

Procedure for the Processing and Recording of Blemished Disclosures by the Baptist Union of Great Britain Safeguarding Team

Background

The implementation of the Data Protection Act 2018 on 25th May 2018 has required us to review the procedures we have in place for processing sensitive personal data, including DBS checks.

Clear DBS certificates

The application stage for DBS checks is completed by individual churches, regional associations and colleges. The information is processed and submitted to the Disclosure and Barring Service by DDC on behalf of the Baptist Union. The DBS send the DBS certificates directly to the individual applicants and they are not seen or assessed by the church, DDC or the Baptist Union at this stage. If the DBS certificate is clear then the Baptist Union Safeguarding Team do not have any involvement with processing of the data and storage of information contained in the certificate.

Blemished Disclosures

If the DBS Certificate has content on it (convictions or other police information) then we follow the steps below:

1. DDC request that the applicant sends in the certificate along with a photocopy to them. This is because, although the DBS notify DDC that there is a blemish on the certificate they do not disclose the nature of this information.
2. DDC contact the applicant to request that they send the DBS Certificate and a photocopy to them. Included with this request is a DBS Review Form. DDC request that this form is completed and returned to them with the DBS certificate and the photocopy of the certificate.
3. Having confirmed that the photocopy and the certificate match DDC forward the photocopy of the DBS Certificate and the Review Form to the Baptist Union Safeguarding Team for risk assessment and review. The original certificate is then returned to the applicant by DDC.

DDC do not assess any of the information included on the DBS certificate and review form but simply act as an agent to forward the information to the Safeguarding Team.
4. The national safeguarding team will follow their own agreed process to review and assess the DBS information received.
5. Following a review of the DBS certificate the Baptist Union will notify DDC that the process is complete, and they will confirm with the DBS verifier that the Certificate has been received by the applicant.

Record Retention and Data Protection

Data Protection legislation prevents the Baptist Union from keeping any information about criminal convictions. On this basis once we have completed our risk assessment we will destroy the DBS certificate and DBS Review Form. The only document that we retain is a record of our conclusion in

electronic form – this does not include any information about the convictions or concerns contained on the DBS Certificate.

There may be exceptions to this where the DBS certificate and risk assessment indicate a significant risk of harm and further safeguarding action is required. If this is the case then all information will be retained in line with our Safeguarding Record-Keeping Policy.

