



### Basic Disclosure Guidance - Safer Recruitment v6.1

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#### 1. Introduction

Safer Recruitment processes are in place to promote safe churches for all. This means that Kirk Sessions, in consultation with their Safeguarding Panel, need to consider what roles within the church need additional recruitment checks.

People being recruited for positions that are considered 'Regulated Roles' as defined by the Disclosure (Scotland) Act 2020, need to make an application for PVG Scheme membership or equivalent. There is specific Guidance for PVG Scheme application to follow in these situations; however, there are some positions that are not considered as 'Regulated Roles' but may still require some additional recruitment checks.

In 2019, the General Assembly approved the following deliverance:

*Instruct Kirk Sessions to conduct Basic Disclosure checks on all individuals (regardless of their employment status) in their congregation in leadership roles and/or positions of trust, including but not limited to organists, church officers/caretakers and café workers, where their duties may involve contact with vulnerable groups as referred to in the Protection of Vulnerable Groups (Scotland) Act 2007.*

(Or equivalent in other jurisdictions)

#### 2. What is a Basic Disclosure Certificate?

A Basic Disclosure Certificate will show any unspent criminal convictions of the applicant. It is a lower level of Criminal Record check than PVG Scheme Membership. Unlike PVG Scheme membership, it is not an ongoing check and is only accurate on the date it is issued; therefore, a new application should be made **every two years**.

Anyone can apply for a Basic Disclosure Certificate.

### 3. What is a leadership role or position of trust?

As the titles suggest, such roles involve significant levels of trust and responsibility and, where these roles include interaction with children and/or protected adults, an application for a Basic Disclosure certificate should be made before the person starts work (paid or voluntary).

It is the responsibility of each Kirk Session to decide which roles within their congregation are identified as leadership roles or those with a position of trust. In making such decisions, the Kirk Session should consider the role/job description, the duties involved, the type of contact with vulnerable groups, the amount of access to vulnerable groups, the location/layout of the building, and the views of the Safeguarding Panel.

The following questions can help determine if a role requires a Basic Disclosure Certificate:

- Will the role involve contact with, or access to children and/or protected adults?
- Is applying for a Basic Disclosure check proportionate for this role?

If the answers are yes, a Basic Disclosure application should be made, and the person should not start work until the Safeguarding Coordinator has received the confirmation of Safeguarding Clearance letter.

Some examples of these roles include, but are not limited to, Organists, Church officers/Caretakers, Beadle and Café Workers. However, remember to consider what these people actually do in your congregation. What is considered as a role requiring a Basic Disclosure in one congregation may not be the same in another. There are some examples at the end of this Guidance to help.

Safeguarding Panel members MUST undergo additional Safer Recruitment checks and have a Basic Disclosure Certificate as a minimum requirement. If the Panel member is already a PVG Scheme member through the Church of Scotland Safeguarding Service, they do not need a Basic Disclosure Certificate.

### 4. What if a person already has a Basic Disclosure or PVG Scheme?

If someone already has a Basic Disclosure Certificate, in most cases, they will still have to make an application for a new Basic Disclosure Certificate. If the applicant wishes to discuss this, they should contact the Safeguarding Service.

If the person already has PVG Scheme membership through the Church of Scotland Safeguarding Service, they do not need to apply for a Basic Disclosure or be subjected to any other safer recruitment processes as their suitability has been determined through the PVG process. However, it is still important to discuss the job/role description with them to ensure they are aware of the expectations and boundaries.

If the person has PVG Scheme membership through another organisation, they must undergo the Basic Disclosure Safer Recruitment process with the Church of Scotland.

### 5. What about Safeguarding Training?

All workers in the Church of Scotland are encouraged to attend the Introductory Safeguarding Training Course; however, it is not mandatory for those not in a 'Regulated Role'. Anyone wishing to attend training should be directed to their Congregational Safeguarding Coordinator or Presbytery Safeguarding Contact for information. Details of course are also available on the Safeguarding Service webpages.

## 6. Cost of a Basic Disclosure Certificate

There is a cost for Basic Disclosure Certificates in both Scotland and England. For information of fees in Scotland, please go to the Disclosure Scotland pages of the Scottish Government Website: <https://www.mygov.scot/basic-disclosure>.

For information regarding fees in England and the Channel Islands, please go to the UK Government website: <https://www.gov.uk/request-copy-criminal-record>

Information on Overseas Criminal Record Check should be available through the website of the relevant Government. The Safeguarding Service can help to direct you to the correct place if you are unsure.

Applicant are responsible for paying fees. Kirk Sessions can consider reimbursing the fee if they wish to do so. The Safeguarding Service do not have a budget to support reimbursement of fees.

