

 **THE CHURCH  
OF ENGLAND**  

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**Diocese of Chester**



**CCPAS**  
**Disclosure Service**

**Diocese of  
Chester Scheme**

**Contact your dedicated  
Account Manager**

**on**

**0845 120 45 49 Ext 204  
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**April 2013 version**

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**CCPAS**   
**setting standards in safeguarding**

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## CCPAS – Who Are We?

CCPAS (the Churches' Child Protection Advisory Service) is the only independent Christian charity providing professional advice, training, support and resources in all areas of safeguarding children and vulnerable adults. Organisations who register with the CCPAS Disclosure Service have access to a wide range of support services including a 24 hour helpline (0845 120 45 50) staffed by qualified and experienced social workers and counsellors and includes an 'out of office hours' service for emergencies.

### Introduction

Criminal records checks are available to help organisations in the public, private and voluntary sectors by identifying candidates who may be unsuitable to work with children or other vulnerable members of society.

The government agency set up to administer these checks is the Disclosure and Barring Service (DBS). The DBS's aim is to help employers in England and Wales make safer recruitment decisions. A number of roles, especially those involving children or vulnerable adults, are entitled to a criminal record check. The DBS enables many organisations to access these checks as part of good recruitment practice.

The DBS's role is to help protect children and vulnerable adults by providing a first-class service to support organisations recruiting people into positions of trust. Applications for criminal record checks have to be made through a Registered Body. Many organisations require DBS checks for their workers but do not qualify to apply to become a Registered Body in their own right, however checks are possible through another agency known as an umbrella organisation appointed by the DBS. CCPAS is one such umbrella organisation. CCPAS also help users reach appropriate decisions where offences or concerns are revealed by a disclosure check. CCPAS' disclosure services are open to all organisations whose workers qualify for a DBS check.

CCPAS has created a bespoke membership scheme specifically tailored to suit the needs and demands of the Diocese of Chester. Direct benefits of this scheme are that the Diocese enjoys reduced rates, direct access to named Account Managers, assistance with policies, training and access to the members area within our web site.

We are committed to working within the security procedures laid down in the DBS Code of Practice and the Police Act 1997. Working within this framework we will only disclose information received about an individual to named Recruiters, or appropriate persons involved in the recruitment process within the Diocese of Chester in conjunction with its parishes and organisations.

We are available to provide impartial advice in individual circumstances, although the decision on whether or not to appoint someone is a matter for the Diocese of Chester. CCPAS is a professional Safeguarding Agency and this advice will be provided by experienced child protection workers at CCPAS.

In registering with the CCPAS Disclosure Service your Parish has agreed to follow the procedures contained in this guide. This includes following safe recruitment policies and procedures and complying with policies laid down by the Disclosure and Barring Service, including their Code of Practice, Equal Opportunities policies and those relating to the handling of criminal records information. We cannot stress enough that the DBS expectations have the force of law. If DBS policies are not complied with, applicants might have a valid case for formal complaint.

## What is a Disclosure?

A Disclosure is a document containing information held by the police and government departments that provides details of a person's criminal record, including convictions, reprimands and warnings held on the Police National Computer (PNC). It can also contain details from lists and other information held by the Disclosure and Barring Service (DBS) as well as information held by local police forces.

A Disclosure, therefore, enables organisations to check the background of a job applicant (paid or voluntary) to ensure they do not have a history that makes them unsuitable to work with children or vulnerable adults. A Disclosure is an essential element of the appointment process within any church or organisation, forming part of a structured recruitment policy that should include interviewing, checking of references, staff supervision, training and ongoing support.

The person(s) within the Parish handling Disclosures is called the Recruiter and the CCPAS Disclosure Unit will usually correspond with this person. The role of the Recruiter is one of trust and requires a high degree of honesty and integrity. The Recruiter will be privy to highly confidential and potentially sensitive information and we do therefore require that the role is filled by someone with the highest principles.

### Appointing Additional Recruiters

In addition to the Lead Recruiter, there should be at least one other Recruiter appointed within the church/organisation to handle Disclosures. This is essential so that we always have a point of contact if the Lead Recruiter is unavailable; or if a relative of theirs needs checking. To do this you will need to complete a 'New Recruiter Appointment Form' (Appendix 2). Please follow the instructions on the form.