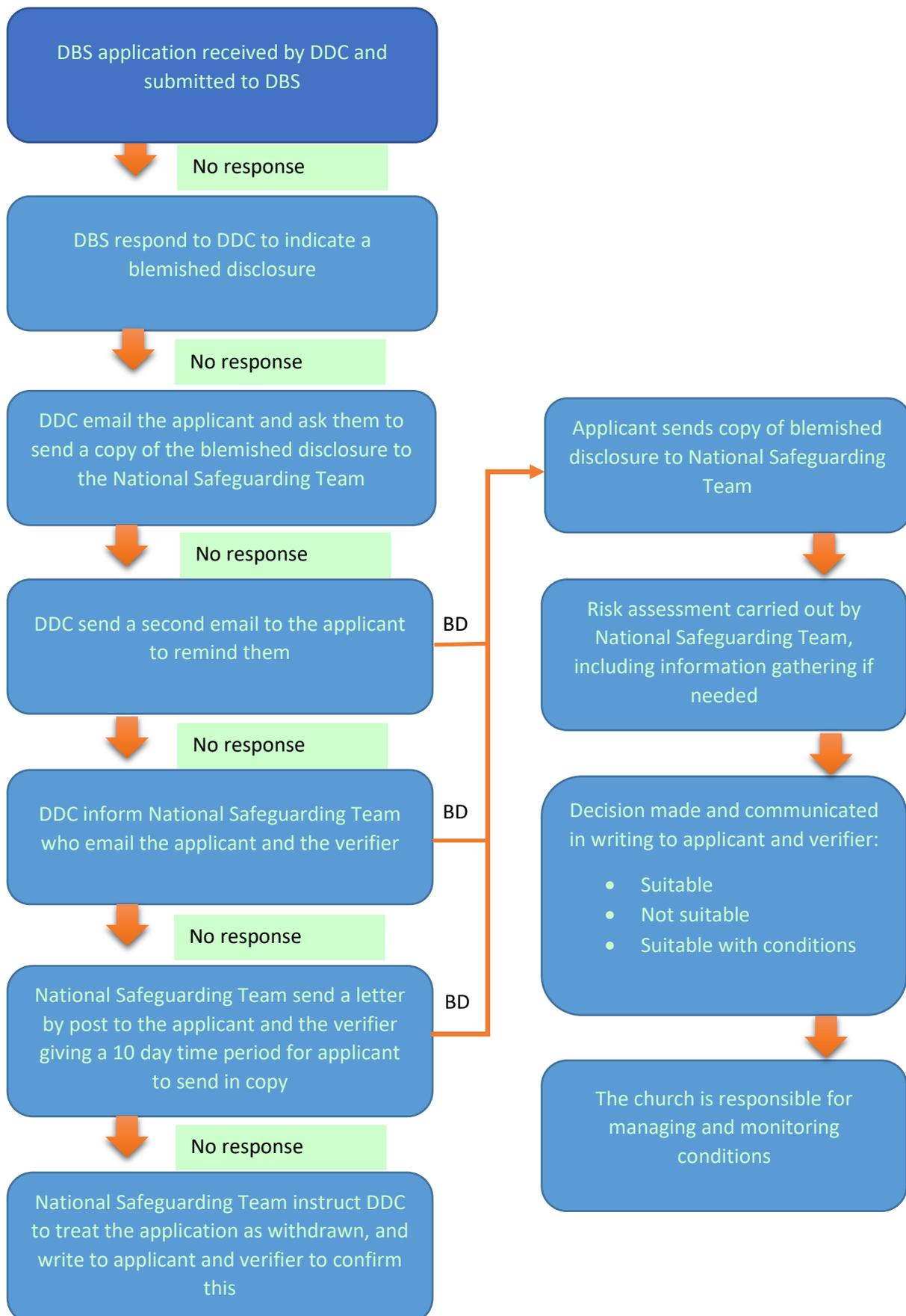
Information Sharing with the DBS Verifier and other Church Office Holders

In most incidents there will be no communication directly with the church about the contents of the DBS certificate. However, there will be occasions when it will be necessary for contact with the church to be made so we can complete a risk assessment. This will be because we have questions over the role that the applicant has in the church, if we consider that there is an increased support need for the applicant or where the information on the DBS Certificate indicates that they may present a safeguarding risk if no intervention is taken with the church. On these occasions we aim to speak to the Minister or the Designated Person for Safeguarding rather than the DBS Verifier.

