

**CHURCHES' FORUM**

**FOR**

**SAFEGUARDING -**

**'STANDARDS**

**IN RECRUITMENT'**

**Guidance and Good Practice jointly agreed by  
NSPCC and Churches' Forum for Safeguarding**

*February 2005*

## PREFACE

### INTRODUCTION

Faith is an integral part of many communities. All those who are called upon to undertake voluntary or paid roles [a better phrase than employed – for example our priests/ ministers would say they are not employed] by a faith group are put into positions of trust to serve their communities to the best of their abilities. Sometimes the people who they serve are vulnerable. Children by virtue of their age and position in society are vulnerable to abuse.

It is imperative that every possible action is taken to ensure that people recruited to work with children are the most suitable and appropriate to afford children and young people maximum protection from abuse and exploitation

It is a privileged responsibility to undertake positions to work with children. It is not a prerogative or right to undertake these roles. It is recognised that there are many ways to serve the church or our communities.

### METHOD

The Churches' Forum for Safeguarding was recently formed to assist the development and promotion of best practice across denominations. An 'advisory panel training group' was tasked with considering the possibilities for joint training of those appointed by their denominations to assess 'blemished' disclosures. This panel consists of representatives from:

Churches' Agency for Safeguarding

Baptist Union

Congregational Federation

Church of England

Catholic Office for the Protection of Children and Vulnerable Adults

The Methodist Church

In undertaking the task it was identified that common ground and agreement was needed across denominations within the process and standards for the recruitment process.

The Training Group received advice and assistance from NSPCC consultancy service in the development of this document.

### INTENTION OF THIS DOCUMENT

This is a 'best practice' document. The following standards have been developed in order to:

- promote the 'paramountcy' of children's welfare in the context of decisions about recruitment and selection within faith communities.
- enable a fair and just process for anyone seeking a role or employment within the church
- demonstrate that those denominations/organisations sending attendees to the Training are undertaking their legal and moral duties to safeguard children within recruitment process.
- Enable those attending the training to promote these Standards in their denominations/ church organisations

These standards have been agreed by the Forum members in order to promote consistency and best practice across churches in the recruitment of anyone who through their role in their denomination/ church organisation who has contact with or works with children. They are based on current good practice and are informed by legislation and guidance; evidence from research and experience of what works, drawing from the field of child protection and faith bodies. This is a document for guidance in good practice on recruitment procedures.

## PRINCIPLES

- Children and young people have a right to worship, undertake activities and participate fully in church life free from all forms abuse and exploitation.
- People employed by the church to work with children are assessed as the most suitable and appropriate to undertake those tasks.
- Faith communities have the right to expect rigorous and transparent processes for the recruitment of people to act on behalf of the church and work with vulnerable people.

## SCOPE

These are overarching standards, which are intended to be applied across the denominations of the Churches' Forum for Safeguarding.

The principles set out in these standards are transferable and applicable to the employment of people who work with other vulnerable people in our communities. There are some differences in legislation and guidance about the protection of adults and the Churches' Forum continues to work on these issues.

Criminal records disclosures are only one element of a safe recruitment and selection procedure. Responsibility for appointment decisions rests with the recruiting body. A clear criminal records disclosure does not mean the recruiting body is bound to appoint the person. Additional information may be available to them that would lead to a decision *not* to appoint a candidate.

The principles of these standards are applicable across three nations England, Wales, and Scotland but the terminology and legislation may vary in detail or implementation. For ease of reference 'Disclosure' is used for Criminal Records Bureau England and Disclosure Scotland.

*This "Standards in Recruitment" document was drawn up specifically for the Churches Forum for Safeguarding with the assistance and advice of the NSPCC and conforms to current child protection legislation and guidance. The NSPCC cannot accept responsibility for the implementation and application of the procedures.*

### **The present Churches' Forum members**

Churches Together in Britain and Ireland  
Churches Together in England  
The Baptist Union of Great Britain  
The Catholic Office for the Protection of Children and Vulnerable Adults  
The Church of England  
The Church of Scotland  
The Congregational Federation  
The Independent Methodist Churches  
Lutheran Council of Great Britain  
The Methodist Church  
The Moravian Church  
The Old Baptist Union  
The Salvation Army  
The Society of Friends  
The United Reformed Church  
The Wesleyan Reform Church

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## STANDARD 1

### WHAT?

In the recruitment of individuals to work or volunteer with children or vulnerable adults, or to be selected/ recruited to a position of trust which may bring them into regular contact with children, an identified risk to children or vulnerable adults overrides all other considerations.

