**Completing this Confidential Declaration Form**

There are detailed guidance and definition notes at the end of this document and important information throughout the form. Please read all the information carefully so that you fully understand how to respond to the questions.

**Who should complete this form?**

This form must be completed by **all** applicants for any role within the Diocese of Liverpool/Liverpool Cathedral. This includes all Clergy (**See Note 1**) as well as all Church Officers. **A Church Officer is anyone appointed/elected by or on behalf of the Church to a post or role, whether they are ordained or lay, paid or voluntary.**

In addition to completing this form, some roles will be subject to a satisfactory Enhanced DBS (with/without Barred List) check before the appointment is confirmed and a satisfactory re-check every 3 years. This applies to roles that are exempt from the provisions of Section 4(2) of the Rehabilitation of Offenders Act (1974 (ROA 1974) by virtue of the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 and 2020) (the ROA Order 1975 (as amended)). The person recruiting you will tell you if a DBS check is needed.

**Our legal obligations**

Registered Bodies and those in receipt of DBS Update Service information must fulfil the DBS Code of Practice requirement to have a written policy on the recruitment of ex-offenders in place (**See Note 2**)**.** Copies of these documents are available on request and the DBS Code of Practice is available from the DBS via [DBS code of practice - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/dbs-code-of-practice)

The accompanying Privacy Notice (click on the icon at the end of this paragraph to open it) explains how the information you supply on this form is used and your rights with respect to that data as required by the UK General Data Protection Regulation, (the “UK GDPR”), and the Data Protection Act 2018, (the “DPA 2018”). **If applicable, please inform relevant members of your household that you have included their details on this form and give them a copy of the Privacy Notice (it will only be applicable if members of your household have been included in the response to a question on the form, e.g. Qs.6 & 7).**

This notice explains how the information you supply in your Confidential Declaration Form is used and your rights with respect to that data, as required by the UK GDPR and the Data Protection Act 2018, (the “DPA 2018”).

**Privacy notice**



This Confidential Declaration Form and Privacy Notice must be used within the Diocese in Europe, the Channel Islands and Sodor & Man, subject to relevant legislative variations/modifications and/or unless there is specific local legislation in a jurisdiction that would prevent its use in its current format.

**What must I declare?**

You are required to disclose **all** unspent convictions and conditional cautions, and **all** spent (**See Note 3**) convictions and adult cautions that are not protected (**See Note 4**) (i.e. that are not filtered out) as defined by the ROA Order 1975 (as amended)). The ROA Order 1975 (as amended) provides that when applying for certain jobs and activities, certain convictions and cautions are considered ‘protected’. This means that they do not need to be disclosed to employers/voluntary organisations and, if they are disclosed, we must not take these into account.

**What will happen if I declare a conviction?**

We welcome people from a range of backgrounds and recognise that people may have a criminal record. This will not automatically exclude you from consideration for appointment. This will depend on the nature of the role you have applied for and the circumstances and background of the offences.

All information declared on this form will be carefully assessed on an individual basis to decide whether it is relevant to the role applied for and will only be used for the purpose of safeguarding children and/or vulnerable adults. On that basis, please be honest in your answers and if you answer yes to any question, please provide full details. If there is not enough space, please add a separate sheet of paper and give the number of the question that you are answering.

If you are unsure how to respond to any of the questions, please seek appropriate advice e.g. from the appointing organisation/responsible person/recruiter, an organisation such as NACRO <https://www.nacro.org.uk/> or Unlock <https://unlock.org.uk/> or a solicitor.

**Failing to disclose relevant information**

If it is later discovered that any statement you made is false or misleading, then depending on the nature of your engagement, it may lead to disciplinary procedures, where appropriate, and/or dismissal from your post/role. This is why it is essential to be honest from the start so that we can support you.

Please now proceed to completing the form.

**Section A: Personal details**

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| **Title** (Mr./Mrs./Miss/Ms./Other): |  |
|  |  |
| **Surname:** |  |
| **Any other surnames ever used? Please include dates.** |  |
|  |  |
| **Forename(s):** |  |
|  |  |
| **Date of Birth** |  |
|  |  |
| **Home Address:** |  |
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| --- | --- |
| **Telephone No.:** |  |
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| **Role Applied for:** |  |
|  |  |
| **Role Location:** |  |

**Section B**

**Please fully complete all relevant sections.**

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| 1. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? If yes, please provide details: | Yes[ ]  | No[ ]  |
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| 2. Do you have any adult cautions (simple or conditional) or spent convictions that are not protected as defined by the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 and 2020)? If yes, please provide details: | Yes[ ]  | No[ ]  |
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| 3. Are you aware of any criminal/police enquiries/investigations undertaken following allegations made against you which may have a bearing on your suitability for the post? If yes, please provide details: | Yes[ ]  | No[ ]  |
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|  |  |
| 4. Are you at present the subject of any criminal/police enquiry/investigation/pending prosecution which may have a bearing on your suitability for the post? If yes, please provide details: | Yes[ ]  | No[ ]  |
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| 5. Is your role deemed “home based”, as per this DBS definition (click on the link) [Home-based position definition and guidance - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/dbs-home-based-positions-guide/home-based-position-definition-and-guidance)? |
| Yes [ ]  (proceed to Question 6.) | No [ ]  (proceed to Question 8.) |

6a. Is there anyone under 18 living in your home? Yes [ ]  No [ ]

6b. If ‘Yes’ to 6a, is there anyone living or employed in Yes [ ]  No [ ]

your household who has any unspent conditional cautions or

convictions under the Rehabilitation of Offenders Act 1974

and/or any adult cautions (simple or conditional) or spent

convictions that are not protected as defined by the

Rehabilitation of Offenders Act 1974 (Exceptions) Order

1975 (as amended in 2013 and 2020)? If yes, please provide details

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**Please inform relevant members of your household that you have included their details on this form (if applicable) and give them a copy of the Privacy Notice**.