### Enhanced Disclosure

An Enhanced Disclosure should be applied for where the appointment involves a substantial degree of contact with children or vulnerable adults, including unsupervised activities such as teaching, supervising, training or providing advice/guidance on well-being. (This applies to most people working with, or responsible for, children in a church situation, including Sunday School Teachers, Youth Workers, the Church Leader, Pastor, Minister, Vicar). In a very small number of cases the police may choose to use common law powers to provide information directly to employers in cases where this is necessary, for example, to prevent crime or harm to others.

### Paid Worker or Volunteer?

The DBS definition of a 'volunteer' is restricted and in some circumstances the DBS will consider the applicant to be a 'paid' worker, eg where an organisation provides some benefits in kind, such as subsistence, accommodation and training.

Regulation 2 of the Police Act 1997 (Criminal Records) Regulations 2002 defines a 'volunteer' as:

*'A person engaged in an activity which involves spending time, unpaid (except for travel and other approved out-of-pocket expenses) doing something that aims to benefit some third party other than in addition to a close relative.'*

For the purposes of this definition, applicants claiming 'volunteer' status must be 'unpaid'. The DBS advise that the applicant must not be in receipt of any form of payment, be it remuneration, an allowance, benefit, payment in kind, or other means of support in relation to the activity (except where they are considered by the DBS to constitute 'travel and other agreed out-of-pocket expenses'). Students on placement or individuals working towards ordination or accreditation (for example in counselling) are not regarded as volunteers as they will personally benefit from the work they are doing by means of accreditation or a qualification.

If you have any doubts about a particular situation in terms of whether a check can be legally carried out or whether an individual qualifies as a 'volunteer', then it would be wise to contact CCPAS further – preferably by emailing [accountmanager@ccpas.co.uk](mailto:accountmanager@ccpas.co.uk). CCPAS will seek clarification from the DBS where necessary.

All checks - whether for paid workers or volunteers - are paid for by the Diocese.

### **Checks for Parishes**

Most checks carried out by CCPAS through the Diocese of Chester membership scheme are for Parish workers/volunteers who are appointed by the Parishes of the Diocese of Chester. Because of the nature of the appointment and Church requirements for Diocesan involvement, CCPAS would regard the Diocese of Chester as being directly involved in the recruitment process and therefore the Diocese of Chester will have access to Disclosure results - ie. whether the Disclosure was clear or blemished. By using the CCPAS disclosure service Parishes are in agreement with this.

## **How the Appointment Process Should Work**

The appointment process should not operate in isolation from a working child protection policy prepared in accordance with the principles contained in the official government guidelines Safe from Harm (Home Office 1993) (England) and Safe from Harm: Safeguarding Children in Voluntary and Community Organisations in Wales (Welsh Assembly Government, 2008) (Wales) core safeguarding standards issued by Safe Network (2011) Protecting All God's Children (produced by Church House Publishing for the House of Bishops), Safeguarding Children Policy and Procedures (2011, produced by the Diocese of Chester) and Working Together to Safeguard Children (DCSF 2010) – see CCPAS publication 'Safe and Secure' manual - full details of which will be enclosed within your membership email.

CCPAS require organisations to appoint a person(s) within the organisation to deal with Disclosures (referred to as a Recruiter). There is a requirement to appoint a Lead Recruiter and this person will usually be the main point of contact between CCPAS and the organisation. The Recruiter will have been authorised by Chester Diocese.

Those who have responsibility for the recruitment of workers must understand that a criminal records check is only part (albeit an essential one) of a safe recruitment process. This process is crucial in preventing unsuitable or dangerous individuals gaining access to vulnerable groups. It includes the completion of a job application form, self declaration form, an interview, taking up references and a criminal records check as well as the applicant's agreement to abide by the organisation's safeguarding policy.

Operating a safer recruitment policy sends a powerful message to parents, children, visitors, as well as those intent on harm, that safeguarding is taken seriously in the organisation.

