



The Methodist Church

Policy and Guidelines for the Appointment of Volunteers with a Criminal Record

Background

The Rehabilitation of Offenders Act 1974 states that certain offences may be disregarded as 'spent' after set periods of time, and ex-offenders are not required to disclose their convictions. This makes it illegal to discriminate against an ex-offender on the grounds of a 'spent' conviction.

Some posts within the Methodist Church, including those with unsupervised or significant regular contact with children, young people and other vulnerable people, are exempted from the provisions of the Act. Volunteers for such posts will be advised that they will be required to obtain a Disclosure from the Criminal Records Bureau before the appointment is confirmed. The Disclosure will include details of cautions, reprimands or final warnings, as well as convictions and other relevant information.

The Constitutional Practice and Discipline of the Methodist Church (CPD), Standing Order 010(2), provides further detailed information on 'Qualification for Appointment'.

Principles

- Having a criminal record, in itself, does not necessarily prevent a person from being a volunteer within the Methodist Church. Each person will be treated according to their merits and to any special criteria of the particular post (for example, people with convictions or cautions for particular offences may not undertake work caring for children and vulnerable adults).
- Questions may be asked prior to the commencement of the voluntary appointment about criminal records in order to ensure that people with such records are not inadvertently placed in vulnerable positions within the organisation.
- The Methodist Church has a duty of care to the people with whom it works. Where it is judged, therefore, that a recent or serious offence might mean that an individual presents a risk to children or vulnerable adults, or could cause damage to the reputation of the Methodist Church, then that individual should not be appointed as a volunteer.
- Discrimination either in favour of or against existing volunteers who have disclosed their criminal record is not permissible (unless the offence prohibits them under SO010(2)).
- Information relating to disclosure of criminal records will be treated as confidential and restricted to those who are entitled to see it as part of their duties, (generally, the minister in pastoral charge of the church concerned).
- Training programmes for those who are responsible for the appointment of volunteers should include information on how to manage the recruitment and selection processes of volunteers with a criminal record.

Guidance

- During the preparation for recruitment (including the completion of any volunteer agreement or registration form) consideration should be given as to whether Disclosure is relevant. Reference should be made to the Church's Policy on Safeguarding Children (and Vulnerable Adults when implemented). If relevant the volunteer agreement, work outline, person specification or other documentation, will state that the appointment is subject to a satisfactory Disclosure at the correct level, from the Criminal Records Bureau.
- Where a Disclosure is required, confirmation of appointment as a volunteer will be subject to a satisfactory Disclosure being obtained from the Criminal Records Bureau.
- If either the volunteer or the Disclosure reveals a serious criminal record or other relevant information other than a conviction or caution that automatically prohibits the person from taking up the appointment under SO020(2), then consideration should be given as to whether the appointment can proceed. Advice may be sought from the Head of Child Protection and Safeguarding at Methodist Church House.
- A decision to reject an applicant because of, or partly because of a criminal record should relate to a criteria set in the person specification, which is seen to be unmet, or to specific offences which debar someone from appointment (see below).
- Generally, an applicant who is rejected should be advised of the reasons.
- An applicant who is rejected will have a right to appeal to the Senior Persons Group.
- Where an individual is volunteering within the Methodist Church and subsequently it becomes evident that the individual failed to disclose relevant information, the volunteer agreement may be terminated.
- It is the responsibility of the recruiting body to ensure that the guidance above is followed.

N.B. Schedule 4 of the Criminal Justice and Court Services Act 2000 as amended by the Sexual Offences Act 2003. A list is currently available on the Methodist website www.methodist.org.uk listed under 'Safeguarding'.

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