**Confidential Declaration Form and Privacy Notice Guidance**

This form must be completed by all applicants for roles engaging in regulated activity[[1]](#endnote-2) or roles working/having substantial contact with children and/or vulnerable adults. This includes all Clergy[[2]](#endnote-3), as well as all Church Officers[[3]](#endnote-4) 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[[4]](#endnote-5) convictions and adult cautions that are not protected[[5]](#endnote-6) (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[[6]](#endnote-7), 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[[7]](#endnote-8). 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.

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

|  |  |
| --- | --- |
| **Title** (Mr/Mrs/Miss/Ms/Other): | Click or tap here to enter text. |
|  |  |
| **Surname:** | Click or tap here to enter text. |
|  |  |
| **Forename(s):** | Click or tap here to enter text. |
|  |  |
| **D.O.B.:** | Click or tap here to enter text. |
|  |  |
| **Home Address:** | Click or tap here to enter text. |
|  | Click or tap here to enter text. |
|  | Click or tap here to enter text. |
|  |  |
| **Telephone No.:** | Click or tap here to enter text. |
|  |  |
| **Role Applied for:** | Click or tap here to enter text. |
|  |  |
| **Role Location:** | Click or tap here to enter text. |

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| **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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 5. | Is your role deemed “home based”, as per the DBS definition[[8]](#endnote-9)? | | | | | | | |
|  | 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[[9]](#endnote-10): | | | | | | Yes | No |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 9. | Does your role involve engaging in regulated activity with children[[10]](#endnote-11)? | | | | | | | |
|  |  | | | | | |  | |
|  | 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[[11]](#endnote-12)? | | | | | | | |
|  |  | | | | | |  | |
|  | 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[[12]](#endnote-13)? If yes, please provide details: | | | | | | Yes | No |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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. | | | | | | | |
|  |  | | | | | |  | |
|  | 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| 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 |
|  |  | | | | | |  | |
|  | Click or tap here to enter text. | | | | | | | |
|  |  | | | | | |  | |
| **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: | | Click or tap here to enter text. | Date: | | | Click or tap to enter a 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: | | Click or tap here to enter text. | Date: | | | Click or tap to enter a date. | | |
|  |  | | | | | |  | |
| Please return the completed form in a separate, sealed envelope, marked private & confidential to:  Mrs Julie McKeand  The Bishop of Guildford’s Office, Willow Grange, Woking Road, Guildford GU4 7QS  or via secure email to: [julie.mckeand@cofeguildford.org.uk](mailto:julie.mckeand@cofeguildford.org.uk) | | | | | | | | |

1. [Eligibility guidance for enhanced DBS checks - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/dbs-workforce-guidance) [↑](#endnote-ref-2)
2. 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. [↑](#endnote-ref-3)
3. 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. [↑](#endnote-ref-4)
4. 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/> [↑](#endnote-ref-5)
5. 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> [↑](#endnote-ref-6)
6. <https://www.nacro.org.uk/> <https://unlock.org.uk/> [↑](#endnote-ref-7)
7. [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) [↑](#endnote-ref-8)
8. [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) [↑](#endnote-ref-9)
9. 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. [↑](#endnote-ref-10)
10. [Keeping children safe in education - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/keeping-children-safe-in-education--2) [↑](#endnote-ref-11)
11. [New disclosure and barring services - GOV.UK (www.gov.uk)](https://www.gov.uk/government/publications/new-disclosure-and-barring-services) [↑](#endnote-ref-12)
12. ‘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.

    **Clergy Privacy Notice**

    The Bishop of Guildford’s Office

    **Introduction**

    The Church of England comprises many different Charities and Office Holders; it is a community rather than an organisation. The Diocese of Guildford itself is made up of multiple charities, one of which is the Guildford Diocesan Board of Finance (“GDBF”, “we”, “our”). The GDBF is the legal entity through which many of the diocesan responsibilities and functions are achieved. For personal information held relating to Clergy, the Data Controller is the Bishop of Guildford’s Office.

    This privacy notice applies to Clergy within the Diocese. This privacy notice does not form part of your statement of particulars.

    **What data do we process?**

    The Bishop of Guildford’s Office collects and processes a range of information about Clergy. This can include:

    * your name, address and contact details, including email address and telephone numbers
    * your date of birth
    * details of your education, qualifications, skills, experience and employment history, including start and end dates and notice period
    * information about your current level of remuneration, including entitlement to allowances
    * details of any gaps in employment.
    * details of whether you are a relative or a partner of, or have any close personal relationship with any employee of the GDBF or any person connected with GDBF (e.g. clergy, volunteers).
    * details of any conflicts of interest you may have with GDBF, including other employment, voluntary work, and connections with the wider Diocese.
    * details of your registration with or membership of any professional bodies required for you to be able to practice in your profession or meet the requirements of the role that you have applied for, and details of any sanctions or restrictions placed upon you that affect your ability to practice in that role.
    * information about your identity and entitlement to work in the UK.
    * information about your criminal record and conduct towards children, young people and vulnerable adults, or supplied via the Disclosure and Barring Service (DBS).
    * whether or not you have a disability for which we need to make reasonable adjustments.
    * health information that might be disclosed or submitted associated with maternity or sickness absence.
    * equal opportunities monitoring information, including information about your gender, whether you are married or in a civil partnership, ethnic origin, sexual orientation, religion or belief, health and disability.
    * where you have applied for a role that would require you to drive on business, we will collect details of your driving licence and any driving offences that you incur and details of your car insurance, tax and MOT.
    * Bank details to enable payments to be made.
    * information associated with performance, grievances raised, complaints, and disciplinary processes related to your time in office.

