

The
United
Reformed
Church



Good Practice 5

Policy and good practice guidance in
safeguarding children, young people
and adults at risk

Good Practice 5th edition

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Published by: United Reformed Church January 2020 © The United Reformed Church

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This material is produced in both printed and online formats for the use of United Reformed Church Ministers, officers, workers and volunteers.

It is supported by a number of online Appendices, an index and a glossary.

We have to treat one another carefully, and church should be a place of respect, support and proper sensitivity

Promoting safeguarding
Preventing abuse
Protecting everyone



Produced by the Communications Team of the United Reformed Church on behalf of the Safeguarding office, 86 Tavistock Place, London WC1H 9RT

Church should be a place
of respect, support and
proper sensitivity

Letter from the General Secretary of the United Reformed Church

Jesus took people seriously. So does the United Reformed Church. Part of taking people seriously is dealing with one another safely. That is the subject of this document – what we can do to be safe, in our buildings, our activities and our fellowship.

Children are important. We want them to enjoy church and to learn about Jesus. We want to learn, too, from their faith, openness and wisdom. So, we must provide a safe environment in which children can be secure and their families can be confident. We must treat them well, and take the sort of care that will prevent harm and hurt. This document will help us to do that.

Safety matters for adults, too. Indeed, some adults are particularly at risk. Illness, old age, disability and painful experience can make people vulnerable. Some kinds of vulnerability are invisible, yet very real. Church should be a place of respect, support and proper sensitivity.

This document will help us with knowledge, looking at how to prevent harm and what to do if we think someone might experience harm or be at risk of being harmed. It will strengthen our commitment by reminding us of the reasons that safeguarding is everybody's responsibility. It will keep us attentive to the people we welcome and worship with, the places where we meet, and the ways we can keep people safe.

Safeguarding is not an option. It is a standard and a duty, for the well-being of the church and the credibility and integrity of our message. Indeed, safeguarding is part of the gospel. If you come to church and find yourself treated with dignity and care, you will see something of the love of Jesus in that.

I commend this book to you. Let us use it well, follow it honestly, and embody good practice as a family habit across the URC. So may our Church be a safe place, witnessing steadily and truly to the trustworthiness of God.

John Proctor, January 2020

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Note: Where an appendix has this symbol in front of it:  **Appendix** then the appendix can be downloaded from www.urc.org.uk/safeguarding

Part 1

Safeguarding: an overview



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Section 1

Introduction

1.1 Safeguarding – a whole Church responsibility

Churches and places of worship reflect society, with children and adults sharing together in the activities taking place in and around them. In the past, society paid more attention to protecting children. However, our understanding of safeguarding has developed as awareness has grown of how some adults may experience abuse and neglect, whether it be in institutions, in their own homes or in the community.

Safeguarding in the United Reformed Church (URC) is underpinned by Jesus' command to his followers to "love one another as I have loved you" (John 13:34-35). Above all, the Church aspires to be a loving community, offering a welcoming environment in which people can flourish, safe from harm. It is important to note that this does not preclude challenge and conflict within the Church. Jesus challenged injustice. Therefore, the URC policy

is that all in our churches and offices have a collective responsibility to share in the privilege of upholding the rights of the least powerful and protecting the most vulnerable in society as an expression of the love of God.

Formal procedures will not in themselves protect children and adults at risk. In this document, the URC seeks to go beyond the minimum safeguarding requirements of statute, and to foster best practice as an expression of God's loving concern for all. A collective approach to safeguarding encourages every local congregation, each part of the URC, and all individuals affiliated with them, to be aware of – and familiarise themselves with – the content of this publication.

1.2 Purpose of Good Practice 5

This publication is a major update of *Good Practice – Safeguarding Children and Young People in the Church 4th edition*, reflecting substantial developments in safeguarding over the past few years. These include:

- changes in legislation and good practice guidelines (including Working Together to Safeguard Children 2018 and Charity Commission’s safeguarding guidance in the same year)
- the continuing awareness of the need to protect adults at risk and vulnerable children
- developments in the understanding of the prevalence of specific types of abuse (for example domestic abuse and female genital mutilation), their impact, and effective responses to them
- improving practice in safer recruitment
- the growing emphasis on the changes to legislation and procedures relating to data protection
- the need to recognise and respond to the risks arising from advancements in technology, particularly in relation to online communication
- the completion of the Past Case Review (PCR) and the recommendations provided by the learning group that reviewed both phases of the PCR.

