any convictions or other disqualifying behaviour that might be revealed in the Disclosure process in order to assist the recruitment decision process. This information will only be taken into account when relevant to the post in question. It should be submitted in an envelope marked 'Private and Confidential' and handed to the person specifically identified for this purpose in the recruitment process. (The envelope will be opened only in the event of a job/post being offered. Otherwise it will be returned to the applicant.)
5. The Parish of ..... is committed to the encouraging of the re-submission of application for Disclosure in respect of all paid employees and volunteers for whom this is appropriate, every 5 years as part of its ongoing strategy for the protection of children and vulnerable adults.
6. The Parish of..... is committed to the fair and sensitive use of Disclosure information, and where an applicant feels that this has not happened an appeal process will be available, details of which can be obtained in writing from the PCC Secretary or Diocesan Secretary.

## **CRIMINAL RECORDS BUREAU PROCESS**

- The PCC identifies appropriate persons to implement the CRB process, delegating a person to administer the process and validate information on behalf of the parish.
- Persons to be checked will be identified through the incumbent and PCC. these will normally include:

**Those working directly with children or young people.**

**Those who hold office in the Parish e.g. Church Warden, Organist (regardless of whether their children attending church).**

**Those whose dress, e.g. those who wear robes, or activities, might suggest to a (small) child that they are people with authority.**

**N.B. Clergy and Readers are dealt with through Bishop's House by the Bishop's Chaplain.**

- There is a Diocesan Code of Practice (available on request) for those who are asked to undertake CRB disclosures. There is also the Diocesan Policy on the Recruitment of Ex-Offenders (see page 8).
- List of names of those to be checked is sent to the CRB Administrator at Church House.
- CRB application forms with individual names entered on them will be returned to the parish from the CRB Administrator. N.B. Blank forms will not be provided.
- Applicant's complete forms in accordance with the CRB directions and parish validators complete their section of the form, using the required identification documents.
- Completed forms are sent to Church House for counter signature and then to the CRB for due process.
- Completed Disclosure Documents are returned by the CRB (i) to the applicant and (ii) to Church House.
- The CRB Administrator at Church House checks the Disclosure Document. Where nothing is registered, s/he informs the parish that the applicant can work in their prospective designated post(s).
- Where a conviction or concern is registered on the Disclosure Document, it is referred to the Diocesan CRB Assessors who will investigate the matter. Where appropriate, they will meet with the applicant and relevant parish persons to ensure that risk to children, the applicant and the Church as a whole is kept to a minimum. Where necessary, the applicant may be asked to sign a contract

which will lay down the extent of their activities in the parish. This contract will be monitored by appropriately discreet persons in the parish.

- A list of all those checked, including dates and tasks should be kept in the church safe or other secure cabinet.
- Applicants should be assured that information will be kept securely and shown only to those who are entitled to receive it.

There is an appeals process which is managed reciprocally with the Diocese of Durham.

N.B. the above is of necessity a summary of the CRB process for Parishes. Further information can be obtained from the Diocesan Child Protection Officer, the Diocesan Secretary or the Bishop's Chaplain.

There is a Diocesan Code of Practice, approved by CRB, which can be obtained from the Bishop's Chaplain or the Diocesan website.

**Note: "Spent" convictions**

The 1977 Rehabilitation of Offenders Act allows people not to declare previous convictions after a specified period of time. Ordinary burglary (without violence), for example, is normally 'spent' after seven years; most minor road traffic convictions after three years.

It should however also be noted that certain offences of violence and of a sexual nature are never 'spent' and also that in certain jobs and professions the Act does not apply and all previous convictions must be declared.

The Diocesan Volunteer Declaration Form requires those working with children to declare all offences.

The Church takes the view that if someone is uncertain whether a previous conviction is relevant they would do better to discuss this in confidence with their local Vicar and/or a Responsible Caring Group member. Clearly the open discussion of such an issue is an indication of goodwill; the hiding of it could be interpreted as showing a lack of trustworthiness.

**It should be stressed that in most cases (saving offences of a violent or sexual nature) the existence of a past conviction does not of itself debar someone from working with children.**

**Please note that this whole process will be carried out with the greatest possible confidentiality.**

Further information on the introduction of the Criminal Records Bureau procedures can be obtained from members of the Diocesan Steering Group:

Revd Jean Skinner  
Diocesan Child Protection Officer

Tel: 0191 236 3474

Revd Canon Audrey Elkington  
Bishop's Chaplain at Bishop's House

Tel: 0191 285 2220

Mrs Kate Hindley  
CRB Administrator at Church House

Tel: 0191 270 4100

The Ven Geoff Miller  
Archdeacon of Northumberland

Tel: 0191 273 8245

## **DIOCESE OF NEWCASTLE** **RECRUITMENT OF EX-OFFENDERS POLICY**

1. The Diocese of Newcastle uses the Criminal Records Bureau (CRB) Disclosure service to assess the suitability of both volunteers and applicants for employment in positions of trust. We comply fully with the CRB Code of Practice and undertake to treat all volunteers/applicants fairly. We undertake not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed.

