

# SAFEGUARDING FORM X CONFIDENTIAL DECLARATION

*The Confidential Declaration Form should be completed by all those wishing to work in roles where they will be in substantial contact with children and/or vulnerable adults. This includes ministers.*

*The information on this form will be treated in confidence, and be seen only by those involved in the recruitment process and, when appropriate, a safeguarder.*

*The form will be kept securely in compliance with the Data Protection Act 1998.*

## NEW APPLICANTS

### Declaration

- I undertake to submit an application for a criminal record check before commencing in this role.
- I understand that the Church has a right not to employ/appoint me and a responsibility to ensure that I receive appropriate training.

**Please read carefully the information below before completing the next sections**

### EITHER

- I am not aware of any reason why I am not able to undertake the work being asked of me.\*

### OR

- There are matters that I need to declare before any employment or voluntary appointment can be confirmed.\*

These are outlined here: (please continue on a separate sheet, if necessary)

Name

Former name

Signed

Date

*You may find it helpful to discuss these matters with your minister or the church organisation which hopes to appoint you.*

### **You should declare**

- Any criminal convictions, including cautions, which have not been 'filtered' according to the Disclosure and Barring Service rules, including both 'spent' and 'unspent' convictions. This includes any convictions or cautions from outside the UK.
- If your name has been placed on a list of people barred from working with children / vulnerable adults - previously held by ISA now by the Disclosure and Barring Service (DBS). Please note: it is a criminal offence to apply for a post working with children/vulnerable adults if you are barred from working with them.
- If you are currently under investigation by the police.
- If a Family Court has ever made a finding of fact that you have caused significant harm to a child/vulnerable adult.
- If a child in your care or for whom you had parental responsibility has ever been removed from your care, been the subject of a Care Order, a Supervision Order or a Children's Services safeguarding plan.
- If Methodist Church Standing Order 010 applies to you

\*Delete as appropriate

**For applicants renewing their Criminal Record Check, please see overleaf.**

## APPLICANTS RENEWING THEIR CRIMINAL RECORD CHECK

### Declaration

- I undertake to submit a renewal criminal record check.

**Please read carefully the information below before completing the next sections**

### EITHER

- I am not aware of any reason why I should not continue in my present role.\*

### OR

- There are matters that I need to declare.\*

These are outlined here: (please continue on a separate sheet, if necessary)

Name

Former name

Signed

Date

### **You should declare**

- Any criminal convictions, including cautions, which have not been 'filtered' according to the Disclosure and Barring Service rules, including both 'spent' and 'unspent' convictions. This includes any convictions or cautions from outside the UK.
- If your name has been placed on a list of people barred from working with children / vulnerable adults - previously held by ISA now by the Disclosure and Barring Service (DBS). Please note: it is a criminal offence to apply for a post working with children/vulnerable adults if you are barred from working with them.
- If you are currently under investigation by the police.
- If a Family Court has ever made a finding of fact that you have caused significant harm to a child/vulnerable adult.
- If a child in your care or for whom you had parental responsibility has ever been removed from your care, been the subject of a Care Order, a Supervision Order or a Children's Services safeguarding plan.
- If Methodist Church Standing Order 010 applies to you

\*Delete as appropriate

### **Note:**

Because of the nature of the work for which you are applying, this post is exempt from the provision of Section 4(2) of the Rehabilitation of Offenders Act 1974 (ROA), by virtue of the ROA (Exceptions) Order 1975 as amended, and you are therefore not entitled to withhold information about convictions or cautions which for other purposes are 'spent' under the provision of the Act. Criminal convictions should therefore always be disclosed unless they have been '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](http://www.gov.uk/government/publications/filtering-rules-for-criminal-record-check-certificates) and [www.gov.uk/government/publications/dbs-filtering-guidance](http://www.gov.uk/government/publications/dbs-filtering-guidance)

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/>

### **Methodist Standing Order 010 states:**

((2) Subject to the provisions of the Rehabilitation of Offenders Act 1974 (or any statutory modification or re-enactment thereof for the time being in force and any regulations or orders made or having effect thereunder)

(i) no person who has been convicted of or has received a simple or conditional caution from the police concerning an offence mentioned in Schedule 1 to the Children and Young Persons Act 1933 (as amended) or who otherwise poses a risk to children, young people or vulnerable adults shall undertake work with children, young people or vulnerable adults in the life of the Church;

(ii) no person who has been convicted of or has received a simple or conditional caution from the police concerning sexual offences against children or vulnerable adults shall be appointed or reappointed to any office, post or responsibility or engaged or re-engaged shall be appointed to any office, post or responsibility or engaged under any contract to which this sub-clause applies unless authority for the appointment or employment has been obtained under clause (5) below.