    We will collect this information in a variety of ways. For example, data might be collected through application forms, CVs, obtained from your passport or other identity documents such as your driving licence and qualification certificates, or collected through interviews or other forms of assessment.

    We will also collect information about you from third parties, such as references supplied by current and former employers, other organisations in relation to pre-employment checks, such as registration with professional bodies where a requirement of the role and information from criminal records checks permitted by law.

    **Why do we need your personal data and how do we use it?**

    We use your personal information in order to exercise our legal and pastoral responsibilities as your diocesan bishop. In addition to our general oversight of your ministry, we are responsible for assessing your qualifications and suitability for any particular office or ministry within the diocese, and for making appropriate arrangements for your ministerial development (including ministerial development review) in order to be able to develop, support, administer, regulate and manage licensed ministers.

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

    Processing of the personal data in relation to clergy personal files is necessary for the purposes of legitimate interests in accordance with my responsibilities under the Canons, including my general responsibilities as chief pastor of the diocese and in order to be able to develop, support, administer, regulate and manage clergy through their ministry.

    In so far as any personal data relates to “special categories of personal data” or criminal conviction or offence data the processing is a legitimate activity in order to manage and administer internal functions in relation to membership and/or those with whom I have regular contact. It is not shared externally outside the institutional bodies that comprise the Church of England without your consent.

    Episcopal References and Clergy Current Status Letter (CCSLs) are processed on the basis that it is a legitimate interest as established by the Promoting a Safer Church (House of Bishops Policy Statement, 2017). However, in so far as the personal data contained within the Episcopal Reference and CCSL relates to “special categories of personal data” and criminal conviction and offence data, this will be processed on the basis that it is necessary for reasons of substantial public interest on the basis of UK law. The Episcopal Reference and CCSL will be disclosed both for posts within the Church of England and externally, where you have applied for a ministerial post in another diocese or a church outside the Church of England and is done so in order to protect members of the public from harm, including dishonesty, malpractice and other seriously improper conduct or safeguarding purposes as established by the Safer Recruitment: Practice Guidance (2016).

    **Sharing your personal data**

    Your personal data will be treated as strictly confidential and will be shared only when necessary, with institutional bodies that comprise the Church of England for the purposes of administrative functions in connection with your role. Where this is the case, we will abide by the provisions of Church of England National People System and HR Information Sharing Agreement. If we wish to share your personal data outside the Church of England, then we will always seek your consent first.

    **How long do we keep your personal data?**

    The Bishop of Guildford will not keep your personal data any longer than necessary for the periods and proposed set out here: see p.24 at the following link:

    [Personal Files relating to clergy](https://www.churchofengland.org/sites/default/files/2021-08/personal-files-relating-to-clergy-2021-edition.pdf)

    **Your rights and your personal data**

    Subject to certain conditions, and in certain circumstances, you have the right to:

    * request access to your personal information - this is usually known as making a data subject access request and it enables you to receive a copy of the personal information, we hold about you
    * request rectification of your personal information if it is incorrect - this enables you to have any inaccurate or incomplete personal information we hold about you corrected
    * request the erasure of your personal information - this enables you to ask us to delete or remove your personal information where there’s no compelling reason for its continued processing, e.g. it’s no longer necessary in relation to the purpose for which it was originally collected
    * restrict the processing of your personal information - this enables you to ask us to suspend the processing of your personal information, e.g. if you contest its accuracy and so want us to verify its accuracy
    * object to the processing of your personal information - this enables you to ask us to stop processing your personal information where we are relying on the legitimate interests of the business as our legal basis for processing and there is something relating to your particular situation which makes you decide to object to processing on this ground.

    If you wish to exercise any of these rights, please contact our data protection coordinator*.* We may need to request specific information from you to verify your identity and check your right to access the personal information or to exercise any of your other rights. This is a security measure to ensure that your personal information is not disclosed to any person who has no right to receive it.

    **Transferring personal information abroad**

    We will not store or send your personal data outside of the European Economic Area (EEA), except in instances where requests for references are sent to referees you have provided who outside of the EEA.

    **Complaints**

    If you have any concerns or queries about how the handle your personal data, please contact our Data Protection Officer at: [data.protection@cofeguildford.org.uk](mailto:data.protection@cofeguildford.org.uk).

    You have the right to make a complaint at any time to the Information Commissioner online at: [Your personal information concerns | ICO](https://ico.org.uk/make-a-complaint/your-personal-information-concerns/) or by phone on 0303 123 1113 (local rate).

    **Changes to this privacy notice**

    We reserve the rights to update or amend this privacy notice at any time. We keep this privacy notice under regular review, and we will place any updates on the [Diocesan web site](https://www.cofeguildford.org.uk/).

    **How to Contact us**

    If you have any questions about this privacy notice or how we handle your personal information, please contact either **Geraldine Newbold, Diocesan Secretary** or**Andy Morgan, Head of People**. [↑](#endnote-ref-13)