The PCR (May 2015 to June 2017) concluded its work with the publication of a major and independently authored report in September 2018. Responding to the PCR and the instruction given by Mission Council in November 2018, the Safeguarding Advisory Group reviewed all the PCR Learning Report’s recommendations, consulted with relevant groups and people, and produced a comprehensive strategic safeguarding plan¹ for the Church to take effect in the next five years from the date of this publication (2020-2025).

The purpose of this Policy and Good Practice Guidance is to provide information about the URC’s arrangements and procedures to safeguard children, adults and those in greater need, and to offer model policies, resources and *pro formas* where appropriate. Safeguarding is a broad area, and this document cannot provide detailed guidance on every issue. It therefore includes signposting to sources of more specialised information and support on certain issues which are beyond its scope.

Good Practice 5 constitutes the URC’s only policy and guidance document for safeguarding throughout the denomination. The policy and guidance in this document and its appendices apply to the whole of the URC. This includes Councils of the Church (at local, Synod and Assembly level), Resource Centres for Learning, Church Members, Adherents, Trustees, Paid and Volunteer Staff, as well as Lay and Ordained Ministers of Word and Sacraments and Church Related Community Workers (CRCWs)². For guidance on how to apply this policy and guidance document in your local church’s context, see  **Appendix A: Model church safeguarding policy**, which offers an example safeguarding policy for local churches.

1 <http://bit.ly/strategic-planURC>

2 Throughout this document, the term Minister is used thereafter to refer to both Ministers of Word and Sacraments and Church Related Community Workers.

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1.3 An ethos of care and collaboration

Safeguarding people is not just about reading and adopting policies and procedures. In order to make a difference, they must be put into practice, and so this document also offers advice about how this can be achieved. Safeguarding policy and procedures play their part in:

- creating and maintaining a safe environment for all, especially children and adults at risk, in which the dignity of each person is respected
- being informed about different forms of abuse, neglect and harassment, and how to respond appropriately, making it clear that they are all unacceptable
- taking seriously any concerns, allegations or complaints of abuse and harassment, responding to them promptly, including reporting concerns to – and cooperating with – the relevant statutory authorities
- caring for those who have been abused in the past
- ensuring accountability and transparency in delivering safeguarding
- offering pastoral support for congregations in which abuse has been identified
- offering pastoral support to people in the church who have been accused of abuse, and those who are being investigated
- ministering wisely and providing supervision and support to those who have been perpetrators of abuse
- providing opportunities for all to flourish and journey towards healing.

Safeguarding people is a journey, and part of the URC's mission. We journey alongside those who have been abused and those who have abused, we safeguard the integrity of creation, and we all go together as one body. The challenges for the URC are to foster and sustain a community of care where everyone – children, adults and, especially, those in greater need – find in the Church a place to seek pastoral care and support. Working collectively as disciples of Christ enables us to overcome challenges and create safer and more viable environments for all local congregations, Synods, institutions and offices. The different parts of the Church are interrelated and co-dependent: Assembly and its staff, Synods and local churches. The URC is a small denomination, where it is common to find people who are related to one another, and for individuals to hold more than one responsibility within the Church. Therefore, the risks and likelihood of conflicts of interest throughout the congregations, Synods and offices of the Church are extremely high, and the need for clarity of responsibilities is essential. The greatest opportunity is to establish ways of support that contribute to a lasting healing process for survivors and those affected by abuse, harm or neglect, including perpetrators and offenders.

1.4 Charity Commission requirements

Within England and Wales, every church has charitable status, and therefore falls under the regulatory direction of the Charity Commission. The serving Elders and Minister in each church (or serving members of the Church Council or governing body) are charity trustees, and have what the Charity Commission terms 'primary responsibility' for safeguarding in their church. This includes a duty to ensure compliance with legislation, policy and procedures.

Historically, safeguarding was associated with statutory obligations to protect children and adults at risk. However, from December 2017 the Charity Commission extended the concept and the duties of trustees to protect people. It has since updated its guidance on *Safeguarding*

and protecting people for charities and trustees (October 2019). These updates include when to consider DBS checks, and how to put into practice policies and procedures, along with new sector resource signposting.³

In general terms, the Commission expects trustees to:

- have appropriate policies and procedures in place, which are followed by all trustees, volunteers and beneficiaries
- check that people are suitable to act in their roles
- know how to spot and handle concerns in a full and open manner
- have a clear system of referring or reporting to relevant organisations as soon as concerns are suspected or identified
- set out risks and how they will be managed in a risk register, which is regularly reviewed
- follow statutory guidance, good practice guidance and legislation relevant to their charity: this guidance links to the main sources of information
- are quick to respond to concerns and carry out appropriate investigations
- do not ignore harm or downplay failures
- have a balanced trustee board, and not let one trustee dominate its work – trustees should work together
- make sure protecting people from harm is central to its culture
- have enough resources, including trained staff/volunteers/trustees for safeguarding and protecting people
- conduct periodic reviews of safeguarding policies, procedures and practice.