It is important to stress to applicants that having a criminal record should not necessarily bar the person from being appointed unless children or vulnerable adults would be put at risk. The scope of a criminal records check must be explained to the applicant, including the fact that strict confidentiality is observed. Information relating to the Rehabilitation of Offenders and Safe Storage policies should be made available for applicants to see. Importantly, individuals should also be asked to complete a **self-declaration form** before a check is applied for. This gives a person the opportunity to discuss any past issues which could emerge in a check. In such circumstances advice can be given on whether or not information would prevent someone working with children or vulnerable adults. Also, later on where there is a 'blemished' disclosure, the information given by the applicant in a self-declaration can in some cases help in determining the outcome (for example, in assessing their honesty).

Full details of the safer recruitment process can be found in our publication 'Help, I Want to Recruit Workers Safely' <http://www.ccpas.co.uk/Documents/Help-RecruitSafely.pdf>

If, following an interview and taking up references, the Recruiter/Diocese is satisfied the applicant is suitable for the position, they will be given access to an online application form (E-Bulk). Once this has been completed, the form will be processed by the Recruiter who will check evidence of identity from original documentation, complete the Recruiter's section on the E-Bulk form and send it electronically to CCPAS. Detailed advice on this procedure is contained in the *CCPAS E-Bulk Guides for Recruiters and Applicants*.

The Counter-Signatory at CCPAS checks and authorises the Disclosure application and then forwards it electronically to the DBS. Once processed, a paper certificate will be issued by the DBS to the job applicant and an electronic result to CCPAS, the Parish Lead Recruiter and the Diocese.

From the E-Bulk system the Parish Lead Recruiter and the Diocese will be able to ascertain whether the disclosure is clear or blemished; although they will not be aware of the information contained on the blemished disclosure. It is a Diocesan requirement that ALL blemished disclosures are obtained from applicants and the Lead Recruiter MUST post them marked 'confidential' to Liz Geddes, Diocesan Director of Human Resources, Church House, Lower Lane, Aldford, Chester, CH3 6HP. The applicant must not be appointed until the Diocese has given their approval.

## Why Carry out a DBS Check?

Following the tragic murders in Soham the Bichard Inquiry questioned the way employers recruit people to work with vulnerable groups, and particularly the way background checks are carried out. Recommendation 19 of the Inquiry Report highlighted the need for a single agency to vet all individuals who want to work or volunteer with children or vulnerable adults and to bar unsuitable people from doing so. The report led to the Safeguarding Vulnerable Groups Act (SVG Act) 2006.

The UK Government is committed to protecting vulnerable groups including children and wants to see a focused and effective safeguarding system, where harm or risk of harm is identified, acted upon effectively and ultimately prevented. The Government asserts, however, that arrangements prior to The Protection of Freedoms Act 2012, over-emphasised protection by the State and did not sufficiently emphasise the vital role played by organisations. The Government maintains that the State has a key role to play in, for example, barring unsuitable individuals from working with vulnerable groups including children, and in ensuring that organisations can access criminal record information on individuals when the role justifies it.

Under the Act, employers have certain responsibilities and the following regulations apply:

- Employers, social services and professional regulators have a duty to refer to the DBS any information about individuals for whom they are responsible who are believed to pose a risk to children or vulnerable adults.
- If your organisation works with children or vulnerable adults and you dismiss a member of staff or a volunteer because they have harmed a child or vulnerable adult, or you would have done so if they had not left prior to your intended dismissal, you must tell the Disclosure and Barring Service.

A person who is barred from working with children or vulnerable adults will be breaking the law (and liable to prosecution incurring imprisonment and/or a fine) if they work or volunteer, or try to work or volunteer with those groups. An organisation which knowingly employs someone who is barred to work with those groups will also be breaking the law (and liable to prosecution incurring imprisonment and/or a fine).

- Eligibility for Enhanced DBS checks is for all those working within regulated positions.
- Only Enhanced DBS Disclosures are available for those working with children or the vulnerable. Standard DBS checks are no longer available for workers with these groups.

**At CCPAS we receive queries on a daily basis regarding information of serious concern which was often unknown to the person responsible for the recruitment of that worker before they applied for a disclosure. We can't stress enough the value of undergoing the correct recruitment process, which includes DBS checks - this is a Diocesan requirement.**

Full information on the procedure for referrals to the ISA can be found by following the link <http://www.isa.gov.org.uk/Default.aspx?page=379>

## Who Qualifies for a DBS Check?

**Please see the Regulated Activity Decision Making flowchart (Appendix 3) - this will enable you to determine whether your workers are eligible.**

Always be sure the post qualifies for a DBS check. Unless a job is exempt under the provisions of the Rehabilitation of Offenders Act 1975 then a check is not legally possible.