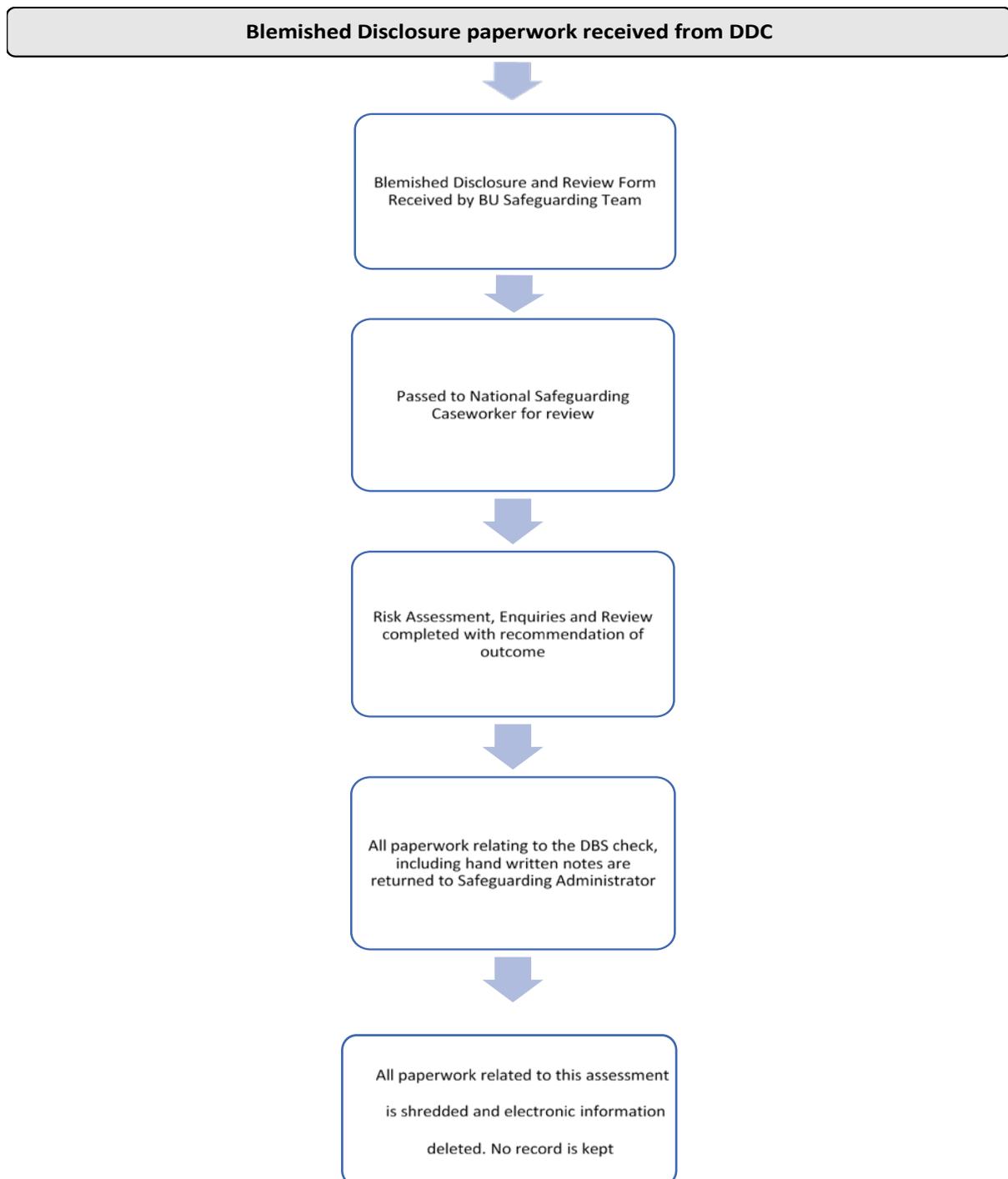
When a DBS risk assessment has been completed we will only make contact directly with the church if:

- we have specific recommendations about additional safeguards that should be put in place if the applicant is to take up their role in the church (for example they must be supervised, or they should not drive for the church)
- we consider that the applicant's convictions present such a high risk that we do not consider it safe for them to take up their role in the church

