

Bowthorpe Church Confidential Declaration Form

The Confidential Declaration Form 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, and volunteers who are to be in substantial contact with children and / or adults experiencing, or at risk of abuse or neglect. This form is strictly confidential and, except under compulsion of law, will be seen only by those involved in the recruitment / appointment process and, when appropriate, the Diocesan Safeguarding Adviser or someone acting in a similar role / position. All forms will be kept securely in compliance with the Data Protection Act 1998.

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.

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 rules¹? (Include both 'spent²' and 'unspent' convictions)

Yes	
No	

2. Have you ever received a caution, reprimand or warning from the police that has not been filtered in accordance with the DBS filtering rules³?

Yes	
No	

3. Are you at present (or have you ever been) under investigation by the police or an employer 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 family court ever made a finding of fact in relation to you, that you have caused significant harm to a child and / or vulnerable adult, or has any such 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 significant harm from you⁴?

Yes	
No	

6. Has your conduct ever caused or been likely to cause significant harm to a child and / or vulnerable adult, and / or put a child or vulnerable adult at risk of significant harm?

Yes	
No	

If you answer Yes to question 6 you may if you wish give further details of the incident you are declaring.

7. To your knowledge, has it ever been alleged that your conduct has resulted in any of those things?

Yes	
No	

8. Have you ever had any allegation made against you, which has been reported/referred to, and investigated by the Police/Social Services/Social Work Department (Children or Adult's Social Care)?

Yes	
No	

If you reply yes to questions 7 and/or 8, please give details, which may include the date(s) and nature of the allegation, and whether you were dismissed, disciplined, moved to other work or resigned from any paid or voluntary work as a result.

9. Has a child in your care or for whom you have or had parental responsibility ever been removed from your care, been placed on the Child Protection Register or been the subject of child protection planning, 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. 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 rules⁵; or is that person at present the subject of a criminal investigation/pending prosecution? Tick N/A as Not Applicable if you do not work from home.

Yes	
No	
N/A	

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.

After I have been appointed, I agree to inform my line manager or supervisor 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.....Date of Birth.....

Address.....

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Date.....

Please return the completed form to **Mark Elvin, Mike Acaster or Sue Harrach**

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

Footnotes

1 You do not have to declare any adult conviction where:

- a) 11 years (or 5.5 years if under 18 at the time of the conviction) have passed since the date of the conviction;
- b) it is your only offence;
- c) it did not result in a prison sentence or suspended prison sentence (or detention order) and

- d) 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), (c) and (d) in order to be filtered.

Further guidance is provided by the DBS and can be found at www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates and www.gov.uk/government/publications/dbs-filtering-guidance

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

3 You do not have to declare any adult caution where:

- a) 6 years (or 2 years if under 18 at the time of the caution, reprimand or warning) 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.

Please note that a caution etc. must comply with (a) and (b) in order to be filtered

4 'Significant harm' involves serious 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

5 See footnotes 1 and 3 above

6 <https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance>

Further notes and clarifications

Notes applicable to questions 1 and 2: Declare all convictions, cautions, warnings, and reprimands etc. that are not subject to the DBS filtering rules. Please also provide details of the circumstances and/or reasons that led to the offence(s).

*Broadly, where your position / role involves substantial contact with children and / or adults experiencing, or at risk of abuse or neglect (i.e. where you are eligible for an enhanced criminal records check) you will be expected to declare **all** convictions and / or cautions etc., even if they are 'spent' provided they have not been filtered by the DBS filtering rules.*

If your position / role does not involve substantial contact with children and / or adults experiencing, or at risk of abuse or neglect you should only declare 'unspent' and 'unfiltered' convictions / cautions etc.

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.

Note: Declare any complaints or allegations made against you, however long ago, that you have significantly harmed a child, young person or adult who is vulnerable. Any allegation or complaint investigated by the police, Children's Services, an employer, voluntary body or other body for which you worked must be declared. Checks will be made with the relevant authorities.

*Note applicable to Q10: 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). 6*

Note: All these matters shall be checked with the relevant authorities