### WHY?

Any decision regarding recruitment is in accordance with the denomination's/ church organisation's policy statement and commitment to safeguarding children and young people.

### CRITERIA

- 1.1 Safe recruitment processes are adopted for all appointments involving contact and ministry with children or young people.
- 1.2 Safe recruitment is a series of measures for all volunteer or paid roles. These are:-
  - written description of the role and responsibilities
  - advertising the post/role.
  - potential candidates completing an application form.
  - Interview of short-listed candidates
  - at least 2 references taken up in respect of successful candidates.
  - Confidential Self-Disclosure Form completed by successful candidates.
  - A criminal record Disclosure (where it is proportionate and relevant to the position).
  - probationary period plus on-going vigilance.
  - Where possible a range of methods are used such as role plays, written exercises too as this increases the validity and thoroughness of the process. The use of such methods should be proportionate to the role.

These measures are in line with Home Office 'Safe from Harm' guidelines for voluntary organisations 1994.

- 1.3 Each denomination will provide candidates with an opportunity to declare relevant information by completing a self-disclosure form. The form will only be read when successful and the position is offered. Issues of confidentiality must be sensitively managed throughout this process.
- 1.4 Interviews should be face-to-face and the panel composed of at least two individuals. One of these individuals should have experience and understanding of working with children and one (can be the same person) should have undertaken the relevant 'recruitment' training.
- 1.5 Where information is provided by the applicant on a self-disclosure form, an opportunity is given for the candidate to discuss this with the relevant individuals.
- 1.6 A decision as to whether to appoint an individual to a role working with children and young people will be based upon an evaluation of the information obtained from all of the above stages.
- 1.7 Appointments should be made on the basis of a person's experiences, ability and suitability to perform the role rather than on the urgency of the need or the availability of the applicant. The person's motives for working with children and attitudes towards

children should also inform the decision.

- 1.8 Safe recruitment procedures should be applied, regardless of the level of responsibility or the duration of appointment.
- 1.9 If in doubt about the suitability of a candidate (volunteer or paid), then it is best not to make the appointment so as to minimise the possibility of placing children and young people or vulnerable people at risk of significant harm.

## STANDARD 2

### WHAT?

When an individual is requested to obtain a Disclosure; the Denomination/ church organisation will comply with relevant legislation and guidance.

### WHY?

The Denomination/ church organisation is working to create equal access to opportunities for paid employment, vocation and voluntary work while continuing to base selection and promotion solely on the ability to meet the requirements of the post.

### CRITERIA

The Denomination/ church organisation will have due regard to the UN Convention on the Rights of the Child and its "duty of care" in civil law in the appointment of individuals to work with children and young people and vulnerable people.

- 2.1 The Criminal Justice and Court Services Act 2000 will be used to decide which positions satisfy the criteria for a Disclosure. This law defines the definitions of what it means to work with children and therefore which positions can be checked.
- 2.2 The Criminal Justice and Court Services Act 2000 will be adhered to with regard to not employing individuals banned from working with children. It is a criminal offence to knowingly employ someone who is a banned individual under Schedule 4 of this Act.
- 2.3 The Denomination/ church organisation undertakes to comply with the Rehabilitation of Offenders Act 1974. This means that all applicants will be treated fairly and having a criminal record will not necessarily bar an individual from working within the church community.
- 2.4 The Denomination/ church organisation undertakes to comply with the code of practice for Registered Body/Umbrella Body that it uses to access the CRB/ Disclosure Scotland.
- 2.5 The Denomination/ church organisation undertakes to comply with the Data Protection Act 1998 with regard to the safe handling, use, storage, retention and disposal of Disclosure information.
- 2.6 The Denomination/ church organisation has a complaints process which candidates can use if they are dissatisfied about any aspect of the processing of a Disclosure.
- 2.7 Applicants will be advised in recruitment material that a Disclosure will be requested in the event of the individual being offered the position.