The Charity Commission makes clear that having safeguards in place not only protects and promotes the welfare of children and adults at risk, but also enhances the confidence of trustees, staff, volunteers, parents/carers and the general public in the Church, protecting its reputation and helping it to fulfil its mission. Any negative perception or experience of the Church, local or otherwise, would, of course, be counterproductive to the crucial aim of encouraging all in their journey of faith.

³ <http://bit.ly/charity-trustees>

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Section 2

Definitions

2.1 Terms relating to children

At the outset, it is helpful to set out the definitions of some key terms used in this document.

2.1.1 Child

For the purposes of this policy, a child is defined as anyone who has not yet reached their 18th birthday.⁴

Please note: The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.⁵ Therefore, even though we often refer to teenagers who are under 18 years of age as young people, legally they are children.

2.1.2 Child abuse

A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others. Abuse can take place wholly online, or technology may be used to facilitate offline abuse. They may be abused by an adult or adults, or another child or children.⁶

More detailed definitions of different types of abuse are provided in *Section 9 – Abuse*.

⁴ This is in line with the *UN Convention on the Rights of the Child* and UK legislation – the *Children Act 1989* and the *Children (Scotland) Act 1995*.

⁵ Home Office *Working Together to Safeguard Children 2018*, p.102

⁶ Home Office, *Working Together to Safeguard Children 2018*, p.102

2.1.3 Safeguarding children

Safeguarding and promoting the welfare of children is more all-encompassing than child protection, and is preventative as well as reactive. It is defined as:

- protecting children from maltreatment
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and
- taking action to enable all children to have the best outcomes.⁷

2.1.4 Child protection

Child protection is

*'part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.'*⁸

2.2 Terms relating to adults

2.2.1 Adult

For the purposes of this document, an adult is defined as anyone who has reached their 18th birthday, whilst acknowledging that, for certain purposes, Scottish law treats 16 and 17 year olds as adults.⁹

2.2.2 Adult at risk

The term 'adult at risk' is increasingly used by professionals involved in safeguarding adults, replacing the previous term 'vulnerable adults'. The term 'adult at risk' will therefore be used in this document.

A general definition for use in the URC recognises adults as being at risk when:

Adults at Risk are aged 18 or over and, by reason of mental or other disability, age, illness or other situation are permanently, or for the time being, unable to take care of themselves, or to protect themselves against significant harm, abuse or exploitation.

Further definitions of Adults at Risk can be found in *Section 14 – Safeguarding Adults at Risk*.

2.2.3 Safeguarding adults

Safeguarding adults incorporates the concept of prevention, empowerment and protection to enable adults to retain independence, well-being and choice, and to ensure that they can access the support necessary to live a life free from harm and abuse.

⁷ Home Office, *Working Together to Safeguard Children 2018*, p.102

⁸ Home Office, *Working Together to Safeguard Children 2018*, p.102

⁹ The Scottish Government, *National Guidance for Child Protection in Scotland 2014* p.9 § 21

2.3 General terms

2.3.1 Harm and significant harm¹⁰

Harm means ill-treatment or the impairment of health or development, including impairment caused by seeing or hearing the ill-treatment of another. Harm is the damage the individual experiences from abuse, neglect, bullying and/or harassment, and can be experienced simultaneously from more than one type of abuse.

Significant harm is the variable threshold which justifies compulsory intervention in family life by the local authority, in the best interests of children or adults at risk. Local authorities have a duty to make enquiries and take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.¹¹ The *Human Rights Act* dictates that it also has to be proved that intervention in family life is both proportionate and necessary.

Significant harm has no precise legal definition. The 'harm test' can be satisfied by a single traumatic event, or by a cluster of smaller incidents over time. Any concern about significant harm requires careful investigation and assessment by the local authority.