Any person who is working in Regulated Activity, by law, must apply for an Enhanced DBS in order to obtain a Barred Lists check.

Regulated Activity has been redefined to focus on work which involves close and unsupervised contact with vulnerable groups.

Being clear about the definition of Regulated Activity matters because:

- Any individual working in Regulated Activity is legally obliged to undergo a DBS & Barred Lists check.
- An organisation which knowingly allows a barred person to work in Regulated Activity will be breaking the law;
- If you dismiss or remove someone from Regulated Activity (or you would have done if they had not already left) because they harmed or posed a risk of harm to vulnerable groups including children, you are legally required to forward information about that person to the Disclosure and Barring Service. It is a criminal offence not to do so.

The full, legal definition of Regulated Activity is set out in Schedule 4 of the Safeguarding Vulnerable Groups Act 2006, as amended (in particular; by the Protection of Freedoms Act 2012).

### **A check is one part of a safer recruitment process**

Taking up a criminal records check is the last stage of an appointment process. You must follow the safe recruitment process outlined in this document and also described in more detail in our 'Safe and Secure' manual and our 'Help, I want to recruit workers safely' booklet.

In summary, therefore, you will have:

- Explained to the applicant at an early stage that the position is subject to a criminal records check, the scope of such checks, and the policies in place which can be inspected. They are therefore assured that the matter will be dealt with confidentially and efficiently.
- A job application form and self-declaration form (see CCPAS models in the 'Safe and Secure' manual) will have been completed.
- The applicant has been interviewed and satisfactory references received.
- Those responsible for the appointment have decided that on the basis of the above the person is appointable, subject to a DBS check.



As the final stage in the appointment process, the person can now be asked to make an application for a criminal records disclosure an online form (E-Bulk) supplied by CCPAS.

**Please note that these procedures are followed whether the applicant is a paid worker or a volunteer.**

### Re-checks

Workers can be re-checked at any time if there is a concern, or routinely every five years. The procedure for this will change once the DBS have launched their update service (see section below) later this year. Parishes will appreciate that a check is effectively out of date as soon as it is issued. In any event, it is only as good as the information on which it was based and the adequacy of the identity checks etc.

## Can I Accept a Disclosure from Another Organisation?

The DBS is currently working to develop and deliver a new Update Service. The Update Service will allow individuals (if they choose to subscribe and pay a small fee) to apply for a criminal records check once, and then, if they need a similar sort of check again, to reuse their existing certificate, with their organisation checking online to see if it is still up to date. More information will be made available about this new service over the coming months but in the meantime the DBS currently does not endorse the practice known as portability. Portability refers to the re-use of a DBS check (disclosure) obtained for a position in one organisation and later used for another position in another organisation. There are inherent dangers to this practice and the Chester Diocese does not currently authorise portability of DBS checks because:

### Limitations

- The DBS check may not be at the level you require – in the past there were two different levels of check: Standard and Enhanced. If an Enhanced check is needed do not accept a ported Standard check.
- The DBS check may not have included a check against the correct DBS lists for those barred from working with children or vulnerable adults.
- A DBS check carries no formal period of validity and the older a check the less reliable the information, as the information the check contains may not be up to date. The date of the issue (on the individual's copy) should be used as a guide as to when to request a new DBS check.
- Information revealed through a DBS check always and only reflects the information that was available at the time of its issue.
- You may be required by law to carry out a fresh check against the DBS barred lists. In certain circumstances, portability cannot be used, eg care workers need a new DBS adult check each time they change employment.
- An original DBS check, not a photocopy, contains a number of security features to prevent tampering or forgery.
- You need to understand the meaning of the wording that appears in the information boxes on the disclosure. 'None recorded' means no information was found, 'Not requested' means that that check was not done.

## Risks

- Using a previously issued DBS check does not constitute a fresh DBS check – the person's criminal record or other relevant information may have changed since its issue.
- Registered Bodies are responsible for the accuracy of the information provided to the DBS and on which it carries out its checks. By accepting a previously issued DBS check you are accepting the risk that the previous Registered Body provided the DBS with a fully validated applicant's identity on which to carry out its checks.

