

# DUTY TO OBTAIN DISCLOSURES



In 2003, the Methodist Conference adopted regulations specifying which people whose work brings them into contact with children and young people should apply for disclosures (Book VI, Part 1).<sup>1</sup> Disclosures are obtained through the organisations now known as Disclosure and Barring Service (DBS) in England and Wales, Disclosure Scotland in Scotland and Access NI in Northern Ireland.

Duty to Obtain Disclosures states:

The Conference directs that ... the following category of persons shall obtain *enhanced* disclosures:

- Presbyters and deacons, including supernumeraries who continue to perform any of the functions of a presbyter or deacon
- Student and probationer ministers
- Presbyters and deacons from other denominations, unless their own denominations already require enhanced disclosures, in which case documentary evidence should be submitted\*
- Workers with children and young people
- Lay Workers
- Local Preachers and Worship Leaders.

Though caretakers were included in the 2003 Conference resolutions, recent legislation has removed them from the list of those to whom these resolutions apply.

The Conference directs that, subject to the policies [of the DBS and Disclosure Scotland], those who undertake recognised caretaking duties at times when children and young people are likely to be on church premises are required to obtain standard disclosures. Where there are existing employment contracts advice should be sought from the Connexional Human Resources team ... The Council shall have the authority to require other categories of person or officeholder to obtain either an enhanced or a standard disclosure.

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<sup>1</sup> The Methodist Conference is the governing body of the Methodist Church. As the Conference only meets once a year, the Methodist Council undertakes ongoing work on behalf of the Conference. The Council meets three times a year.

## Note for Information

In England and Wales, the Safeguarding of Vulnerable Groups Act 2006 and the Protection of Freedoms Act 2012 made changes to the criminal record check regime, in terms of eligibility, extension to vulnerable adults and the process to be followed. In Scotland, the Protection of Vulnerable Groups (Scotland) Act 2007 sets out the equivalent requirements for Scotland. The Safer Recruitment Guidance for Scotland was updated 2014 and is available at **methodist.org.uk**.

The Methodist Council in 2015 approved the Practice Guidance for DBS Checks (as part of Safer Recruitment), which can be found at **methodist.org.uk**. The Methodist Conference in 2017 introduced a requirement for all accredited local preachers and worship leaders to have an up to date DBS and undertake the required safeguarding training unless they are no longer active in preaching or leadership within the Church, and have signed an exemption declaration logged with their superintendent minister.

The Practice Guidance for DBS Checks requires the following officeholders or roles to have an enhanced criminal record check:

- a) All those who undertake regulated activity or have substantial contact with children or vulnerable adults, including those who do so on a rota
- b) All ministers including probationers and students, candidates and supernumerary ministers still capable of preaching or undertaking pastoral ministry
- c) All local preachers and worship leaders still capable of preaching or undertaking leadership within the Church
- d) All those who manage workers who undertake regulated activity or have substantial contact with children.

The Practice Guidance for DBS Checks provides further detail on when a barred list check should be obtained.

Regulated activity is a term used to describe certain job functions carried out by an employee, as defined by the DBS. These requirements are

important because they determine eligibility for an enhanced level DBS check and a check of the DBS Barred Lists. The relevant term in Scotland is 'regulated work', which is defined differently.

For further information, see Book VI, Part 1.

For up-to-date safeguarding information, see: **[methodist.org.uk/safeguarding](https://www.methodist.org.uk/safeguarding)**

This is part of a series of leaflets summarising the safeguarding provisions in Methodist Church Standing Orders and *The Constitutional Practice and Discipline of the Methodist Church*. They are not intended to replace the Standing Orders referenced. If you are unclear about their interpretation, please seek advice from the Connexional Safeguarding Team or the Conference Officer for Legal and Constitutional Practice.

The other leaflets in the Safeguarding Standing Orders series are:

- A Simplified Guide
- The Safeguarding Committee
- The Church and Public Protection
- Safeguarding and Suspensions
- Safeguarding and the Rehabilitation of Offenders Act

  
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