2.3.2 Abuse

Abuse is about 'the misuse of the power and control that one person has over another. In determining whether or not abuse has taken place, it is important to remember that intent is not the issue. The definition of abuse is based not on whether the perpetrator intended harm to be caused but rather on whether harm was caused, and on the impact of the harm (or risk of harm) on the individual. Failing to act to prevent harm being caused to a person you have responsibility for, or acting in a way that results in harm to a person who legitimately relies on you, both constitute abuse.'¹²

Such abuse can take many forms. More detailed definitions of different types of abuse are provided in *Section 9 – Abuse*.

2.3.3 Worker

A person who is appointed by the church to work with children or adults at risk on behalf of the church, on a paid or voluntary basis. This term is used in this document to describe Ministers of Word and Sacrament, Church Related Community Workers (CRCWs), youth workers, adult workers, and others, including volunteers, who are involved in regulated work and activities with children, young people and adults at risk.

2.3.4 Church Safeguarding Coordinator*

A person appointed by the local church to take the lead on safeguarding matters. The role includes:

- being an advocate for safeguarding within the church
- coordinating the church safeguarding policy and procedures
- ensuring that workers have received the appropriate safeguarding training

¹⁰ Section 31(9) of the *Children Act 1989*, as amended by the *Adoption and Children Act 2002*

¹¹ Section 47 Children Act 1989

¹² *Social Care Institute for Excellence* (www.scie.org.uk)

- being the first point of contact in the church for safeguarding issues and responding appropriately to concerns
- completing annual safeguarding returns
- liaising with the Synod Safeguarding Officer, and
- cooperating with the relevant statutory authorities.

*Other titles used for this role within the URC have included Safeguarding Link Person, Safeguarding Officer and Safeguarding Lead.

2.3.5 Synod Safeguarding Officer / Adviser

A person appointed by a Synod to take the lead in safeguarding matters. The role includes:

- being an advocate for safeguarding within the Synod
- coordinating Synod safeguarding procedures and resources
- being the first point of contact in the Synod for safeguarding issues, responding appropriately to concerns, liaising with the Assembly Safeguarding Adviser and cooperating with the relevant statutory authorities
- advising and supporting local churches in responding effectively to safeguarding issues.

2.3.6 Assembly Safeguarding Adviser

The person appointed to act as the designated safeguarding lead for the whole denomination. The Assembly Safeguarding Adviser develops, oversees and implements the URC's safeguarding policies, and provides support to URC Synods in responding to concerns and applying best practice in their work with children and adults at risk.

2.3.7 Charity trustees

Those people responsible for the general management and administration of a charity. In the URC, this typically involves the Elders of a local Church, the board of trustees for each Synod Trust, and the directors of the URC Trust.

2.3.8 Regulated Activity

Regulated Activity is a term used to describe certain job functions carried out by an employee as defined by the Disclosure and Barring Service (DBS). It is broken down into two separate groups: 'Activity with Children' and 'Activity with Adults'.

Section 3

Safeguarding Policy Statement

3.1 Statement of Safeguarding Principles

The URC accepts the *Equality Act 2010*, the *United Nations Convention on the Rights of the Child* and the *Universal Declaration of Human Rights*. Our safeguarding principles and practices protect all people against discrimination, underpinned by the *Equality Act*, which became law in 2010, and which identifies these nine protected characteristics:

- age
- disability
- gender reassignment
- marriage and civil partnership
- pregnancy and maternity
- race
- religion or belief
- sex
- sexual orientation.

The *Universal Declaration of Human Rights (1948)*, the *European Convention on Human Rights*, the *Human Rights Act 1998* and the *UN Convention on the Rights of Persons with Disabilities (2008)* all state that adults should be free from abuse.

Therefore, the URC is committed to:

- the care and nurture of all children and adults
- the safeguarding and protection of all children and adults at risk
- the establishment of a loving church environment which is safe and caring for all people and where the dignity of each person is respected
- an informed vigilance about the dangers of all forms of abuse, harm and neglect within all aspects of the Church, and how to respond appropriately
- ensuring everyone who engages with the life of a church is responsible for keeping people safe
- working together with voluntary/statutory agencies and other denominations and faith-based organisations.