## Is it Possible to Check Workers from Overseas?

If you are recruiting people from overseas and wish to check their overseas criminal record, a Disclosure and Barring Service (DBS) check may not provide a complete picture of their criminal record. This is because the DBS cannot currently access criminal records held overseas.

In order to check an overseas applicant's criminal record and for up-to-date information on the costs involved, you should contact the embassy or High Commission of the country in question.

The DBS is not involved in the processing of applications made by individuals to overseas authorities and therefore will not be responsible for the contents or the length of time taken for information to be returned.

However, in a small number of cases overseas criminal records are held on the Police National Computer and these would be revealed as part of a DBS check. It is possible to submit an application while the applicant is still overseas but you must still verify the applicant's identity.

Find contact details for embassies and High Commissions in the UK on the Foreign & Commonwealth Office (FCO) website: <https://www.gov.uk/government/publications/foreign-embassies-in-the-uk>. You can also contact the FCO Response Centre Helpline on Tel 020 7008 1500.

If the foreign check needs translating, the embassy of the country concerned may be able to help.

### **Certificates of good conduct**

You should try to obtain a certificate of good conduct and any other references from potential overseas employees. The standard of foreign police checks vary. To find out the standard, you should contact either the authorities in a particular country, or their embassy.

Either you or the employee should obtain a certified translation. The DBS does not offer a translation service.

If churches/organisations are considering an applicant with substantial overseas residence, a Disclosure application may have limited value because the Police National Computer contains only a limited number of overseas convictions. However, if someone with a substantial record of overseas residence applies to work in the regulated childcare sector, employers must still check the childrens barred list, even though there will be little if any criminal record information revealed.

The substantial period of overseas residency should not preclude organisations from considering applicants with such backgrounds. The criminal records check should only be part of the overall recruitment process and in this situation, as for all appointments, churches/organisations should engage in a full range of pre-appointment checks beyond the simple reference to Disclosures.

## Payments and Charges

Chester Diocese makes payment to CCPAS on behalf of your Parish for all DBS Checks you process direct so there is no cost to your church.

## How to Register

To register for the Diocese of Chester Disclosure Service Scheme your Parish should:

1. Agree to formally adopt a policy on the fair treatment of all applicants and the handling and safe keeping of information [www.ccpas.co.uk/Disclosure/HandlingStorage.pdf](http://www.ccpas.co.uk/Disclosure/HandlingStorage.pdf) and agree to work within the DBS Code of Practice <http://www.businesslink.gov.uk/bdotg/action/detail?itemId=1084427588&type=RESOURCES>. These documents should be kept securely. We accept that an organisation may still be working on these documents at the point application is made to join the CCPAS service. However, these documents must have been formally adopted and available to applicants before the Recruiter begins to process checks for workers.
2. Complete and return the *CCPAS/Diocese of Chester Disclosure Registration Form* (found on Appendix 1 of this document). Send the completed Registration Form to Liz Geddes, Diocesan Director of Human Resources, Church House, Lower Lane, Aldford, Chester, CH3 6HP.

The Diocese will authorise your form, then CCPAS will confirm registration via email enclosing the E-Bulk Guides for Recruiters and Applicants. From then on the Parish can use the CCPAS Disclosure Service to carry out criminal records checks for workers.

## CCPAS / Diocese of Chester Disclosure Registration Form

Please complete in **BLOCK CAPITALS & BLACK INK** and return in an envelope to Liz Geddes, Diocesan Director of Human Resources, Church House, Lower Lane, Aldford, Chester, CH3 6HP.

### 1. Parish details

Parish Name: \_\_\_\_\_

Contact Address (this must be the address where contact can be made with the Recruiter and where post can be securely received)

\_\_\_\_\_

\_\_\_\_\_ Post code: \_\_\_\_\_

Tel no: \_\_\_\_\_

Parish Address: (if different from above):

\_\_\_\_\_

\_\_\_\_\_ Post code: \_\_\_\_\_

Tel no: \_\_\_\_\_

### 2. Parish Lead Recruiter Details:

Mr/Mrs/Miss/Ms/Revd/other: \_\_\_\_\_ Surname: \_\_\_\_\_

Forenames: \_\_\_\_\_

Date of birth \_\_\_\_\_ Day-time Tel no: \_\_\_\_\_

Email: \_\_\_\_\_

**This is essential and is needed for secure access to the online system.**

*Registration Form continued...*

**Do not complete - for Diocese of Chester use only.**

Authorised Person:

