

### **Positive or blemished DBS disclosures procedure**

Only about 1% of Disclosure and Barring Service (DBS) checks come back with offences or other relevant matters recorded on them. These are termed 'positive' or 'blemished' disclosures. The procedure when this occurs is as follows:

#### **Parishes which use CPPAS as their registered body**

CPPAS advise the DSA that a positive disclosure has been issued.

The Diocesan Safeguarding Adviser (DSA) will :

- Log the notification and set up a case folder.
- Contact the applicant and ask for the DBS certificate to be supplied. (A scan or photocopy is usually acceptable.) She will ask for this to be supplied within two weeks.
- Contact the parish recruiter to explain that the applicant should not take up the role, or work only under supervision, until the issue has been resolved.

On receiving the DBS certificate, the DSA will consider whether the policy on *Disregards of old or minor offences* applies. If it does, the DSA will advise the applicant and the recruiter that the application can proceed. If it does not, the DSA will contact the recruiter and ask for the applicant to be interviewed and a report sent in. She will provide the recruiter with the *Information sheet on positive DBS checks* available.

On receipt of the parish report, the DSA will consider the risk, complete a risk assessment and also seek advice from at least one other person qualified to make these assessments. This should be someone independent of the diocese and could be the Independent Chair of the Diocesan Safeguarding Advisory Panel or the person commissioned to provide professional supervision to the Diocesan Safeguarding Adviser.

The DSA will contact the recruiter and the applicant with the outcome of the risk assessment. This will take the form of a recommendation of:

- no obstacle to the appointment;
- recommended with a condition/s, which must be specified; or
- not recommended.

It is for the parish to decide whether to accept the recommendation and make the appointment.

If the applicant has received a recommendation with a condition or has not been recommended, it is open to them to appeal the recommendation. Note, however, that the decision on appointment lies with the parish.

On completion of the process the DSA will complete the summary sheet, complete the log and check that all communications about the application have been saved to the case folder. The DSA will also return the original of the DBS disclosure to the applicant or destroy any copy which has been provided.

**Applicants who do not provide their DBS certificate**

If the applicant does not provide their DBS certificate within two weeks, the DSA will give one reminder. This will include a warning that if it is not received within a further two weeks the application will be closed and the recruiter will be advised that no recommendation can be made because the applicant did not provide their certificate.

**Parishes which do not use CPPAS as their registered body**

The Recruiter needs to make their own arrangement with their registered body to be notified of clear or blemished disclosures or ensure that all applicants produce their disclosure before taking up the role.

If the DBS disclosure is blemished or positive, The Recruiter must then advise the DSA who will proceed as above.

**Clergy and LLM applications**

Consult the DSA straightaway as soon as it is known that a DBS disclosure is positive or blemished, or that it is likely to be, from a Confidential Declaration or personal disclosure. The DSA will seek a report or interview the applicant, consult a panel and provide a recommendation. The decision on ordination, licensing or granting PTO lies with the bishop.

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