3.2 Statement of intent

The United Reformed Church will:

- recognise that we all have a responsibility to help prevent the abuse and neglect of children and adults, and ensure the well-being and pastoral care of those who are or may be at risk
- create and maintain a safe and inclusive environment for all, especially children and adults at risk, in which the dignity and rights of each person are respected
- acknowledge that the welfare of the child and adult at risk is paramount, and that the priority is always to act in their best interests
- follow legislation, statutory guidance and recognised good practice
- exercise proper care in the appointment and selection of trustees and those who will work with children or adults at risk within the Church, whether paid or volunteers
- provide suitable safeguarding training for relevant staff and volunteers
- respond without delay to every concern, incident or complaint which suggests that a child or adult has been harmed, or is at risk of harm
- cooperate with ecumenical partners, the Police, DO (the Designated Officer, formerly known as LADO), Local Safeguarding Boards (in Wales), Children's Partnership Boards (formally Local Safeguarding Children's Boards) and Children's and Adult Social Care Services in any investigation
- work with those who have suffered or suffer abuse, offering appropriate pastoral support where possible
- challenge any abuse of power, especially where it involves someone in a position of trust
- manage risks and those who might pose a risk to the people and the life of the Church.
- offer support to those known to pose a risk to children and adults, including supervision and referral to the appropriate agencies
- ensure that any allegations, concerns and complaints about abuse or neglect that we discover or suspect are recorded, reported and shared safely within and beyond the denomination.
- review safeguarding policy and procedures annually, considering lessons learned from safeguarding cases and changes in legislation, statutory guidance and good working practice. Any policy changes should be formally approved by the URC's Safeguarding Adviser, Safeguarding Advisory Group, URC trustees, Synod trustees or local church trustees, as appropriate.

3.3 Discussion of this statement of intent

All the URC local churches, Synods, offices, bodies and ecumenical partnerships¹³ will:

3.3.1 Recognise that that we all have a responsibility to help prevent abuse and neglect of children and adults, and ensure the well-being and the pastoral care of those who are, or may be, at risk

We are committed to helping prevent the abuse and neglect of children and adults, and offering pastoral care and support to those individuals and families who need care and support and access to appropriate services.

3.3.2 Create and maintain a safe and inclusive environment for all, especially children and adults at risk, in which the dignity and rights of each person are respected

We want to see every child and adult enjoy and have access to every aspect of the life of the Church. In the context of the increasing diversity of all our communities, we need to recognise and emphasise that every person has their own unique history and is on their own unique journey through life and faith, and that the cultures from which they come, and in which they now live, play significant roles in the way they understand and experience the world around them. We all need to take care not to simply judge other people's beliefs and behaviours according to the standards of our own culture, and to avoid stereotyping people on the grounds of cultural affiliation, grouping or background. However, it is also important to remember that all cultures represented in the UK are subject to the laws of the land, including the legislation which governs our safeguarding policy and procedures.

3.3.3 Acknowledge that the welfare of the child and adult at risk is paramount, and that the priority is always to act in their best interests

We believe every child and adult at risk should be valued, safe and happy. We want to make sure that the children and adults at risk we have contact with know this, and are empowered to tell us if they are experiencing harm. This may involve a difficult balancing of need between those at risk and those who pose a risk. However, as is the case in law, the welfare of the child or adult at risk should always be the paramount consideration.

¹³ This applies to all local ecumenical partnerships (LEPs) that adopt URC's safeguarding policy and guidance in all aspects of safeguarding practice (including responding to concerns, safer recruitment and risk assessment)

3.3.4 Follow legislation, statutory guidance and recognised good practice

We follow statutory, denominational and specialist guidelines in relation to safeguarding children and adults at risk to ensure that all workers, volunteers and Ministers work within the agreed procedures of our safeguarding policy. We will also seek to share lessons learned from serious incidents that have occurred in both secular and faith communities.

3.3.5 Exercise proper care in the selection and appointment of those who will work with children or adults at risk within the Church, whether paid or volunteers

We carefully recruit all those with safeguarding responsibility within the Church. We follow a full safer recruitment process, and do not merely rely on criminal records checks.

See *Section 6 – Safer recruitment* for more information about this process.

3.3.6 Provide suitable safeguarding training for relevant staff and volunteers

All those working with children and adults at risk, as well as those responsible for their care, need to know how to work in a way which promotes the welfare of those in their care, and reduces the likelihood of harm. They also need to know how to respond effectively to concerns or allegations of abuse. As these situations do not arise on a regular basis, it is important that safeguarding training is refreshed every three years in order to remain confident about how to respond, and also to keep up to date with good practice. Synod Safeguarding Officers can provide information about local training.

3.3.7 Respond without delay to every concern, incident or complaint which suggests that a child or adult at risk has been harmed or is at risk of harm

A church, through its workers (paid and volunteer) and members, has a duty of care in the church building, on other church property, and on any other premises being used for church-led activities. Responsibility extends to travel between places when this is organised by a church. A church is not responsible, however, for private arrangements made by parents.

