



Diocese Safeguarding Handbook



Section 2: Safer Recruitment

		Page No
2.1	Safer recruitment of staff and volunteers	1
2.2	Application form template	7
2.3	Pro-forma reference request for Protection Co-Ordinator	11
2.4	Reference request pro-forma - children	13
2.5	Reference request pro-forma – vulnerable adults	14
2.6	Job Description Template: working/volunteering with children	15
2.7	Job Description Template: working/volunteering with adults	16
2.8	Shortlisting and interview assessment template	17
2.9	Policy on the recruitment of ex-offenders	18
2.10	Review procedure	20
2.11	Appeal procedure	23
2.12	Policy on the secure handling, use, storage and retention of Disclosure information	26



2.1: SEC Safer Recruitment of Workers and Volunteers

“The single most effective point at which an organisation can use good management to minimise the possibility of abuse is when new paid staff or volunteers are appointed, although it is important to ensure that vigilance is maintained thereafter”. (1995 Smith: Protecting Children)

For those agencies whose job it is to protect children and vulnerable people, the harsh reality is that if a sufficiently devious person is determined to seek out opportunities to work their evil, no one can guarantee that they will be stopped. Our task is to make it as difficult as possible for them to succeed. (Lord Bichard 2004)

Safer recruitment practices are an essential part of the Scottish Episcopal Church’s approach to Safeguarding.

This policy and guidance set out recruitment practices for people working or volunteering with children and vulnerable adults. It is designed to assist with robust recruitment processes that help to minimise the risk of unsuitable people gaining access to children or vulnerable adults. The guidance addresses two key areas: the recruitment process and criminal records checks.

Appointments to positions of trust and responsibility that do not involve regulated work should follow the same robust recruitment process.

Step 1: Advertising - All posts regardless of whether paid or voluntary should be advertised. The advert should be concise and easily understood. It should contain a description of the role, the Church’s commitment to safer recruitment and an explicit statement about the Church’s commitment to safeguarding and promoting the welfare of vulnerable groups. If the post involves regulated work, the advertisement must state that the position is subject to satisfactory PVG Scheme disclosure.

It is up to the Vestry to decide how and where the post should be advertised. Clergy posts are usually advertised in the Church Times and on the Diocese & Provincial websites. Vacancies for volunteers are usually advertised within the church magazine, website and notice board. Volunteers are often known or recommended to the Vestry however, safer recruitment procedures must still be carried out.

Example Advertisements

St Elsewhere, This Road, Somewhere, AB1 2CD

Volunteers are required to work with children in the Sunday School each week.

Experience of working with children is an advantage.

Please see Jane Smith, (Safeguarding Co-ordinator) for further details.

Please note this post is considered Regulated Work with children under the Protection of Vulnerable Groups (Scotland) Act 2007. The successful applicants will be required to join the PVG scheme or undergo a PVG Scheme Update Check prior to working in the Sunday school.

St Somewhere, That Road, Elsewhere, CD2 1AB

Part-time paid youth worker is required for organizing and leading youth groups (11-18 year olds).

An SVQ level 3 qualification is essential. For further information, please contact the church office.

Please note this post is considered Regulated Work with children under the Protection of Vulnerable Groups (Scotland) Act 2007. The successful applicants will be required to join the PVG scheme or undergo a PVG Scheme Update Check prior to working in the Sunday school.



St Nowhere, Village Green, Rural Spot, WX1 2YZ

Volunteer are required to help with the weekly Dementia Support Group.

Applications from volunteers who could help with transporting group members would be most welcome.

Experience of working with adults with learning difficulties or dementia would be an advantage. Please contact Jane Brown (Safeguarding Coordinator) for further information.

Please note this post is considered Regulated Work with children under the Protection of Vulnerable Groups (Scotland) Act 2007. The successful applicants will be required to join the PVG scheme or undergo a PVG Scheme Update Check prior to working in the Sunday school.

Step 2: Role/Job Description

Regardless of whether the role is paid or voluntary all post holders should have a role/job description setting out the key areas of the job, number of hours, responsibilities, knowledge and /or qualifications needed and line management arrangements. Role descriptions often contain details of support and training for the post. Documents 2.3 and 2.4 can be customized to reflect the particular needs of the charge.

The role/job description should be completed by someone that has a thorough understanding of the responsibilities of the post(s) under review.

However, the PVG Co-ordinator should ensure that the post does have a description and that copies of the description are attached to the appropriate application form. For example, an organist that only plays the organ in church will not need to be a member of the PVG Scheme but an organist that is also responsible for the children's choir will need PVG Scheme membership.

People should be made aware of the requirements of the job before putting their names forward for consideration.