## 7. Safer Recruitment process for roles requiring a Basic Disclosure Certificate

	Task	Who is responsible?
1	Job/Role description is created or reviewed to ensure it is still covers the duties and responsibilities of the role – The Safeguarding Coordinator should always be consulted when a role requires safer recruitment checks to ensure the appropriate checks are applied for	Kirk Session – they may delegate this task but they are responsible for all work being carried out within the congregation.  SG coordinator must approve the references even if they have not personally made the requests.
2	Advertise role and receive applications – this does not need to be formal, it can be an announcement at worship that a group is looking for volunteers and the person approached the group leader to say they are interested – Applicant should be given a copy of the job/role description and should complete the application form to ensure we have all necessary details.	
3	Interview of candidates – the formality of this will depend on the role. It may be a formal panel interview or it may be a chat about the expectations of the role and how the skills/experience of the applicant mean they can fulfil the requirements of the role. SG Coordinator must be involved.	
4	Seek two references for the preferred candidate. One must be from someone who knows the person outwith the Church context and cannot be family	
5	Download Form SG25	Safeguarding Coordinator or Applicant
6	Read and sign the Basic Disclosure Certificate Agreement & Record Form SG25 section 1, and give it to the Safeguarding Coordinator.	Applicant
7	Complete section 2 of the Basic Disclosure Certificate Agreement & Record Form SG25	Safeguarding Coordinator
8	Submit Form SG25 to the Safeguarding Service	Safeguarding Coordinator
9	Notify applicant that Basic Disclosure can be applied for, as well as any relevant Overseas Criminal Record Check(s).	Safeguarding Service

10	If required, apply for an Overseas Criminal Record Check* – the Safeguarding Service will inform if this is required		Applicant
	<b>Scotland</b>	<b>England &amp; CI</b>	
11	Create a <a href="https://www.mygov.scot/scotaccount">ScotAccount</a> by visiting the Scottish Government Website <a href="https://www.mygov.scot/scotaccount">https://www.mygov.scot/scotaccount</a> (if the applicant does not already have one)	Not applicable	Applicant
12	Apply for a Basic Disclosure Certificate via the ScotAccount  When Disclosure Scotland have completed the check, they will send an email to the applicant	Complete Basic Disclosure application on <a href="#">DBS Webpages</a> .  When DBS has completed the check, they will send an email to the applicant which will include: <ul style="list-style-type: none"> <li>• Instruction on how to view the certificate</li> <li>• Instruction on how to share the certificate</li> <li>• A share code</li> </ul>	Applicant
13	On receipt of email from Disclosure Scotland, log into ScotAccount to view the certificate. <b>NB. The certificate is only available to view for 10 days</b> from the date of the email.	View the Basic Disclosure Certificate	Applicant
14	Give permission for the Safeguarding Service to see the Basic Disclosure Certificate by clicking on 'Share' when they have viewed their certificate.	Share the Basic Disclosure Certificate with Safeguarding Service	Applicant
15	'Share' details to be entered: <ul style="list-style-type: none"> <li>○ E-mail address: <a href="mailto:safeguarding@churchofscotland.org.uk">safeguarding@churchofscotland.org.uk</a></li> <li>○ Telephone Number: 07442 106363</li> </ul>	If the certificate is received in paper form, this should be sent to the Safeguarding Service using recorded delivery service that requires someone to sign for receipt. This will be returned to the applicant.	Applicant
16	Notify Safeguarding Coordinator of clearance decision		Safeguarding Service
17	If SG Clearance is approved, enter applicants details on the SG Register (SG07) and arrange start date. If Clearance is denied, inform applicant and Session Clerk or person responsible for recruiting the applicant (if not Session Clerk).		Safeguarding Coordinator

\* **Applicants who have lived overseas for 12 months or more, either continuously or in total, in the last 10 years requires to provide an Overseas Criminal Record check.** If this applies to an applicant, they should contact the Safeguarding Service for further information and guidance before making an application.

**Overseas congregations:** Complete steps 1 – 9 then contact the Safeguarding Service for advice before the applicant applies for Criminal Record Check. Omit steps 11 – 15, these are not applicable to

Overseas Congregations. When the certificate is received the applicant should send it to the Safeguarding Service. Steps 16 & 17 then apply.

## 8. Examples

Role	Situation	Basic Disclosure Required?
Church Officer	A church officer has access to the building/rooms where groups are being held. The church officer will also be in the church when children and protected adults are in the corridors, maybe on their way to the group or the toilet. A Basic Disclosure check is required.	Yes
Café Workers	A café worker who prepares food in the kitchen and they have no contact with vulnerable groups. A Basic Disclosure check is not required.	No
Café Workers	A café worker serves food to everyone in the café. A group for those with dementia and a parent and toddler group eat in the café. The café worker is working when these groups attend the café; they serve their food and are well known by those in the groups. The worker is not doing regulated work with the protected adults or children as they are not teaching, instructing or training and the workers/parents are present. However, the café worker has regular contact with and could have access to vulnerable groups due to the layout of the café/corridors/toilets. A Basic Disclosure check is required.	Yes

*Full details of all Safer Recruitment processes are available in our online Handbook.*

*If you have any further questions on this guidance, please contact the Church of Scotland Safeguarding Service.*