Print Name: \_\_\_\_\_

Date: \_\_\_\_ / \_\_\_\_ / \_\_\_\_

Signed: \_\_\_\_\_

### 3. Statement by Parish

This organisation is responsible for appointing individuals that have regular contact with children and/ or vulnerable adults. In registering with the CCPAS Disclosure Service, we agree to comply with all the requirements contained in the Disclosure and Barring Service Code of Practice and other DBS procedures and processes. In particular, we confirm that we have adopted policies for the recruitment of offenders and safe storage of information in line with DBS expectations. We will not communicate, disclose or make available all or any part of confidential information to any third party.

We confirm that we have read the CCPAS Statement of Fair Processing and the E-Bulk Recruiter Agreement Form (see [www.ccpas.co.uk/Disclosure/FairProcessing.pdf](http://www.ccpas.co.uk/Disclosure/FairProcessing.pdf)). We as an organisation agree to abide by the terms and conditions set out in these documents in accordance with the Data Protection Act 1998 and the DBS Code of Practice.

We undertake to keep CCPAS informed of any changes in our organisation, personnel or practices which could materially affect our ability to work within these expectations.

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Parish Lead Recruiter)

Print Name: \_\_\_\_\_

Signed: \_\_\_\_\_ Date: \_\_\_\_\_  
(Incumbent)

Print Name: \_\_\_\_\_

<b>CCPAS USE ONLY</b>		DATE RECEIVED	
REC EMAIL ON SERVS		ORG SET-UP ON EBULK	
APPLICANT MANAGER SET UP		REC APPROVAL EMAIL SENT	
ORGANISATION PASSWORD		SUPER USERS SET UP	
CHESTER HQ ADVSD (CC'D EMAIL)		CHECKED	

## New Recruiter Appointment Form

**PLEASE NOTE:** THIS TWO PAGE FORM (SECTIONS A-C) **MUST ONLY BE COMPLETED** ONCE THE ORIGINAL LEAD RECRUITER HAS HAD THEIR REGISTRATION CONFIRMED BY CCPAS

Send the completed form: Liz Geddes, Diocesan Director of Human Resources, Church House, Lower Lane, Aldford, Chester, CH3 6HP.

### SECTION A: ORGANISATION DETAILS

Membership No: \_\_\_\_\_ Parish name: \_\_\_\_\_

Contact Address (this must be the address of the Parish where contact can be made with the Lead Recruiter from now onwards and where copies of disclosures can be securely received. Please enter even if unchanged):

\_\_\_\_\_

\_\_\_\_\_

### SECTION B: NEW RECRUITER DETAILS

Please tick one box :  Lead Recruiter  Recruiter

Mr/Mrs/Miss/Ms/Revd/Other: \_\_\_\_\_ Surname: \_\_\_\_\_

Forenames: \_\_\_\_\_ D.O.B: \_\_\_\_\_

Email: \_\_\_\_\_ **(An email address is essential)**

Day-time tel no: \_\_\_\_\_ Mobile No: \_\_\_\_\_

If this form is for a new Lead Recruiter will the current Lead Recruiter still remain as a Deputy Recruiter? Y/N

If 'No' please confirm the email to be deleted from our records: \_\_\_\_\_

I confirm that we will continue to follow the correct recruitment procedure (as detailed in the CCPAS/Diocese of Chester document) and we will comply with the DBS Code of Practice. We confirm that we have read the CCPAS Statement of Fair Processing and the E-Bulk Recruiter Agreement Form [www.ccpas.co.uk/Disclosure/FairProcessing.pdf](http://www.ccpas.co.uk/Disclosure/FairProcessing.pdf). We agree to abide by the terms and conditions set out in these documents in accordance with the Data Protection Act 1998 and the DBS Code of Practice.