3.3.8 Cooperate with ecumenical partners, the Police, and Children's and Adult Services in any investigation

This means that churches will share all relevant information in their possession, and follow multi-agency decisions. It is important to maintain confidentiality, sharing sensitive and personal information only on a 'need to know' basis, i.e. with individuals and agencies that have a responsibility for the reporting of, or decision making about, a particular safeguarding case.

3.3.9 Work with those who have suffered abuse, offering appropriate pastoral support

Churches should not investigate allegations of abuse, but should instead refer allegations to the appropriate statutory agencies. If it emerges that a child or adult has suffered abuse, the Church Safeguarding Coordinator or Synod Safeguarding Officer will notify the appropriate authorities to ensure that the matter is on record, and is able to be investigated. Support will be offered to survivors of abuse, and adult survivors will be encouraged to make a statement to the Police if they have not previously done so.

3.3.10 Challenge any abuse of power, especially where anyone is in a position of trust

Power is present in all relationships. We therefore have the important duty of exercising that power wisely and fairly. It has been said that the responsible use of power is the ultimate challenge of leadership. It is not only ordained Ministers and Elders who hold positions of power and authority in the Church; many do. Even those who do not have specific roles can be invested with trust and power by children and adults at risk.

Allegations of abuse or misconduct by paid or voluntary staff, lay or ordained, will be acted upon. The Synod Safeguarding Officer should be made aware so that appropriate action can be taken, and advice and support offered. All concerns relating to a staff member's conduct with children must be referred to the DO (or the Local Safeguarding Board in Wales) and the Police, where appropriate. Where concerns relate to an adult at risk, wherever possible these should be shared with Adult Social Care Services/the Police, with the adult's consent. However, whether or not consent is given, if others may also be at risk if nothing is done, and/or sharing information may prevent crimes from being committed, then the information must be shared.

3.3.11 Manage risks and those who might pose a risk to the people and the life of the Church.

Churches and ecumenical partnerships must undertake thorough risk assessment and management procedures. Additionally, they must support, supervise and oversee individuals who are accountable for managing risk, or who may themselves pose a risk, including Ministers, workers and volunteers. There must be a clear local process that follows an allegation against a paid or voluntary member of staff, which should also require referral to statutory authorities, in alignment with this policy document.

See  **Appendix A: Model safeguarding policy for local churches** for local process.

Safeguarding agreements and contracts are also important to prevent risk escalations and concerns over the safety of anyone who attends, uses or accesses URC church premises and activities. The Synod Safeguarding Officer would be contacted in such cases, and would assist, guide and support in the compilation of Safeguarding contracts.

3.3.12 Offer support and supervision to those known to pose a risk to children and adults

In order to manage any risk to children and adults, churches will put necessary safeguards in place, including a safeguarding contract regarding church attendance for anyone known to be posing a risk. Breach of this agreement, or other concerns, may lead to a referral to the statutory agencies.

It is recognised that those who pose a risk may themselves be vulnerable. We therefore consider it crucial that pastoral care is offered to such people, with possible signposting to other avenues of support, such as counselling, or charitable or voluntary agencies which specialise in supporting offenders. Advice should be sought from the Synod Safeguarding Officer in these situations, as specialist help or contact with statutory agencies may be required. In addition, such people may also be on formal supervision, and are therefore accountable to the statutory agencies, namely the Probation Service, the Police or Social Services.

See *Section 13 – Managing and supporting those who pose a risk of harm to children* for more information on supporting those known to pose a risk to children and adults.

3.3.13 Ensure that allegations, concerns or complaints about abuse or neglect are recorded, reported and shared safely

We must report abuse or neglect that we discover or suspect, and keep internal designated persons or external services (such as Police) informed accordingly. The records in respect of child protection and safeguarding adult issues will be kept and stored carefully and confidentially, and shared in line with statutory requirements and agreed retention policies and privacy notices.

See *Section 5 – Data protection and information sharing* for more information about retention policies.

3.3.14 Review safeguarding policy and procedures annually

Local Church Safeguarding Coordinators should ensure that their safeguarding policy and procedures are reviewed annually. Any changes to the policy should be formally approved by the church trustees (usually the Elders). In order that local church trustees can fulfil their duty of overseeing good safeguarding practice, the Church Safeguarding Coordinator should also keep them regularly updated about any significant church safeguarding matters.