The role/job description should contain a statement about the SEC's commitment to safeguarding children and vulnerable adults.

Step 3: The Application Form



An application form **must** be completed by everyone that wishes to undertake a role within the Church: there are **no** exceptions to this.

Completing an application form can deter those who know that their practice is unsafe and may encourage those that wish to work for the church. Document 2.2 provides a template that can be customized by Vestry.

Step 4: References

Irrespective of how long someone has been a church member, two references must be requested for all new applicants. References should be from an individual who is not a relative of the applicant and, wherever possible, out-with of the local church community.

It is best practice to send the referee a copy of the role/job description with the reference request so that the referee has an idea of the role being applied for.



If a reference is not forthcoming, the PVG Coordinator should ask the applicant's permission to contact the referee or ask the applicant to provide details of another referee. The PVG Coordinator should follow-up all references with a phone call to confirm validity or clarify any aspect of the information provided.

NB: it is not unusual for a reference to simply confirm that a person has worked for an organisation with no opinion being given on the person's performance.

Step 5: Interview

The interview should be structured and address the competencies in the role/job description and the person specification (skill, knowledge, and experience). The purpose of the interview is to establish which candidate is the best "fit" for the role by:

- Helping the applicant to decide if the organization/role is right for them.
- Finding out about the applicant's interests, abilities and motivation.
- Ensuring the applicant has the required skills and experience and that these match the criteria for the role.
- Identifying the applicant's training and support needs
- Answering any questions or concerns that the applicant may have about the role or organisation.

At least one question should address the applicant's knowledge of safeguarding, whilst you wouldn't necessarily expect an applicant to be able to quote chapter and verse but, they should at least have an idea of what safeguarding could be.

An interview panel should have at least two people, ideally three. Each member of the panel should have a role to play, and one person should make notes whilst another is asking their questions: remember to explain this to the candidate. You may also want to include your PVG Co-Ordinator as they can talk the applicant through the PVG Scheme, DBS check, Basic Disclosure and overseas police check if appropriate.



In advance of the interviews, panel members should:

- Reach a consensus about the required standards for the post
- Consider the issues to be explored with each applicant and who will ask about these
- Agree the assessment criteria in accordance with the person specification, and
- Agree how a record of the assessment will be taken.

It is important that any gaps in someone's employment record and address any obvious areas of concern. The record will form part of the individual's recruitment file kept by the PVG Coordinator. You may also want to ask all applicants to bring documentation with them to the interview as copying the documents at this stage can save time later for the successful applicant. All documentation must be destroyed in line with the church's GDPR policy.

Remember that some applicant may ask for feedback if they are unsuccessful – agree which member of the panel will do this. Applications from unsuccessful candidates should be kept for an agreed length of time after the recruitment process is completed. This is sometimes useful if the successful candidate changes their mind or doesn't work out for whatever reason. Documents should not be retained indefinitely – three months is usually sufficient.



Remember that all appointments are subject to reference and PVG checks. The final recruitment decision, for applicants with conviction or non-conviction information on their PVG Scheme Record, rests with the Provincial Officer for the Protection of Children and Vulnerable Adults.



Different Types of Questions for Interviews

There are many different types of questions, and most can have their place in an interview. Types include:

- **Open questions** which encourage an open response and can be particularly useful at the beginning of an interview as they aid rapport and information gathering. These typically start with who, why, when, what and how. Examples would be “tell me about.....”, “why did you.....”, “what are your views on.....”.
- **Closed questions** can be used to provide specific information and elicit a yes or no response. This type of question can be used to restrict excessive talkers. They can also be used to check your understanding. Examples are “did you.....”, “have you.....”, “could you.....”.
- **Probing questions** help you to explore a topic in greater depth and clarify reasons and motivations behind the facts. An example would be “tell me more about.....”.
- **Hypothetical questions** can be put to all candidates regardless of whether they have been in the situation. However, the response will often be what they would like to think they would do, not what they have done. Even so, this can be useful in some situations. These questions typically start with “what would you do if.....”.
- **Competency-based questions** draw responses from the candidate’s behaviour in examples from their own experience. Done well, they can prove a great way of getting to know the candidate quickly. For example, asking them to give an example of where they have dealt with a difficult situation can give you evidence of how they deal with conflict, what tactics they use, how sensitive they are to other people’s perspectives, how focused they are on getting a result and so on. It is useful to agree these questions in advance with other members of the panel – usually based on the essential competencies required in the job description.