### STANDARD 3

#### WHAT?

The Denomination/ church organisation has an agreed process to deal with Disclosure information obtained via a CRB/ Disclosure Scotland check.

#### WHY?

To ensure children are safeguarded and compliance with the Rehabilitation of Offenders Act 1974 and other relevant legislation.

#### CRITERIA

- 3.1 The Counter-Signatory or denomination's/ church organisation's 'Assessor' (where umbrella body concerned), will undertake an initial evaluation of the information received on the Disclosure against agreed criteria of suitability and unsuitability (see separate standards)
- 3.2 The initial evaluation will consider the relevance of the information to the role applied for. The initial evaluation can be conducted between the Counter-Signatory/ 'Assessor' and another relevant individual e.g. the denominational child protection officer, line manager, diocesan child protection officer.
- 3.3 An initial evaluation has 4 possible outcomes. The individual:-
  - is suitable for the role.
  - is not suitable for the role.
  - or further information is required to determine whether the individual is suitable for the role.
  - is not appointable and further action is required by the denomination to safeguard children within the pastoral/worshipping community of that church.
- 3.4 When further information is required the Registered Body/Umbrella Body/ Assessor will identify a suitable individual to discuss the Disclosure information with the Applicant within 14 days and guidance will be detailed in the initial evaluation.
- 3.5 The discussion must be conducted by somebody within the Denomination/ church organisation who has an understanding of child protection issues. The method of interview will be decided on a case by case basis or in accordance with denominational policy. Best practice dictates that face to face interview is the most effective.
- 3.6 A written record of this discussion will be made and a copy sent to the Applicant who will be asked to verify its accuracy or completeness in writing within a specified timescale.
- 3.7 The individual responsible for gathering further information will seek the Applicant's written consent to contact relevant organisations/individuals to assist with decision-making e.g. Social Services Department, Police, Probation. For existing staff undergoing a Disclosure check, any existing records held in respect of the individual will be explored.
- 3.8 A panel formed of at least 3 individuals will consider the information available and make a recommendation as to whether the individual is suitable for the role. The panel should meet face to face to consider all the relevant information.

- 3.9 The panel must include at least one individual with expertise in criminal matters and one individual with expertise in safeguarding children.
- 3.10 Cases will be discussed with the panel on an anonymous basis.
- 3.11 The panel will be provided with detailed information about the role applied for and other information from the recruitment process e.g. references, application forms with reasons for wanting to work with children.
- 3.12 A written recommendation, with reasons for it, as to whether the individual is suitable for the role. This should be sent to the person responsible for the recruitment decision and to the child protection officer for the denomination.
- 3.13 The panel recommendations need to be communicated to the applicant and appointing body. This should be in writing.
- 3.14 The appointing body will need to write a response to the panel's recommendation and share this with the denomination's child protection person and the initial evaluation members of the Registered body/ Umbrella body/ the Assessor.
- 3.15 When evaluating all disclosure information, the Data Protection legislation must be adhered to.

## STANDARD 4

### WHAT?

Ensure opportunities for those involved in the recruitment and selection of people to work with children and young people to develop and maintain the necessary skills and understanding to safeguard children.

### WHY?

Everyone in contact with children has a role to play in their protection. They can only do so confidently and effectively if they are aware and have the necessary understanding and skills.

### CRITERIA

- 4.1 All denominational/ church organisation child protection personnel must receive initial training to enable them to undertake their role in recruitment. This training must include:
- basic child protection awareness
  - understanding of why and how people abuse children
  - knowledge of how people sexually offend against children and infiltrate organisations
  - application of safeguarding measures to manage risk
- 4.2 Additional training in safer recruitment practice must be made available for all individuals who have specific responsibilities in selection and appointment of people to work with minister to children and young people.

## STANDARD 5

### WHAT?

Legal criteria exist to define those offences or other information which would render an appointee unsuitable to work with children and young people or vulnerable people. In some cases the law prohibits the appointment. This also applies to those in trainee positions for such posts.