New Recruiters Signature: \_\_\_\_\_ Date: \_\_\_\_\_

### SECTION C: INCUMBENT AND DIOCESE OF CHESTER AUTHORISED PERSON DECLARATION

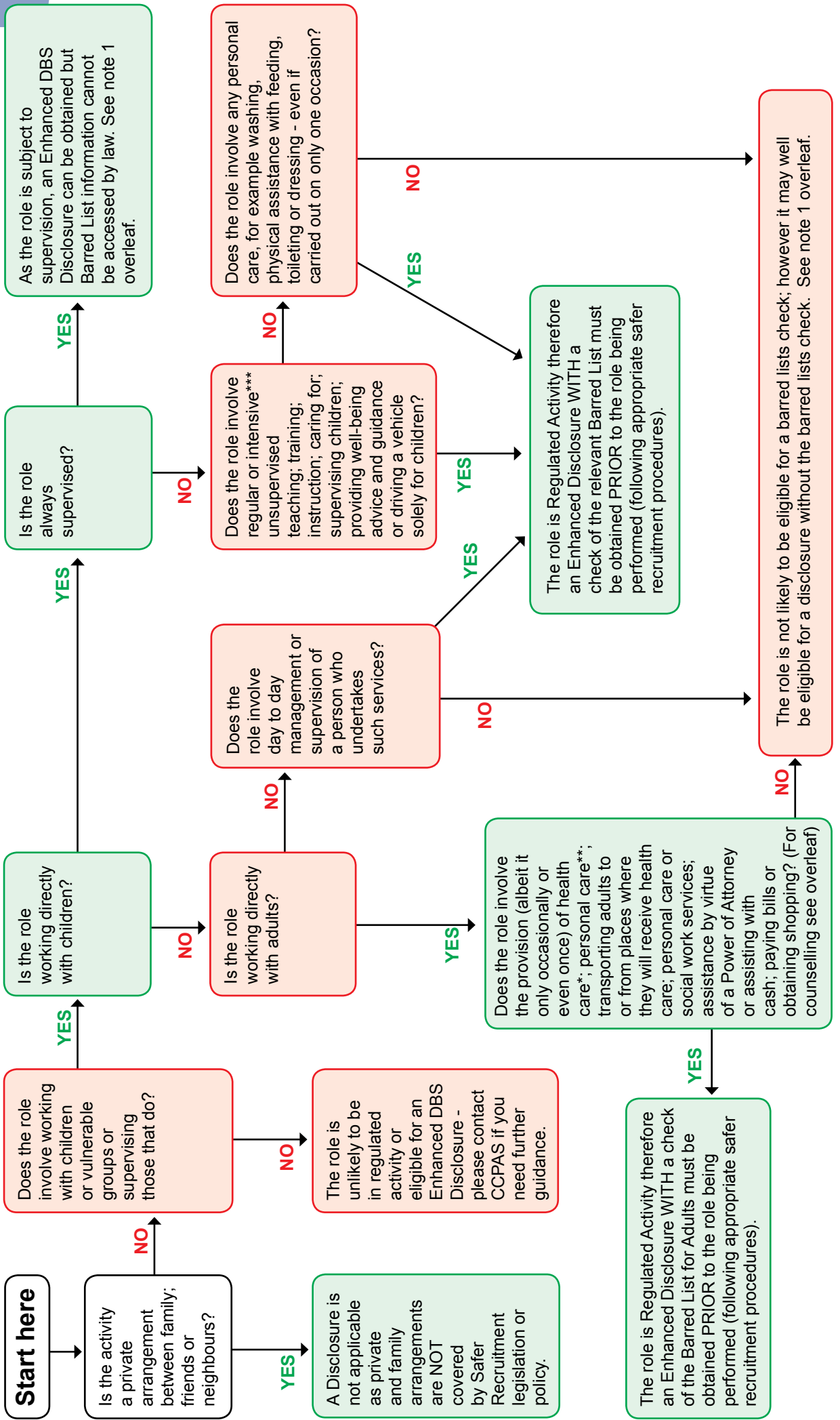
The following needs to be signed by the current incumbent and the authorised person from the Diocese of Chester (Liz Geddes or George Colville):

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Print name: \_\_\_\_\_  
(Incumbent)

Signed: \_\_\_\_\_ Date: \_\_\_\_\_ Print name: \_\_\_\_\_  
Diocesan authorised signatory

CCPAS USE ONLY			
DATE ____ / ____ / ____			
SIG CHECK		REC ACC SENT	
ADD CHECK		DIOCESE CC'D	
EBULK SET-UP		CHECKED	

**Regulated Activity Decision Making Flowchart**



## Regulated Activity Decision Making Flowchart

### Note 1: DBS Checks for those not in Regulated Activities

If an applicant is not in Regulated Activity (as per the chart) but works with children and/or vulnerable adults then it is possible they are still eligible for an enhanced DBS check but without a check of the barred lists. It is the Charity Commission's expectation (and many insurance companies) that you apply for a DBS check where the applicant's role is legally eligible for one. Please contact CCPAS if you need further clarification.

