



## Confidential Declaration Form for roles meeting the criteria for an enhanced Disclosure & Barring Service check

### Confidential Declaration Form and Privacy Notice Guidance

This form must be completed by all applicants for roles engaging in regulated activity<sup>i</sup> or roles working/having substantial contact with children and/or vulnerable adults. This includes all Clergy<sup>ii</sup>, as well as all Church Officers<sup>iii</sup> who are applying for a role that has been assessed as requiring an Enhanced Disclosure and Barring Service (DBS) (with/without Barred List) check. The nature of these roles means they 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)).

All individuals applying to work/volunteer in such roles will be subject to a satisfactory Enhanced DBS (with/without Barred List) check before the appointment is confirmed as well as a satisfactory Enhanced DBS (with/without Barred List) re-check every 3 years.

You are required to disclose **all** unspent convictions and conditional cautions and **all** spent<sup>iv</sup> convictions and adult cautions that are not protected<sup>v</sup> (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, cannot be taken into account.

A criminal record will not necessarily exclude an individual from consideration for appointment. This will depend on the nature of the role applied for and the circumstances and background of the offences. All information declared on this form will be carefully assessed 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. If you answer yes to any question, please provide details, on a separate sheet if necessary, giving the number of the question that you are answering.

If it is later discovered that any statement 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. If you are unsure of 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 or Unlock<sup>vi</sup>, or a solicitor.

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<sup>vii</sup>. 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 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 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.



**Confidential Declaration Form  
for roles meeting the criteria for an  
enhanced Disclosure & Barring Service check**

**Section A  
PERSONAL DETAILS  
This section must be completed by all applicants.**

<b>Title (Mr/Mrs/Miss/Ms/Other):</b>	<input type="text"/>
<b>Surname:</b>	<input type="text"/>
<b>Forename(s):</b>	<input type="text"/>
<b>D.O.B.:</b>	<input type="text"/>
<b>Home Address:</b>	<input type="text"/> <input type="text"/> <input type="text"/>
<b>Telephone No.:</b>	<input type="text"/>
<b>Role Applied for:</b>	<input type="text"/>
<b>Role Location:</b>	<input type="text"/>

**Section B  
Please fully complete all relevant sections.**

1. Do you have any unspent conditional cautions or convictions under the Rehabilitation of Offenders Act 1974? Yes  No   
If yes, please provide details:



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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

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

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

5. Is your role deemed “home based”, as per the DBS definition<sup>viii</sup>?

Yes  (proceed to Question 6.)

No  (proceed to Question 8.)

6. 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 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<sup>ix</sup>:
- Yes  No

7. 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 is at present the subject of a criminal/police enquiry investigation/pending prosecution? If yes, please provide details:
- Yes  No



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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

9. Does your role involve engaging in regulated activity with children<sup>x</sup>?

Yes  (proceed to Question 10.)

No  (proceed to Question 11.)

10. Are you or have you ever been barred from work with children?
- Yes  No

11. Does your role involve regulated activity with vulnerable adults<sup>xi</sup>?

Yes  (proceed to Question 12.)

No  (proceed to Question 13.)

12. Are you or have you ever been barred from work with vulnerable adults?
- Yes  No

13. Are you currently or have you ever been subject to any formal action as a result of an allegation that your conduct has amounted to, resulted in or put a child and/or vulnerable adult at risk of harm<sup>xii</sup>? If yes, please provide details:
- Yes  No

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

15. This question must be answered in relation to circumstances that have arisen from a child/ren being in your care. 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

16. 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 you are applying for, (i.e. working with children and/or vulnerable adults)? If yes, please provide details:

Yes

No

### Declaration

I declare the above information and that on any additional sheets (number attached: \_\_) 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.

Signed:

Date:

Consent statement (this statement should only be signed if the answer to Question 8. is Yes)  
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:  
Youth Worker Applications, St Clement's Church, The Parish Office,  
St Clement's Centre, Cross Street Oxford OX4 1DA



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<sup>i</sup> [Eligibility guidance for enhanced DBS checks - GOV.UK \(www.gov.uk\)](#)

<sup>ii</sup> 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.

<sup>iii</sup> 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.

<sup>iv</sup> Please note that 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 <http://hub.unlock.org.uk/knowledgebase/spent-now-brief-guide-changes-roa/>

<sup>v</sup> 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:- 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) and (c) 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) and (c) in order to be filtered.**

Cautions:- You do not have to declare any adult caution where: (a) 6 years have passed since the date of the caution etc. and (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>

<sup>vi</sup> <https://www.nacro.org.uk/> <https://unlock.org.uk/>

<sup>vii</sup> [DBS sample policy on the recruitment of ex-offenders - GOV.UK \(www.gov.uk\)](#)

<sup>viii</sup> [Home-based position definition and guidance - GOV.UK \(www.gov.uk\)](#)

<sup>ix</sup> 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.

<sup>x</sup> [Regulated Activity with Children in England](#)

<sup>xi</sup> [Regulated Activity with Adults in England](#)

<sup>xii</sup> '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 he/she was trusted by others. It also includes domestic abuse.

**St Clement's Church, Oxford**  
**Data Privacy Notice – Recruitment**

**1. Who is this information for?**

This information is for applicants for paid staff and volunteer roles with St Clement's Church, Oxford. Recruitment records may also contain personal data about other individuals – for example referees and former employers.

**2. What is personal data?**

Personal data is information that relates to a living individual who can be identified from that data, or when linked to any other data which we hold or are likely to hold. The processing of personal data is governed by the General Data Protection Regulation (GDPR). Personal data includes written records and photographs.