The following types of questions are best to be avoided in interviews:

- **Leading questions** these give the required answer in the way in which the question is constructed for example, “Wouldn’t you agree that.....”. In most situations these questions are unhelpful to all parties.
- **Loaded questions** these contain explicit assumptions. They are unhelpful and can damage rapport between parties. An example would be “So, what do you think about the stupid rules on.....”.
- **Multiple questions** where two or more questions are asked in the same breath. These tend to be confusing, and you usually only get the answer to the last part of it. Therefore, these are best avoided.
- **Discriminatory questions** it may sound obvious, but these should never be asked. Question can include:
 - Who looks after your children when you’re at work?
 - Are you planning a family?
 - How old are you?
 - Do you have any long-term illnesses or disability?
 - What religion are you?



Step 6: Criminal Records Check

The Church would normally expect to discuss any matter revealed in a Disclosure check with the subject of that Disclosure check before withdrawing a conditional offer of employment.

Having a criminal record will not necessarily debar a person from working with the Scottish Episcopal Church. This will depend on the nature of the position, together with the circumstances and background of the individual's offences.

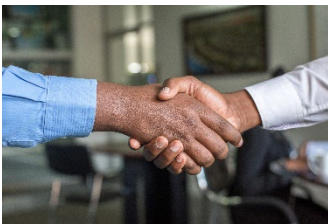
The Church's written policy on the recruitment of ex-offenders is available upon request to all applicants at the outset of the recruitment process.

Applicants for a regulated work post from overseas are required to join the PVG Scheme. They should prove their 'right to work' in the UK and be asked to provide a police check from their relevant country, where possible.

Step 7: Self-Disclosure Form

Any offer of a position involving should be subject to satisfactory references being received and followed up. For positions involving regulated work Satisfactory PVG Scheme Disclosure is a legal requirement and the final recruitment decision rests with the Provincial Officer for the Protection of Children and Vulnerable Adults. PVG applicants should complete a self-declaration form (see 6.1 in section 6) and seal it in an envelope. This is then sent to the Provincial Office with the PVG application. The Provincial Officer should be consulted if there are any safeguarding concerns about a person being appointed to a position of trust.

Step 8: Appointment



We all know that it can be tempting to get someone to start immediately however, workers should not be put into a post until they have been fully recruited, appropriate criminal records checks have been carried out and, a clearance e-mail from the Provincial PVG Co-Ordinator has been received or a Basic DBS check has been seen. Following this process protects the Vestry from any future problems that could arise from an inappropriate appointment.

Where a PVG Scheme Record has been completed the PVG Co-Ordinator will be notified via the Provincial PVG Co-Ordinator. Once this e-mail has been received, the person can start in the role. DBS Basic checks are sent to the applicant, and these should be seen by the PVG Co-Ordinator before the person starts.

All PVG Checks are issued on behalf of the SEC regardless of diocese and, are valid in all dioceses of the SEC so if someone is already working in the SEC and has a valid PVG check then this can be transferred to the role you are appointing to. It would be worthwhile letting the Provincial PGV Co-Ordinator know that the person has started working with you and in what capacity.

Please note that the post of PVG Co-Ordinator does not necessarily trigger a PVG check. If you are appointing to this role, you must send all of the documentation including references to the Diocese Protection Office who will in turn ask the Bishop to approve the appointment. **NB: The person appointed cannot take up the role before the Bishop has approved the appointment.**



Step 9: Induction, Training, Probation and Supervision

Induction – On taking up the role, the candidate should be given a proper induction, including an explanation of the Church’s Child/Vulnerable Adult Protection Policies. The induction can happen over a period of time and include the people that the person will be working with on a regular basis. It should cover basic health and safety arrangements, lone worker arrangements (if applicable) and the code of conduct. All new workers and volunteers should receive copies of the SEC Safeguarding cards and have a safeguarding awareness talk with the PVG Co-Ordinator. They should sign the induction checklist (see Section 6, document 6.2) to confirm that they understand their Safeguarding responsibilities and a review date should be scheduled.

Training - All new workers should receive initial training appropriate to the job, with on-going training and support on a regular basis.

Probation - Newly appointed staff and volunteers should complete an appropriate probationary period.

Supervision - All staff and volunteers should be supervised, and their performance appraised. This should include ongoing suitability for the role. The Provincial Officer must be advised of concerns about the suitability of any person doing regulated work or in a position of trust with the SEC. Workers should have a named person to whom they can report any concerns.



2.2 Application Form Template (Can be customized for the charge use)

SCOTTISH EPISCOPAL CHURCH

APPLICATION FORM FOR NEW WORKERS AND VOLUNTEERS

CONFIDENTIAL

The Vestry is responsible for the appointment of all volunteers and paid employees. Applicants should fill in a copy of this form which should be retained by the PVG Co-ordinator. The form is confidential and will be seen only by the Co-ordinator, the Rector/Priest-in-Charge and other panel members if invited to interview.