### Note 2: Definitions:

\*Health Care: is defined as health care provided by a health care professional (meaning a person regulated by bodies like General Medical Council; Nursing & Midwifery Council for example). Health care means all forms of health care provided for physical or mental health needs and includes palliative care. Psychotherapy and counselling are included when provided by or referred by a health care professional. Services not provided by a health care professional are not covered by Regulated Activity i.e. life coaching; pastoral counselling etc; although if these are performed regularly or intensively they would be eligible for an enhanced DBS check. First Aid is only included when the First Aider works specifically for an organisation that offers those services i.e. St John Ambulance and therefore a volunteer who is a designated First Aider is not within Regulated Activity. Peer support groups i.e. Alcoholics Anonymous are not covered by Regulated Activity.

\*\*Personal Care: is defined as those who provide an adult with physical assistance with eating; drinking; toileting; washing or bathing; dressing; oral care or care of skin, hair or nails due to the adult's age, illness or disability. Additionally those who prompts and supervises an adult who, due to age, illness or disability, cannot make the decision to eat; drink; go to the toilet; wash; dress or care for their mouth, skin, hair or nails without prompting and supervision are deemed to be in Regulated Activity. Those who trains, instructs or provides advice relating to eating, drinking, toileting, washing, dressing, oral care etc due to age, illness or disability is in Regulated Activity. In circumstances where a hairdresser or a person cuts the hair of an adult are excluded from Regulated Activity.

\*\*\*Regularly' is once a week or more; 'intensively' is four or more days in a 30 day period or overnight.

### Note 3: Scenarios of Roles and their eligibility basis:

- A creche worker who physically assists young children with going to the toilet (on one occasion or more) would be in Regulated Activity.
- A Sunday School worker on a rota would only be in a Regulated Activity if they work unsupervised every week or more; if they work less than this they would still be eligible for an enhanced DBS check without a check of the barred lists whether or not they are always supervised.
- Purely administrative roles i.e. Church Administrator or treasurer are NOT eligible for a Disclosure as they do not work directly with vulnerable groups. Additionally Disclosures cannot be accessed for those who handle sensitive or confidential information (unless they are supervising those working in Regulated Activity).
- A church worker who visits household people and on occasions is asked by the homeowner to do some shopping or pay a bill on their behalf is engaging in Regulated Activity.
- A church worker who is part of a group of volunteers that drive church members to their GP surgery or hospital appointments is working in Regulated Activity.
- The volunteers who are part of the rota to bring church members who would otherwise be unable to attend church, are NOT engaging in Regulated Activity as Church services are not covered by the Protection of Freedoms Act - unless they collect Care Home residents, in which case they would be in Regulated Activity.
- A counsellor who receives referrals from a Health Care Professional will be in Regulated Activity. If the counsellor does not receive referrals but works with children or vulnerable adults they will be eligible for an enhanced DBS check without a check of the barred lists.
- A luncheon club/foodbank or street outreach (eg Street Pastors) whose workers just serve food, drinks, or have a friendly chat with those they work with will not be in a Regulated Activity with adults unless they are giving professional counselling/health care or personal care to adults. They will qualify for Regulated Activity with children if they are advising/supervising/caring etc for children regularly or intensively on an unsupervised basis. If they are not in Regulated Activity but they do care for/supervise/give guidance/mentor children or vulnerable adults then they are likely to be eligible for an enhanced DBS check without a check of the barred lists.
- Prayer teams whose members pray with/for adults and children in a public area/town centre type setting are not in Regulated Activity nor do they qualify for an enhanced DBS check. If however, their job role includes praying with a child/children frequently or intensively in an unsupervised setting, this would be Regulated Activity.