7. If “Yes” to 6a, is there anyone living or employed in your Yes [ ]  No [ ]

household who is at present the subject of a criminal/police

enquiry or investigation or has a pending prosecution? If Yes,

please provide details.

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| 8. Have you lived, worked or volunteered outside the United Kingdom for a continuous period of six months or more at any point within the previous 10 years? If yes, please provide details, including the name of the country/countries: | Yes[ ]  | No[ ]  |
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| 9. Does your role involve engaging in regulated activity with children click here for definition <https://www.anncrafttrust.org/resources/what-is-a-dbs-regulated-activity/> |
|  |  |
| Yes [ ]  (proceed to Question 10.) | No [ ]  (proceed to Question 11.) |
|  |  |
| 10. Are you or have you ever been barred from work with children? If Yes, give details | Yes [ ]  | No[ ]  |
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| 11. Does your role involve regulated activity with vulnerable adults. Click here for definition <https://www.anncrafttrust.org/resources/what-is-a-dbs-regulated-activity/> |
|  |  |
| Yes [ ]  (proceed to Question 12.) | No [ ]  (proceed to Question 13.) |
|  |  |
| 12. Are you or have you ever been barred from work with vulnerable adults?If Yes, give details | Yes[ ]  | No[ ]  |
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|  |  |
| 13. Are you currently or have you ever been subject to any formal action because of an allegation that your conduct has amounted to, resulted in, or put a child and/or vulnerable adult at risk of harm (**See Note 5**)? If yes, please give details: | Yes[ ]  | No[ ]  |
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| 14. Are you currently, or have you ever been, subject to a court order either made against you or in relation to you that you have caused harm to a child and/or vulnerable adult, or that a child and/or vulnerable adult was at risk of harm from you? If yes, please provide details and a copy of the court order: | Yes[ ]  | No[ ]  |
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| 15. This question must be answered in relation to circumstances that have arisen from a child/ren being in your care. **Note:** If you are an adoptive and/or foster parent and the circumstances either relate to the child/ren’s previous situation, or to the removal/placement/child protection or child in need plan, which formed part of the planned management or transition of the child/ren into your care, then you do not need to answer yes to this question.  |
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| Has a child/ren in your care or for whom you have or had parental responsibility ever been removed from your care, placed by you in care and/or been made subject to a child protection or child in need plan as a result of a safeguarding concern that has arisen whilst the child/ren has been in your care and/or in relation to your provision of their care? If yes, please provide details: | Yes[ ]  | No[ ]  |
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| Is there any other information that may be considered relevant to the questions in this Confidential Declaration Form, and which may have a bearing on your suitability for the post for which you are applying? If yes, please provide details: | Yes[ ]  | No[ ]  |
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| **Declaration**I declare the above information and that on any additional sheets (state number attached here) : \_\_\_\_is true, accurate and complete to the best of my knowledge. After I have been appointed and during my appointment, I agree to inform the responsible person immediately if my answers to any of the above questions change and provide the relevant details. |
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| Signed:  |  | Date: |  |
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| If you answered Yes to Q8 (Overseas check) please also sign below to confirm your consent to an overseas check. I consent to my details being transferred outside the UK for the purposes of an overseas criminal records check. |
|  |  |  |
| Signed: |  | Date: |  |
|  |  |  |
| Please return the completed form in a separate, sealed envelope, marked private & confidential to the person who gave you this form or send it to the email address that sent it to you. |

**Supporting notes**

Note 1. Applies to all Church of England ordained and licensed Clergy including Archbishops, Bishops, Archdeacons, Deans, stipendiary parish Clergy, self-supporting Minister / non stipendiary Ministers, Chaplains, locally ordained Clergy, Clergy with ‘permission to officiate’ (PTO), and those seeking ordination training or ordination

Note 2. [DBS sample policy on the recruitment of ex-offenders - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/dbs-sample-policy-on-the-recruitment-of-ex-offenders)

Note 3. The ‘rehabilitation periods’ (i.e. the amount of time which has to pass before a conviction etc. can become ‘spent’) have 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

https://unlock.org.uk/advice/rehabilitation-offenders-act-1974-2/

Note 4. The Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 (as amended in 2013 and 2020) provides that when applying for certain jobs and activities, certain convictions and cautions are considered ‘protected’. This means that they do not need to be disclosed to employers, and if they are disclosed, employers cannot take them into account.

**Convictions filtering:** 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 did not result in a prison sentence or suspended prison sentence (or detention order)

 (c) it does not appear on the DBS’s list of specified offences relevant to safeguarding (broadly these are violent, drug related and/or sexual in nature).

**Please note that a conviction must comply with (a), (b) and (c) in order to be filtered**.

**Cautions filtering**: - You do not have to declare any adult caution where:

 (a) 6 years have passed since the date of the caution etc.

 (b) It does not appear on the DBS’s list of specified offences. As of 28 November 2020, reprimands, warnings and youth cautions, are automatically filtered. **Please note that a caution etc. must comply with (a) and (b) in order to be filtered.**

Further guidance is provided by the DBS and can be found at <https://www.gov.uk/government/publications/dbs-filtering-guidance/dbs-filtering-guide>

**Note 5.** - ‘harm’ involves ill-treatment of any kind including neglect, physical, emotional, financial 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 they were trusted by others. It also includes domestic abuse.

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**Version Control (Safeguarding Team use only)**

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