Applicant Details

Church

Application Details

Application is to work with: Please tick relevant box or boxes

Children	
Vulnerable Adults	

Position(s) Applied for: _____

Full Name		
Name at Birth and any other names you have been known by	Name	From & To
Date of Birth		Place of Birth

Contact Information

Email Address		Preferred (please tick)
Phone: Home		
Phone: Mobile		



Home Address	From	To
If less than 12 months, please give previous addresses		

Church attended during this time (if any)

Name of Rector/Priest in Charge

Please give details of any role(s) you undertook at this church

Thinking about this application, please give details of previous experience in this type of work (No more than 500 words)

What qualities do you feel make you suited for the role(s) you will be taking on? (No more than 500 words)

Please give details of any relevant qualifications or appropriate training

Course Title	Provider	Dates



References

Please give the name, address, telephone number, email and position or relationship of two people, ideally out-with the church that know you well.

Name, Address and contact details	Name, address and contact details
How does this person know you?	How does this person know you?

Declaration: Delete as applicable

I agree to apply for PVG Disclosure (Criminal Record Check) if required. The contents of the Disclosure will need to satisfy the Provincial Officer that I am not unsuitable for the post.

I understand that the Scottish Episcopal Church has a Policy on the Recruitment of Ex-Offenders and is entitled to ask 'exempted questions' - see below*.

I understand that I will have a right to appeal against the contents of the Disclosure and any decision made.

I agree to completing the 'Caring for the Vulnerable Declaration'.

I consent to the processing of the information on this Form and any other document which I may have provided or completed or which referees may have provided about me in connection with working in the Scottish Episcopal Church to enable the Church to operate its Protection Policies.

Signed

Date

*Because of the nature of the work for which I am applying, this post is exempt from the provisions of Section 4(ii) of the Rehabilitation of Offenders Act, 1974 (Exemptions) Order 1975.



Applicants Name: _____

Post(s) Applied For: _____

For Co-ordinator use only

Has the applicant provided appropriate ID documents: YES / NO

Document 1: _____

Document 2: _____

Document 3: _____

Has the applicant completed a a PVG application (if necessary), signed a Job Description and Declaration form?

YES / NO

Are overseas checks required?

YES / NO

Have references been received and verified?

Referee 1	Verified by: Name; Date: Areas of concern? YES / NO
Referee 2	Verified by: Name; Date: Areas of concern? YES / NO
What training is now required?	



2.3 PRO FORMA REFERENCE REQUEST FOR PROTECTION CO-ORDINATOR

Name and address of Church

The following person has volunteered to be the Child/Adult* Protection Coordinator for _____ Church (*add name of Church*) and this has been approved by the Vestry.

Name:	
Address:	

The role of the co-ordinator is to:

- Facilitate and promote the dissemination of information on risk management and the protection of children, young people and vulnerable adults from harm or abuse.
- Advise on and facilitate training opportunities for all those engaged directly or indirectly in work with children, young people and vulnerable adults.
- Facilitate recruitment and checking procedures as required in respect of potential volunteers, including countersigning applications for PVG Scheme membership.
- Be available to leaders and other adults associated with the congregation who may wish to express concerns relating to persons or procedures.
- Monitor on behalf of the Vestry the continuing implementation of the Code of Good Practice by all groups or organisations under the jurisdiction of the Vestry.
- To receive reports of any harm or abuse of children, young people or vulnerable adults and to be responsible for liaison with the police or other authorities in any further action taken.

The role of the Co-ordinator is one of responsibility and sensitivity and should be occupied by someone of competence, maturity and experience who is respected and trusted by others.

Your name has been provided as a referee and we would be grateful if you would comment on the suitability of *name* for the role outlined.

Thank you for your assistance in this matter.

Yours faithfully



Applicants Name: _____

Your Name:	Contact Number:
In what capacity do you know this person?	
How long have you known or employed this person?	_____ Years
Do you know of any reason why this person should not be appointed to this role?	Please Circle: NO YES If yes, we will contact you for more information

Signed:

Dated:

Please reply to: **Add name and address of contact**



2.4 Reference Request pro-forma (Children)

**SCOTTISH EPISCOPAL CHURCH
 SAFEGUARDING CHILDREN AND YOUNG PEOPLE IN THE CHURCH
 REFERENCE REQUEST FOR VOLUNTEER/PAID WORKER**

First Names

Surname

The above person has expressed an interest in becoming a volunteer (or applied for a paid position) and has given your name as a referee. This post involves working with children/young people under the age of 18. We would appreciate you completing the reference request below and returning it as soon as possible.

As part of our safer recruitment policy, we will contact you after your reference has been received to validate the information.

Thank you for your help.

