



# Ex Offenders Policy

## All Saints' Church, Walsoken

Please refer to Document S&S\_Doc\_001 for all Safeguarding and Social requirements

### Specific Policy

This Safeguarding & Social (S&S) sub-policy controls the recruitment of Ex-Offender volunteers at church. This written policy on the recruitment of ex-offenders is made available to all DBS applicants at the start of the recruitment process.

As an organisation assessing applicants' suitability for positions which are included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order, we use criminal record checks processed through the Disclosure and Barring Service (DBS). All Saints' Church, Walsoken.

- 1) Complies fully with the DBS Code of Practice and undertakes to treat all applicants for positions fairly.
- 2) Undertakes not to discriminate unfairly against any subject of a criminal record check based on a conviction or other information revealed.
- 3) Is committed to the fair treatment of its staff, potential staff, or users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical/mental disability, or offending background.
- 4) Ensures that they have received appropriate guidance and training in the relevant legislation relating to the employment of ex-offenders, e.g., the Rehabilitation of Offenders Act 1974.
- 5) Actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcomes applications from a wide range of candidates, including those with criminal records.

### Reference Documents

Rehabilitation of Offenders Act 1974

Parish Safeguarding Handbook (Church of England)

### Procedure

#### Ex Offenders

There are likely to be those with criminal convictions for sexual offences and other forms of abuse attending church. There may also be those who do not have convictions or cautions but where there are sound reasons for considering that they still might pose a risk to others. Where people may pose a risk to others, their position in a congregation will need to be carefully and sensitively assessed to decide whether they pose a present risk to others and to put in place arrangements to ensure that these risks are mitigated. In these circumstances it is not only about monitoring individuals but offering support to lead a fulfilled life. As such, our Church has an important role in contributing to the prevention of future abuse

Some examples of the risk that individuals may pose to children, young people and adults are:

- 1) Sexual offences against both adults and children: This includes accessing indecent images of children on the internet.
- 2) Financial abuse: targeting of vulnerable adults for financial gain, for example, asking for money, the acceptance of large 'gifts' or offering to do a job for someone at an extortionate rate of pay.

#### Acting

If the DSA is made aware by any other source of any person in the above categories who is intending to or is worshipping at a local parish church, s/he will notify the Parish Safeguarding Officer/ incumbent in the first instance.

Our church must contact the Diocesan Safeguarding Advisor (DSA) as soon as practicable, but within 24 hours, if you learn that any of the following people worship in your church:

- 1) Anyone placed on the sex offenders register, with a violent offence or conviction and/or who is barred from working with children or adults by the Disclosure and Barring Service.
- 2) Anyone who admits to being an abuser including non-recent abuse.
- 3) Anyone who is subject to an investigation for suspected abuse, including possession of indecent images of children, and/or is suspended from their usual role.

# Ex Offenders Policy

## All Saints' Church – Walsoken

- 4) Anyone who may pose a risk to other church members due to their behaviour, irrespective of their criminal status. Such as
  - a. An allegation of abuse against a child or adult has been investigated, but the matter has not proceeded to court, or the person has been acquitted, or the matter is currently the subject of proceedings in the criminal or civil courts, but the person may still pose a risk.
  - b. A complaint or grievance has been received alleging inappropriate behaviour, which is not criminal.
  - c. There have been concerns about the person's alleged abusive behaviour to a previous or current partner

The DSA will determine the appropriate action to be taken to best safeguard our church and its congregation, based on the particular facts and circumstances of each case. They will undertake a risk assessment and the formation of a risk management plan known as a 'Safeguarding Agreement'. This will involve the respondent and usually the incumbent, churchwarden, Parish Safeguarding Officer and, if involved, statutory agencies e.g. police, National Probation Service and Children's Social Care. Who is involved will depend on the case.

The churchwardens should be involved in the drawing up of the written agreement with the respondent. Churchwardens can direct parishioners where to sit and have a duty to maintain good order at divine service. If necessary, churchwardens can eject a person creating a disturbance and in certain circumstances have the power of arrest, although such power should be exercised with extreme caution. If a "disturbance" is anticipated the police must be notified.

Should the respondent refuse to sign the safeguarding agreement the DSA will advise the parish and liaise with the police and other relevant agencies, as required, to seek a resolution.

The Safeguarding Agreement will be monitored and reviewed at least annually

### Notes

All Saints' Church, Walsoken actively promotes equality of opportunity for all with the right mix of talent, skills, and potential and welcome applications from a wide range of candidates, including those with criminal records. All Saints' Church, Walsoken select all candidates for interview based on their skills, qualifications, and experience.

All Saints' Church, Walsoken ensures that all those within our church, who are involved in the recruitment process, have been suitably trained to identify and assess the relevance and circumstances of offences.

All Saints' Church, Walsoken makes every subject of a criminal record check submitted to DBS aware of the existence of our policy and makes a copy available on request.

- 1) All Saints' Church, Walsoken can only ask an individual to provide details of convictions and cautions that All Saints Church are legally entitled to know about. Where a DBS certificate at either standard or enhanced level can legally be requested (where the position is one that is included in the Rehabilitation of Offenders Act 1974 (Exceptions) Order 1975 as amended, and where appropriate Police Act Regulations are appropriate).  
All Saints' Church can only ask an individual about convictions and cautions that are not protected.
- 2) An application for a criminal record check is only submitted to DBS after a thorough risk assessment has indicated that one is both proportionate and relevant to the position concerned. For those positions where a criminal record check is identified as necessary, all application forms, job adverts and recruitment briefs will contain a statement that an application for a DBS certificate will be submitted in the event of the individual being offered the position.
- 3) At interview, or in a separate discussion, All Saints' Church, Walsoken will ensure that an open and measured discussion takes place about any offences or other matter that might be relevant to the position. Failure to reveal information that is directly relevant to the position sought, could lead to withdrawal of an offer of employment.
- 4) All Saints' Church, Walsoken undertakes to discuss any matter revealed on a DBS certificate with the individual seeking the position before withdrawing a conditional offer of employment.

### Forms

DBS (Nationwide form)

Confidential Declaration (Nationwide form)

# Ex Offenders Policy

## All Saints' Church – Walsoken

### Diagrams

None

### Appendices

None

For internal use only. While every effort has been made to ensure accuracy, this policy does not account for future judicial or church interpretation, decisions or any English legal changes that may alter its basis between revisions. All Saints' Church, Walsoken does not accept any liability resulting from the use of these policies by others. All decisions made based on these policies by others are at their own risk, and All Saints' Church, Walsoken disclaims any liability for losses incurred.