### WHY?

There are clear offences or issues of concern that disqualify individuals from being appointed to positions of trust and having contact with children.

### CRITERIA

Summary of offences, court orders and other circumstances leading to disqualification: -

- 5.1 Orders relating to the care of children or offences against children.
  - any court order
    - preventing a person from being registered to care for children;
    - removing a child/children from a person's care, or
    - preventing a child/children from living with a person
  - any offence of a violent or sexual nature against children – including offences relating to abuse of children through child prostitution, or indecent images of young people, and offences of encouraging or permitting certain offences to be committed against children. These offences are listed and described in more detail in paragraph 1 Schedule 4 to the Criminal Justice and Court Services Act 2000 and the Sexual Offences Act 2003
- 5.2 Offences against adults
  - Any serious offence of a violent or sexual nature against adults – including rape, manslaughter and murder.
- 5.3 Register of sexual offenders
  - Any offence or order leading to a person being included on the Home Office register of sexual offenders.
- 5.4 Similar offences in jurisdictions outside England
  - An offence or order similar to those listed above, committed in Wales, Scotland, Northern Ireland, the Channel Islands or the Isle of Man.
- 5.5 PoCA list, PoCSA (Scottish equivalent) list and POCVA register 2004
  - Inclusion on the Protection of Children Act list of those judged unsuitable to work with children, administered by the Department for Education and Skills (DfES), the Scottish Executive or the Northern Ireland Office.
- 5.6 'List 99'
  - Inclusion on the DfES 'List 99', which lists teachers and others who are restricted from working in schools and local education authorities

## STANDARD 6

### WHAT?

Issues of concern that fall outside of standard 5 which may deem a person unsuitable.

### WHY?

Not all offences or concerns carry absolute clarity about an individual's suitability to work with children. Further information or assessment may be required according to the following: -

### CRITERIA

- 6.1 Where there is a history of any other offences and concerns identified through the recruitment process (in making a judgement the seriousness and dates of the offences will be taken into account);
- 6.2 Where non-conviction information is provided by the police, or information provided by referees raises doubts about the suitability of the candidate for the intended work;
- 6.3 Where there has ever been a reason for the courts to remove a child from his/her care, or where he/she or any member of their immediate household has been the source of concern in child protection inquiries
- 6.4 Where there is a serious discrepancy between information declared voluntarily by the candidate when given the opportunity to do so and information contained on their Disclosure Certificate

## **STANDARD 7**

### **WHAT?**

A process by which in very exceptional circumstances an 'automatic disqualification' under Standard 5 can be reconsidered.

### **WHY?**

There may be exceptional issues relating to the offence or concerns that mitigate current unsuitability.

### **CRITERIA**

- 7.1 Where he/she has been convicted or cautioned for an offence included in Schedule 4 of the Criminal Justice and Court Services Act or amendments and there is a professional child protection assessment and recommendation regarding acceptable risk management. Such a risk assessment requires reference to legal advice, forensic examination and government departments.

## STANDARD 8

### WHAT?

Particular issues to explore during the assessment of Criminal Records Information or issues of concern.

### WHY?

To provide a transparent process for the assessment and decisions re presenting risks and suitability.

### CRITERIA

#### 8.1 Assessing Criminal Records Information

The following list is not intended to be comprehensive. Denominations/ church organisations will doubtless take other matters into consideration, but it is recommended that they include the following:

- Concerning the post
  - does the role involve one to one contact with children or other vulnerable persons or regular contact which could enable a relationship to develop or a child to be groomed?
  - What level of supervision will be available?
  - Does the post involve any direct responsibility for finance or items of value?
  - Will the nature of the post present any opportunities for the post holder to re-offend?
- Concerning the record
  - How serious is the offence?
  - How relevant is the offence to others' safety?
  - What is known about the circumstances of the offence?
  - What length of time has passed since the offence was committed (some activities are offences in Scotland and not England or Wales, and vice versa)?
  - Has the offence been decriminalized by Parliament
- Concerning the person
  - was the offence a one-off, or part of an on-going history of offending?
  - Have the applicant's circumstances changed, making re-offending less likely?
  - What has been expressed by the applicant about the offence, are they remorseful, do they blame others for what happened, etc?