Name:

Position:

Name of Church:

Email:

Telephone:

Your Name:	Contact Number:
In what capacity do you know this person?	
How long have you known or employed this person?	_____ Years
Do you know of any reason why this person should not work in a "position of trust" with young people or children?	Please Circle: NO YES If yes, we will contact you for more information

Signed:

Dated:



2.5 Reference Request pro-forma (Vulnerable Adults)

SCOTTISH EPISCOPAL CHURCH SAFEGUARDING VULNERABLE ADULTS IN THE CHURCH REFERENCE REQUEST FOR VOLUNTEER/PAID WORKER

First Names

Surname

The above person has expressed an interest in becoming a volunteer (or applied for a paid position) and has given your name as a referee. This post involves working with vulnerable people. We would appreciate you completing the reference request below and returning it as soon as possible.

As part of our safer recruitment policy, we will contact you after your reference has been received to validate the information.

Thank you for your help.

Name:

Position:

Name of Church:

Email:

Telephone:

Your Name:	Contact Number:
In what capacity do you know this person?	
How long have you known or employed this person?	_____ Years
Do you know of any reason why this person should not work in a "position of trust" with vulnerable people?	Please Circle: NO YES If yes, we will contact you for more information

Signed:

Dated:



2.6 Job Description Template: Working/volunteering with Children

Can be tailored to the specific need of the role/charge

**SCOTTISH EPISCOPAL CHURCH
JOB DESCRIPTION AND DECLARATION FOR WORKERS/VOUNTEERS
WITH CHILDREN**

This form should be completed for all workers and volunteers. If the role changes substantially a new form should be completed. Copies should be retained by the worker, the Rector/Priest-in-Charge and the Co-ordinator appointed by the Vestry.

Church:

TO BE COMPLETED ON BEHALF OF THE VESTRY

Name of Worker:
Name of Group (eg Sunday School):
Where/when the group meet:
Age Range:
Person to whom responsible (eg Youth Group Leader):
Work to be undertaken:
Signed: (on behalf of the Vestry)

TO BE COMPLETED BY THE WORKER /VOLUNTEER WITH CHILDREN / YOUNG PEOPLE

I understand the nature of the work I am to do with children/young people. I have received and read a copy of the Summary of Good Practice card and the booklet Safeguarding Children and Young People in the Church.

Signed:	Dated:
----------------	---------------



2.7 Job Description Template: Working/volunteering with Vulnerable Adults Can be tailored to the specific needs of the role/charge

SCOTTISH EPISCOPAL CHURCH

JOB DESCRIPTION AND DECLARATION FOR WORKERS WITH VULNERABLE ADULTS

This form should be completed for all workers. If the role changes substantially a new form should be completed. Copies should be retained by the worker, the Rector/Priest-in-Charge and the Co-ordinator appointed by the Vestry.

Church:

TO BE COMPLETED ON BEHALF OF THE VESTRY

Name of Worker:
Job Title:
Location of Work : (eg hospital, nursing home, home visits)
Authorisation for Home Communion: Yes N/A
Supervisor:
Work to be undertaken:
Signed: <i>(on behalf of the Vestry)</i>

TO BE COMPLETED BY THE WORKER /VOLUNTEER

I understand the nature of the work I am to do with vulnerable people. I have read and have a copy of the booklet *Protecting Vulnerable Adults* produced by the Scottish Episcopal Church.

Signed

Signed:	Date:
----------------	--------------



2.8 Shortlisting Form & Interview Assessment Templates

Name	Qualifications	Principal Duties & responsibilities	Essential Skills	Experience	Total		
					A	B	C

Rating Scale:

A = Meets requirements

B = Partly meets requirements

C = Does not meet the requirements

Interview Assessment

	Candidate 1	Candidate 2	Candidate 3	Candidate 4
Qualifications				
Duties/Responsibilities				
Essential Skills				
Experience				
Question 1				
Question 2				
Question 3				
Question 4				
Question 5				
Question 6				

Rating Scale

1 = Does not meet requirement

3 = Partly meets requirement

5 = Fully meets requirement



2.9 Policy on Recruitment of Ex Offenders

The Scottish Episcopal Church complies fully with the Code of Practice, issued by Scottish Ministers, in connection with the use of information provided to registered persons and other recipients of information by Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for undertaking regulated work. The Church undertakes to treat all applicants for positions fairly and not to discriminate unfairly against the subject on the basis of conviction or other information revealed.

The Scottish Episcopal Church will use a Disclosure Scotland check only where this is considered proportionate and relevant to the particular position or type of regulated work. This will be based on a thorough risk assessment of that position or work. Where a Disclosure check is deemed necessary for a post or position, the Church will endeavour to ensure that all applications forms, job adverts and any other appropriate literature contain a statement that a Disclosure check will be requested in the event of the individual being offered the position.