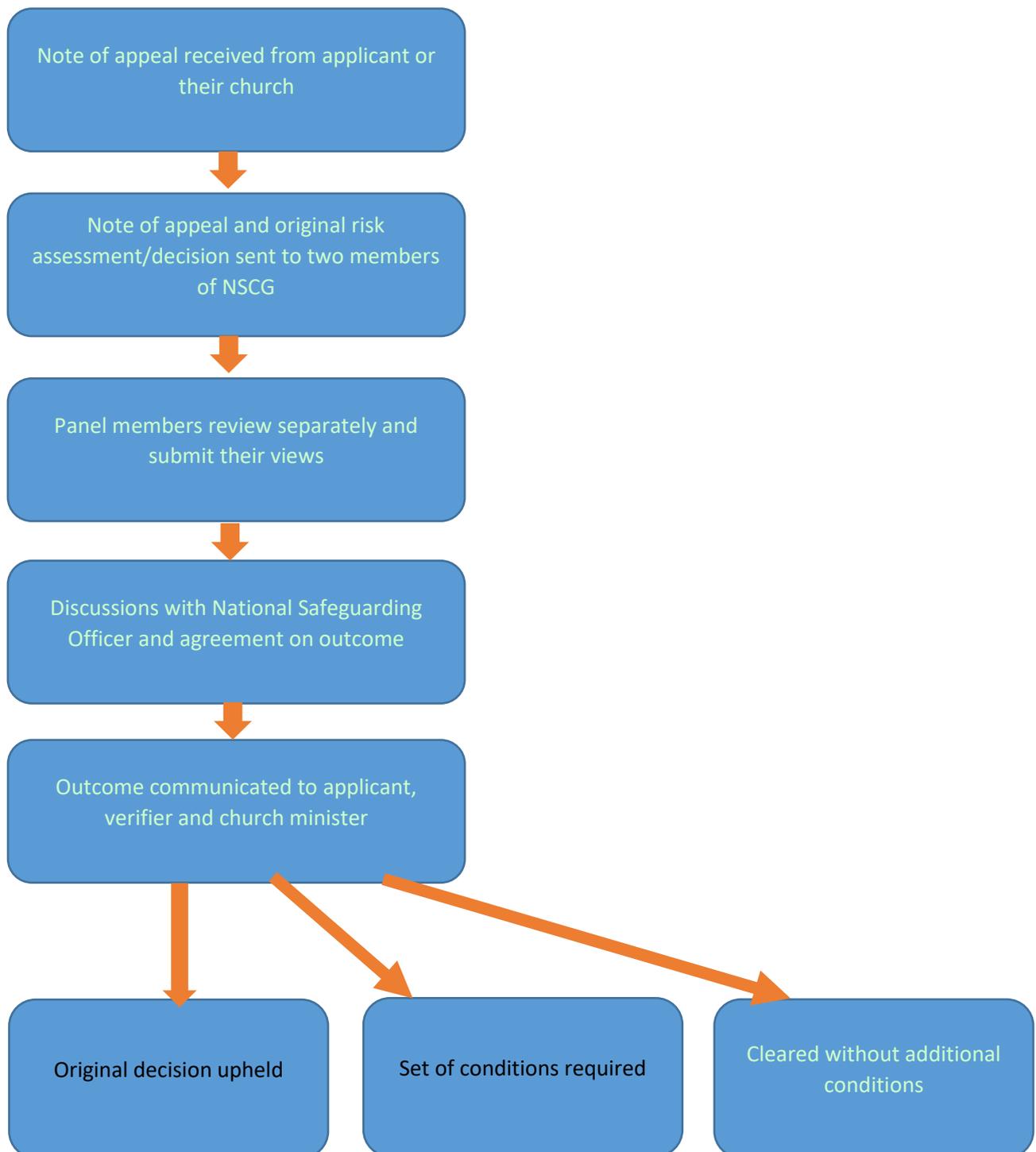
APPENDIX 1 OUTLINE OF BLEMISHED DISCLOSURE PROCESS



Appendix 2 National Safeguarding Team Blemished Disclosure Procedure Flowchart



APPENDIX 3 BLEMISHED DISCLOSURE APPEAL PROCESS



What were your circumstances at the time of the incident(s)?

What are your circumstances now, and how have they changed since the incident(s)?

How do you feel about the incident(s) now?

Is there any other information you feel is relevant?

10 Declaration by the applicant

By signing the applicant declaration box I confirm that the information that I have provided is complete and true. I also understand that knowingly to make a false statement for this purpose may be a criminal offence. I am aware that this form and any copy Certificates provided will be sent to the BUGB National Safeguarding Team for review, and not held by DDC Ltd.

Applicant to sign within the box 

Date of signature

D	D	M	M	Y	Y	Y	Y
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Appendix 5 National Safeguarding Team DBS Record Sheet

National Safeguarding Team Blemished Disclosure Review Record

Name	
Church	
Verifier	
Certificate Number	
Certificate Issued	
Certificate Received from DDC	
To Anna for Checking	

Chasing	
Notes	
Decision	
Signature / Date	
Completed	

Appendix 6 Blemished Disclosure Risk Assessment Form

Risk Assessment for Blemished Disclosures

All risk assessments should be carried out by a trained professional and should be considered on a case by case basis. Please consider each of the following, as appropriate for the individual situation when making you assessment.