Having a criminal record will not necessarily bar a volunteer/applicant from working within the Diocese. This will depend on the nature of the position and the circumstances and background of the offences.

2. For those posts deemed necessary, volunteers and applicants who are offered employment, will be subject to a criminal record check from the Criminal Records Bureau before the appointment is confirmed. Enhanced Disclosures will include details of cautions, reprimands or final warnings, as well as convictions, and also information relating to police enquiries and pending prosecutions.

### **Applicants for Employment**

1. Our written Policy for the Recruitment of Ex-Offenders will be made available to all Disclosure applicants at the outset of the recruitment process.

2. For those positions where a Disclosure is required, all application forms, job adverts and recruitment briefs will contain a statement that a Disclosure will be requested in the event of the individual being offered the position.

3. Where a Disclosure is to form part of the recruitment process, all applicants called for interview will be encouraged to provide details of their criminal record at an early stage in the application process. Such information should be sent, under separate and confidential cover, to a designated person within the Diocese of Newcastle (usually the Diocesan Bishop or the Diocesan Secretary). We guarantee that this information will be seen only by those who need to see it as part of the recruitment process.

4. Unless the nature of the position allows the Diocese of Newcastle to ask questions about your entire criminal record, we only ask about 'unspent' convictions as defined in the Rehabilitation of Offenders Act 1974.

5. The Diocesan Assessors, who assess the implications of any convictions with respect to the post applied for, are suitably trained to identify and assess the relevance and circumstances of offences. 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.

6. At interview, or in a separate discussion, we will ensure 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 the withdrawal of an offer of employment.

7. Every subject of a CRB Disclosure will be made aware of the existence of the CRB Code of Practice, and copies will be available on request.

8. We undertake to discuss any matter revealed in a Disclosure with the person seeking the position before withdrawing a conditional offer of employment.

## **Volunteers**

1. Those involved in the recruitment of volunteers will make it clear to a candidate whenever a Disclosure is required.

2. Every subject of a CRB Disclosure will be made aware of the existence of the CRB Code of Practice, and copies will be available on request.

3. Information relating to the Recruitment of Ex-offenders will be made available to all Disclosure applicants through the leaflet "Introducing the Criminal Records Bureau: Information for those applying for clearance".

4. All Disclosure applicants will be invited to provide details of any criminal record at an early stage through a confidential Declaration Form.

5. We guarantee that Disclosure information will be seen only by those who need to see it as part of the recruitment process.

6. The Diocesan Assessors, who assess the implications of any convictions with respect to the post applied for, are suitably trained to identify and assess the relevance and circumstances of offences. 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.

7. We undertake to discuss with a volunteer any matters revealed in a Disclosure which relate directly to the position for which they have offered themselves. The welfare of children and vulnerable adults will always be our first concern.

## **INDEPENDENT SAFEGUARDING AUTHORITY**

From October 12<sup>th</sup> 2009 all volunteers and paid workers 16 years and above who work with children and vulnerable adults must be registered with the ISA. This will be undertaken simultaneously while applying for CRB disclosure for new workers.

Registration is a once only requirement and is portable between agencies, however good practice is to undertake a CRB Disclosure for all new workers both paid and volunteers. CRB is **not** portable between agencies.

**The Safeguarding Vulnerable Groups Act 2006** was created in response to recommendation 19 of the Bichard Inquiry, following the Soham, that all those who wish to work with children and vulnerable adults should be registered. This Act provides the legislative framework for the new Independent Safeguarding Authority (ISA) scheme.

- The ISA will make all decisions about who should be barred from working with children and vulnerable adults.
- Deal with activities that are classified as 'regulated' or 'controlled'.
- Will keep two separate but aligned ISA Barred Lists. One for those working with children and one for those working with vulnerable adults.
- Some offences will automatically result in the individual being barred, without leave to appeal or make mitigating representations.
- Relevant information about an individual can be referred to the ISA from interested parties such as employers, regulatory bodies or even concerned members of the public.
- Individuals listed on one of the ISA Barred Lists may have the right to appeal to the Care Standards Tribunal on a point of fact or law but not on the ISA's decision.
- A series of new criminal offences will be created to enforce the new scheme. These will relate to both employers and employees.

**All workers, both paid and volunteers, will have to be registered and checked against the barred lists.**

## THE USE OF CRB DISCLOSURES WITH VOLUNTEERS