The Church would normally expect to discuss any matter revealed in a Disclosure check with the subject of that Disclosure check before withdrawing a conditional offer of employment.

[Having a criminal record will not necessarily debar a person from working with the Scottish Episcopal Church. This will depend on the nature of the position, together with the circumstances and background of the individual's offences.](#)

The Church's written policy on the recruitment of ex-offenders is available upon request to all applicants at the outset of the recruitment process.

Explanatory Note:-

Part V of the Police Act 1997 and the Protection of Vulnerable Groups (PVG) Scheme are aimed at helping employers and other organisations assess the suitability of applicants for particular posts and to make safer recruitment decisions in relation to regulated work through proportionate access to criminal record information. The PVG Scheme provides for the issue of criminal conviction and relevant vetting information and this information is provided by Disclosure Scotland.

The 1997 Act provides for a Code of Practice to be published by Ministers governing the use of all information issued in respect of Disclosure checks. The Code requires all recipients of such Disclosure information to comply with the Code and to use that information properly and fairly. Where conviction or other information is revealed as part of the Disclosure or PVG process, that information must not be used to unfairly discriminate against individuals when considering them for positions.



Diocese of Edinburgh
Scottish Episcopal Church

Employers and others who make use of the PVG Scheme are expected to have a written policy on the recruitment of such individuals, which can be given to applicants for positions where a Disclosure check is requested.



2.10 Process for Review or Appeal Against a Decision to Not Recruit

In the event of the Provincial Officer deciding that a person is not suitable to do regulated work for the Church, the person may request a formal review of the decision. If after the review process the person remains dissatisfied, a formal appeal process may be initiated.

Note:

The address of the Clerk to the Appeals Committee is Shepherd and Wedderburn LLP, 1 Exchange Crescent, Conference square, Edinburgh EH7 4BQ .

The address of the Secretary General is General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5EE.

Introduction

In these Procedures

- ‘applicant’ **either** means a person who has applied to be appointed to a post within the Scottish Episcopal Church involving working with or having access to children or vulnerable adults **or** it means a person who already holds a post within the Scottish Episcopal Church and has submitted an application to Disclosure Scotland in terms of Part V of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007;
- ‘Church’ means the Scottish Episcopal Church;
- ‘Canon 65’ means Canon 65 of the Church, which Canon is concerned with the Protection of Children and Vulnerable Adults;
- ‘Clerk to the Appeals Committee’ means the person acting as the Clerk to the Provincial Appeals Committee of the Church;
- ‘PO’ means the Provincial Officer for the Protection of Children and Vulnerable adults or the Acting Provincial Officer;
- ‘Secretary General’ means the Secretary General of the General Synod of the Scottish Episcopal Church.

These review procedures are designed to cover two situations:

- I. **When there is an application to a post within the Church**
 - An applicant has applied to be appointed to a post within the Church involving working with or having access to children or vulnerable adults; and
 - As part of the application, the applicant has submitted an application to Disclosure Scotland in terms of Part V of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007; and
 - The applicant has been informed by the PO that the PO has decided that the applicant is not regarded as suitable to be appointed to the post applied for.



II. When the applicant already holds a post within the Church

- The applicant already holds a post within the Church involving working with or having access to children or vulnerable adults; and
- The applicant has submitted an application to Disclosure Scotland in terms of Part V of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007; and
- The applicant has been informed by the PO that, following upon the disclosure supplied by Disclosure Scotland, the PO has decided that the applicant is not regarded as suitable to continue to hold his or her post.

In either of these circumstances, the applicant may:

- either request in writing a review of the decision of the PO; and, if the applicant is not satisfied with this, appeal against the decision of the PO;
- or appeal against the decision of the PO without seeking a review.

The Review Procedures are laid out below. The Appeals Procedures are set out in a separate document, ***Appeals Procedures Following Criminal Records Checks***.

Any review and/or appeal shall be concerned with the fairness and reasonableness of the decision in all the circumstances of the case, and whether it was made in keeping with relevant Church policies concerning the protection of children, young people and vulnerable adults.

Any disagreement about the contents of the disclosure information itself cannot be the subject of a review under these procedures or of an appeal. Such a disagreement requires to be taken up by the applicant directly with Disclosure Scotland, through the separate provisions established by that body.

Review Procedures

Note: When written notice of a decision that the applicant is not suitable is received by the applicant, he or she may contact the PO by telephone or letter for an informal discussion. It is hoped that most concerns can be resolved by such discussion. In the event that discussions extend beyond the 28 day period mentioned in paragraph 1 below, the Secretary General may extend that period on application from the applicant. The PO shall keep a written record of these discussions and any agreement reached.