**3. Who are we?**

The Parochial Church Council of the Ecclesiastical Parish of St Clement, Oxford (PCC) is the Data Controller for St Clement's Church.

**4. Where do we get personal data from and how do we use it?**

You will provide much of the information that we will hold. Other information may come from external sources, such as referees.

We use this to:

- Manage the recruitment process
- Manage our relationship with you
- Comply with any legal requirements
- Satisfy Church of England safeguarding requirements
- Maintain our accounts and financial records
- Protect our legal position

Except for any personal data which you have made manifestly public, we process and protect your personal data by:

- Keeping it up to date
- Not collecting or retaining excessive amounts of data
- Protecting it from loss, misuse, unauthorised access and disclosure by making sure that we have appropriate organisational and technical measures in place
- Making sure that anyone who processes personal data on our behalf only processes it in accordance with your rights

**References**

We reserve the right to contact any one of your current / previous employment, volunteering, or education contacts in case of any anomalies or discrepancies disclosed.

**St Clement's Church, Oxford**  
**Data Privacy Notice – Recruitment**

We may decide to take up references after short listing and before interview.

**If you do not wish us to do so, you must notify us of this in writing on receipt of this Notice.**

**5. What is the legal basis for processing your personal data?**

- Legal obligations - including safeguarding, health and safety and equal opportunities
- Legitimate interest – we need the data in order to provide our services. Our legitimate interests are:
  - Promoting the Gospel of Christ
  - Providing other services to our congregation, our Parish and the wider community in line with our charitable objects.

**Special category data**

We process the following types of “special category data”

**Health** – including GP reports and accident reports. We use this information to meet our health and safety and occupational health requirements.

We process this on the basis of legal compliance *and* that processing is necessary to meet our legal obligations in the field of employment, social security or social protection – see GDPR Article 9(2)(b).

**Religious opinions or belief** - we only process this information if it's a “genuine occupational requirement” for your specific job or role under the Equalities Act. We process this on the basis of legitimate interest *and* that processing is necessary to exercise our specific rights in the field of employment – see GDPR Article 9(2)(b).

More information about “special category data”, including the full text of Article 9(2)(b) can be found on the Information Commissioner's website:

<https://ico.org.uk/for-organisations/guide-to-the-general-data-protection-regulation-gdpr/lawful-basis-for-processing/special-category-data/>

**6. Sharing your personal data**

We will share your data with the shortlisting and interview panel, the Parish Safeguarding Officer (PSO) and / or Deputy PSO and should further advice be required, with the Diocesan Safeguarding Team.



## St Clement's Church, Oxford Data Privacy Notice – Recruitment

Some of your data will also be shared as part of any Disclosure and Barring Service checks required for the post / role for which you are applying.

We don't share your information with anyone else (except as disclosed in this Notice) without your consent unless the law and our policies allow us, or require us to do so.

### 7. How long do we keep your personal data?

We decide how long to keep your data using the following guidelines issued by the Church of England's Records Management Centre:

- *Safeguarding Records Management (2015)*
- *Keep or Bin – the Care of Church Records (2009)*  
<https://www.churchofengland.org/more/libraries-and-archives/records-management-guides>

Specifically,

What?	How long?
Applications, CVs and material relating to recruitment for unsuccessful candidates	6 months
Disclosure and Barring Services (DBS) disclosures obtained as part of a vetting and/or employment process	DBS certificate – 6 months after the date of issue
Records relating to safeguarding concerns	75 years after the end of your employment or service as a volunteer working with children / young people and / or vulnerable adults

For successful applicants for paid staff posts this Notice will be supplemented by an **Employee Privacy Notice** containing, inter alia, more details re the retention of data obtained as part of the recruitment process.

Recruitment documentation is stored securely. As records exceed their retention period, they will be securely destroyed.

### 8. Your legal rights

You have the following rights with respect to your personal data, subject to any GDPR exemptions:

- The right to request a copy of the personal data which we hold about you
- The right to ask us to correct any personal data, if it is found to be inaccurate or out of date

**St Clement's Church, Oxford**  
**Data Privacy Notice – Recruitment**

- The right to ask us to erase your personal data where it is no longer necessary for us to retain it
- The right, where there is a dispute in relation to the accuracy or processing of your personal data, to ask for a restriction to be placed on further processing
- The right to lodge a complaint with the Information Commissioner's Office.

### **9. Further processing**

If we wish to use your personal data for a new purpose, not covered by this Data Protection Notice, then we will tell you what we plan to do and explain why we are doing it. If we need your consent, we will ask for this before we start using it for the new purpose.

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### **Our contact details**

If you have any queries or complaints about the personal data we hold and how we use it or if you want to see a copy of the information we hold and share about you, please contact us

St Clement's PCC  
St Clement's Church Parish Office  
Cross Street,  
Oxford  
OX4 1DA

Tel: 01865 246674  
Email: [parish.office@stclements.org.uk](mailto:parish.office@stclements.org.uk)  
Website: <http://www.stclements.org.uk/>

Registered Charity: 1132918

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If you do not feel that your complaint has been dealt with appropriately, please contact the **Diocesan Data Protection Officer**, Church House Oxford, Langford Locks, Kidlington, Oxford, OX5 1GF. Tel: 01865 208200.

Email: [dpo@oxford.anglican.org](mailto:dpo@oxford.anglican.org)

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You can also refer queries or complaints to the Information Commissioner

### **Contact details for the Information Commissioner**

Information Commissioner's Office  
Wycliffe House, Water Lane  
Wilmslow, Cheshire, SK9 5AF

Tel: 0303 123 1113 (local rate)  
Website: <https://ico.org.uk/>

*Review no later than February 2023*