Name of Applicant	
Name of Assessor	
Date of Assessment	

What post is the applicant applying for?	
What responsibilities does this role carry?	
How much and what type of unsupervised contact with there be with children, young people, adults at risk and any other church beneficiaries?	
Is this post one that could be seen as a position of trust?	
What access will there be to other areas of activity which may fall outside of the need for safe recruitment procedures but will give access to children or adults at risk?	

Is this a new post or has the applicant already been working in the role?	
Please give details below of how long they have been in the role and if any concerns have ever been raised about their conduct.	

Will the applicant be supervised whilst working in this role?	
If yes, what type and level of support/ monitoring and supervision will be available from the supervisor? Does the supervisor have the experience necessary to carry out this task?	
What training will be available to the applicant?	

Conviction Information	
What was the date of the first and last conviction?	
How long is the period between the two?	
How long is it since the last conviction?	
What was the age of the applicant at the time of offending?	
What type of offences were committed – the following are high risk and serious: <ul style="list-style-type: none"> • Any type of sexual abuse/harm; or police intelligence or non-conviction information about suspected abuse harm • Any criminal act against a child or adult at risk • Physical violence • Significant theft (esp. theft from someone where there is a duty of care towards the victim) • Offences that include a position of trust • Drug possession or supply • A pattern of drink-driving offences or those that involve alcohol/drug abuse 	
What was the magnitude of the sentence(s) given? Consider the type (custodial/community/fine/caution) and length of sentences.	
Is there a pattern in the type of behaviour and type of offence over time? Are there multiple types of offences of the same or escalating seriousness?	
How much planning or premeditation was involved in committing the offence(s)?	
Non-conviction information: has any information been received deemed as complying with the relevance test by the local Police Force?	

Applicant Explanation

What is the applicant's explanation for the offence?
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Is the explanation given for this offence plausible? Give evidence:

Did the applicant declare the offences in advance of completing their DBS check – was it declared on the self-disclosure form, was the DBS verifier told of the convictions as the time of the application?

What degree of openness has there been with the relevant person in the church about these offences?

How forthcoming was the applicant with additional information when requested?

Has there been any acknowledgment by the applicant of personal responsibility?
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Has the applicant expressed any empathy for the impact on the victim(s)?
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Supporting Information

What information has the applicant given regarding any changes they have made to their life since the offended?

How supportive are any character references given?
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Has the relevant person in the church got any concerns about the applicants conduct and suitability for the work in the role?

Protecting the applicant

is there a risk to the applicant themselves and their well-being if they were to take up this post?

Reputational risk

Although the primary responsibility is undoubtedly to protect vulnerable beneficiaries of the church from harm, the reputation of the church as a 'safe place for all' must also be considered

What is the public perception of these offences?

What would the effect of these offences becoming known to the public have on the reputation of the church and BUGB as a whole?

Analysis

What is your overall perception of the level of risk posed by the applicant as a result of their offending history? Is there some information missing that would help to clarify the level of risk?

Recommendations <i>(Please delete as appropriate)</i>
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This applicant's offending history presents a low risk of harm to children, young people and adults at risk and there are no additional measures needed. This applicant can be cleared to work with these groups.

This applicant's offending history presents a high risk and no measures put in place by the church would mitigate the risk associated with it. This applicant should not be allowed to work with children, young people and/or adults at risk.
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This applicant's offending history presents a moderate risk of harm and the following measures would help to mitigate the risk associated with it:
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- | |
|--|
| <ol style="list-style-type: none"> 1. 2. 3. |
|--|

This applicant can be cleared to work in the role providing the above measures are put in place.
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Assessors Signature	
Reviewer Signature	
Date signed	

Safeguarding Team, Baptist Union of Great Britain, Baptist House, PO Box 44, 129 Broadway, Didcot
OX11 8RT, Tel: 01235 517700 Email: safeguarding@baptist.org.uk Website: www.baptist.org.uk

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