1. Where an applicant receives written notice that the PO has decided that he or she is not suitable, he or she may request in writing a review of that decision. The written request must be received by the Secretary General within 28 working days of the date of posting by recorded delivery of the written notice of the PO's decision. Such a written request should be addressed to the Secretary General at the General Synod Office and marked 'Confidential'.
2. The Secretary General shall acknowledge the written request in writing within 7 days of receipt and shall also send a copy of the request to the PO within 3 days of receipt.
3. The PO shall reconsider the decision complained of, and shall make a further decision. Within 28 working days of the sending of the copy request to the PO, subject to paragraph 4, the PO shall send by first class recorded delivery post to the applicant a written statement of the reasons for the further decision, taking into account any representations that have been made. The PO shall also send a copy of the statement of reasons to the Secretary General.
4. The PO may extend the period mentioned in paragraph 3 beyond 28 days if he or she is awaiting further information whether from a third party or otherwise.
5. Where the applicant has used these Review Procedures, the date of the PO's decision for the purposes of Section 7 of Canon 65 shall be the date of the posting of the statement of reasons referred to in paragraph 3 above.
6. If the applicant remains dissatisfied with the decision of the PO after these Review Procedures, he or she may use the Appeal Procedures set out in the document ***Appeals Procedures Following Criminal Records Checks***.



2.11 SCOTTISH EPISCOPAL CHURCH APPEALS PROCEDURES FOLLOWING CRIMINAL RECORDS CHECKS

Note:

The address of the Clerk to the Appeals Committee is Shepherd and Wedderburn LLP, 1 Exchange Crescent, Conference Square, Edinburgh EH7 4BQ.

The address of the Secretary General is General Synod Office, 21 Grosvenor Crescent, Edinburgh EH12 5EE.

Introduction

In these Procedures

- ‘applicant’ **either** means a person who has applied to be appointed to a post within the Scottish Episcopal Church involving working with or having access to children or vulnerable adults **or** it means a person who already holds such a post within the Scottish Episcopal Church and has submitted an application to Disclosure Scotland in terms of Part V of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007;
- ‘Church’ means the Scottish Episcopal Church;
- ‘Canon 65’ means Canon 65 of the Church, which Canon is concerned with the Protection of Children and Vulnerable Adults;
- ‘Clerk to the Appeals Committee’ means the person acting as the Clerk to the Provincial Appeals Committee of the Church;
- ‘PO’ means the Provincial Officer for the Protection of Children and Vulnerable Adults or the Acting Provincial Officer;
- ‘Secretary General’ means the Secretary General of the General Synod of the Scottish Episcopal Church. These appeal procedures are designed to cover two situations:

I. When there is an application to a post within the Church

- An applicant has applied to be appointed to a post within the Church involving working with or having access to children or vulnerable adults; and
- As part of the application, the applicant has submitted an application to Disclosure Scotland in terms of Part V of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007; and
- The applicant has been informed by the PO that the PO has decided that the applicant is not regarded as suitable to be appointed to the post applied for.

III. When the applicant already holds a post within the Church

- The applicant already holds a post within the Church involving working with or having access to children or vulnerable adults; and
- The applicant has submitted an application to Disclosure Scotland in terms of Part V of the Police Act 1997 and the Protection of Vulnerable Groups (Scotland) Act 2007; and
- The applicant has been informed by the PO that the PO has decided that the applicant is not regarded as suitable to continue to hold his or her post.

In either of these circumstances, the applicant may

- **either** request in writing a review of the decision of the PO; **and, if the applicant is not satisfied with this,** appeal against the decision of the PO;
- **or** appeal against the decision of the PO without seeking a review.

The Appeal Procedures are laid out below. The Review Procedures are set out in a separate document, ***Review Procedures Following Criminal Records Checks***.

Any appeal shall be concerned with the fairness and reasonableness of the decision in all the circumstances of the case, and whether it was made in keeping with relevant Church policies concerning the protection of children, young people or vulnerable adults.

Any disagreement about the contents of the disclosure information itself cannot be the subject of an appeal under these procedures. Any such disagreement requires to be taken up by the applicant directly with Disclosure Scotland, through the separate provisions established by that body.

Appeals Procedures

1. Where the applicant is dissatisfied with the PO's decision, he or she shall be entitled to appeal formally against the decision. An appeal must be initiated by the applicant in writing, giving the applicant's reasons for the appeal. The written appeal shall be intimated to the Secretary General for and on behalf of the Clerk to the Appeals Committee and marked 'Confidential'.