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Section 4

Division of responsibility for safeguarding

4.1 Local Church

4.1.1 Duties of care

Elders and members who serve as trustees for the URC have oversight of and primary responsibility for all aspects of safeguarding in each local church and Synod (governance, reporting incidents, checks and recruitment of staff and volunteers, reviews, etc). They are legally accountable to the Charity Commission and other regulatory bodies (when churches are registered charities or subject to certain regulations), and responsible for safeguarding in any local church and body of the URC even if certain aspects of the work are delegated to other staff.

Each church must have a Safeguarding Coordinator. A deputy should also be appointed, if possible. These individuals should have knowledge of the specific requirements for safeguarding children and/or adults at risk, and must attend appropriate training for the role, including refresher training.

See  **Appendix A2: The role of a Safeguarding Coordinator** for a role description.

It may not be possible to find a single person who is willing and able to perform both the safeguarding children and safeguarding adult roles. In this case, separate Safeguarding Coordinators should be appointed for children and adults at risk, with deputies if possible. Ministers/CRCWs are not allowed to take up the role of Safeguarding Coordinators

because of their overall pastoral responsibilities for their church communities. This should also include spouses and other family members of Ministers/CRCWs to prevent any conflict of interest in handling serious cases and sensitive information. Churches can consider appointing one Coordinator for a group of churches, or source safeguarding expertise from another URC local church. It is important that churches and offices display a poster detailing who to contact and a list of helpful phone numbers. See 🏰 **Appendix B: Model Church safeguarding poster**. Churches and offices also need to notify the Synod Safeguarding Officer of the name and contact details of their Safeguarding Coordinator(s) and deputy Safeguarding Coordinator(s).

Even if a church currently has no children attending, Safeguarding Coordinators should still be appointed. This is because all churches can have adults at risk in attendance, especially considering that some vulnerabilities can be hidden. They must, therefore, be prepared for the possibility that, at any point in the future, children or adults at risk could attend and/or access services of the church, and good safeguarding practice needs to be in place already.

4.1.2 Training

The Safeguarding Coordinator(s) should ensure that the people involved in regulated activities with children or adults (including Ministers, staff and volunteers) have undergone safeguarding training, as recommended by the URC, and that the training is renewed every three years. URC Safeguarding training is arranged and agreed by the Synod Safeguarding Officers, and covers all aspects of good practice.

4.1.3 Policy and procedures

Each church¹⁴ should adopt the URC's safeguarding practices and procedures for safeguarding children and adults at risk. 🏰 **Appendix A: Model Church safeguarding policy** provides an example safeguarding policy for local churches. This should be made readily available to anyone who wishes to see it. Each policy should be reviewed and updated on an annual basis, and approved by the team of Elders/trustees of each church. A safeguarding policy statement should be prominently displayed in the Church (and on a Church's website), summarising the principles and intent of the policy and stating that failure to follow it will be dealt with as a very serious matter.

Under the sharing of Church Buildings Act 1969, a Local Ecumenical Partnership (LEP) can opt to use the safeguarding policies of any member denomination involved in the LEP. However, an LEP should avoid switching arbitrarily between denominational safeguarding policies and systems. They should also inform Church House and their Synod Safeguarding Officer, via the church return forms, which denominational policy and procedures they have decided to follow in operating all relevant business, including reporting safeguarding incidents, safer recruitment, training, and so on. See 🏰 **Appendix A7: Guidance on safeguarding for Local Ecumenical Partnerships** for more information.

¹⁴ This excludes the URC churches of local ecumenical partnerships that follow other denominations' safeguarding policy, and National Synod of Scotland which follows Church of Scotland policy and procedures.

4.1.4 Reviewing and reporting

It is recommended that a review of safeguarding policy, practice and procedures at the church is carried out once a year, perhaps around the same time as the church AGM. The Safeguarding Coordinator of each local URC should report annually to the Eldership or Church Council and the Synod Safeguarding Officer as part of the annual returns process.