2. Where the applicant has used the Review Procedures set out in the document **Review Procedures Following Criminal Records Checks**, the written appeal must be received by the Secretary General within 21 working days of the date of posting by recorded delivery of the statement of reasons by the PO referred to in paragraph 3 of that Review Procedure. The date of posting shall be treated as the date of the PO's decision for the purposes of Section 7 of Canon 65.
3. Where the applicant has not used the Review Procedures, the written appeal must be received within 21 days of the date of posting of the written notice of the decision by the PO that the applicant is not suitable for appointment or to continue to hold the existing appointment. The date of posting of that written notice shall be treated as the date of the PO's decision for the purposes of Section 7 of Canon 65 where the Review Procedures have not been used.
4. Each appeal shall be given a case number.
5. The appeal hearing shall be undertaken by The Appeals Committee comprising three persons selected by the Clerk to the Appeals Committee from the Provincial Appeals Committee previously appointed by the Standing Committee of the General Synod. The Chair of the Panel shall be legally qualified and the Panel shall comprise a mixture of male and female members. Submissions to the Panel may be by way of oral or written submissions and subject to Rule 9 of the Rules of the Provincial Appeals Committee for the Protection of Children and Vulnerable Adults ("the Rules") the Panel may determine the appeal on the basis of written submissions without the need for a hearing.
6. Having due regard to the need to ensure independent scrutiny of any appeal, none of the Provincial Appeals Committee shall be current employees of any of the employing agencies of the Church nor shall they be current members of the Church's Provincial Committee.
7. The Rules will govern proceedings and hearings before the Provincial Appeals Committee for the Protection of Children and Vulnerable Adults of the Scottish Episcopal Church.



2.12 POLICY ON THE SECURE HANDLING, USE, STORAGE AND RETENTION OF DISCLOSURE INFORMATION

Part V of the Police Act 1997 and the Protection of Vulnerable Groups (PVG) Scheme are aimed at helping employers and other organisations assess the suitability of applicants for particular posts and to make safer recruitment decisions in relation to regulated work by providing proportionate access to criminal record information. The PVG Scheme provides for the issue of criminal conviction and relevant vetting information and this information is provided by Disclosure Scotland.

The 1997 Act also provides for a Code of Practice to be published by Ministers governing the use of all information issued in respect of Disclosure checks. The Code requires all recipients of such Disclosure information to comply with the Code and to handle store and dispose of that information appropriately. Registered Bodies are required to have a written policy on the handling, holding storage and retention of Disclosure and PVG information, and to ensure that any body or individual, at whose request applications for Disclosure checks are countersigned, has such a written policy. The following is the policy of the General Synod.

General Principles

The General Synod of the Scottish Episcopal Church complies fully with the Code of Practice, issued by Scottish Ministers, regarding the correct handling, holding storage, destruction and retention of disclosure information provided by Disclosure Scotland for the purposes of assessing applicants' suitability for regulated work. It also complies fully with the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of disclosure information and has adopted this written policy on these matters. This policy is available to anyone who wishes to see it on request.

Usage

The General Synod of the Scottish Episcopal Church uses disclosure information only for the purpose for which it has been provided.

Handling

The General Synod of the Scottish Episcopal Church recognises that it is a criminal offence to disclose disclosure information to any unauthorised person. The Church will, therefore, only pass disclosure information to those who are authorised to see it in the course of their duties. The Church will not disclose information provided under section 113B(5) of the Act, namely information which is not included in the disclosure certificate, to the applicant.

Access and Storage

The General Synod of the Scottish Episcopal Church does not keep disclosure information on an individual's personnel file. It is kept securely, in lockable, non-portable storage containers. Access to storage units is strictly controlled to authorised and named individuals, who are entitled to see such information in the course of their duties.



Retention

To comply with the 1998 Act, the General Synod of the Scottish Episcopal Church does not keep disclosure information for longer than necessary after a recruitment (or any other relevant) decision has been taken. In general, for the 1997 Act, this is no longer than six months from the date the relevant decision has been taken, allowing for the resolution of any disputes or complaints. For the 2007 Act, this will be the date an individual ceases to do regulated work for this organisation. The Church will not retain any paper or electronic image of the disclosure information. The Church will, however, record the date of issue, the individual's name, the disclosure type and the purpose for which it was requested, the unique reference number of the disclosure and details of its decision. The same conditions relating to secure storage and access apply irrespective of the period of retention.

Disposal

The General Synod of the Scottish Episcopal Church will ensure that disclosure information is destroyed in a secure manner i.e. by shredding, pulping or burning. The Church will ensure that disclosure information which is awaiting destruction will not be kept in any insecure receptacle (e.g. a waste bin or unlocked desk/cabinet).