This report will assist the Synod Safeguarding Officer in providing appropriate support and guidance to local churches. However, the annual returns should not be the first time the Synod Safeguarding Officer finds out about any incidents or concerns. The report should include a summary of any safeguarding concerns that have arisen in the period (minus any identifying details), the action taken in each situation, any lessons learned, referrals made to statutory authorities and regulators (Police, DO, Local Safeguarding Board (in Wales), Social Services, Charity Commission, etc), and any implications for the review of safeguarding policy and procedures. For a copy of an annual safeguarding form, and to see the information required to fill one in, refer to  **Appendix H: Annual safeguarding returns form.**

4.2 Synods

4.2.1 Personnel

Each Synod should appoint a Synod Safeguarding Officer to be responsible for leading safeguarding matters in the synod, as well as advising and supporting local churches on safeguarding. They will also disseminate good safeguarding practice information, and share lessons to be learnt from statutory and faith sector reviews. The National Synod of Scotland has a service agreement for the Church of Scotland safeguarding service to lead on this role. It may not be possible for the Synod to find someone who is suitable to take on the roles of Safeguarding Officer for both children and adults at risk. If this is the case, the Synod should appoint two different people, each with suitable knowledge and skills to fulfil their particular role. A sample role description for a Synod Safeguarding Officer is provided in  **Appendix O: Model Synod Safeguarding Officer job description.**

It is recommended that all Synods have indemnity insurance to cover them for any claims that might be made against them, including claims arising from the actions of their Safeguarding Officer, providing they have acted legally and responsibly.

4.2.2 Training

Each Synod must offer regular safeguarding training for church workers, and those responsible for the care of children and/or adults at risk. This may be delivered by the Synod Safeguarding Officer or by a separate trainer. As an example, the National Synod of Scotland has a service agreement for the Church of Scotland Safeguarding Service to provide training. Synod Safeguarding Officers should attend annual safeguarding training, together with specialist training where necessary.

4.2.3 Policies and procedures

Each Synod should adopt processes and procedures for safeguarding children and adults at risk during Synod activities. These should be reviewed, updated and approved annually by the Synod trustees, in accordance with *Good Practice 5*.

4.2.4 Reviewing and reporting

In order that Synods can effectively support local churches in safeguarding, an annual safeguarding return should be requested from each local church. This is sent with the annual church returns (ACR) form (See  **Appendix H1: Annual safeguarding returns form** for the relevant section).

An annual safeguarding report should be provided by the Synod Safeguarding Officer to the Synod trustees summarising any safeguarding concerns which have arisen from within the Synod (minus any identifying details), any actions taken in individual cases, any lessons learned, and any implications for the review of safeguarding policy and procedures. See  **Appendix H2: Annual Synod safeguarding report form**. In Synods where a safeguarding reference group or committee has been set up by the Synod and its trustees to take primary responsibility for safeguarding, the annual report should be received by this group, with a summary going to the trustees. In addition, the annual safeguarding report should give a summary of the annual safeguarding return information provided by local churches, and details of the safeguarding training and support provided by the Synod.

A copy of this Annual Synod Safeguarding Report should be given to the URC Safeguarding Adviser. This will allow the Church as a whole to review its commitment to safeguarding children and adults at risk, and provide suitable support and guidance to Synods and local churches.

4.3 General Assembly

4.3.1 Personnel

The Church appoints an Assembly-level Safeguarding Adviser to oversee and advise on all matters of safeguarding across the denomination, and to act as the secretary of the Safeguarding Advisory Group.

As part of their role, they provide support to URC Assembly staff and Synod staff in helping local churches with serious safeguarding situations, as well as helping them conform to Good Practice.

They work ecumenically, particularly through the Christian Forum for Safeguarding (CFS), and ensure that the Church's views are represented in the wider field of safeguarding, including appropriate government departments and public inquiries.

4.3.2 Training

The URC Safeguarding Adviser ensures that the URC has an effective safeguarding training programme in place to equip Assembly staff, Synod staff, church workers, and those responsible for the care of children and/or adults at risk. The URC Safeguarding Adviser should attend specialist safeguarding training where necessary for continuing professional development.

4.3.3 Policies and procedures

The URC Safeguarding Adviser manages the development of the URC's safeguarding policies, and both oversee and implement them, in accordance with legal requirements and good practice.

4.3.4 Reviewing and reporting

All Synod Safeguarding Officers meet regularly every year to review existing safeguarding practices of the Church. The URC Safeguarding Adviser collates all Synod safeguarding annual reports, and then reports to the Safeguarding Advisory Group and the URC trustees.

4.3.5 Safeguarding Advisory Group

General Assembly has appointed a Safeguarding Advisory Group (SAG) to work to the following remit:

1. to oversee the development of policy and the implementation of Good Practice across the Church in the safeguarding of children, young people and adults at risk, making recommendations to Mission Council as appropriate
2. to ensure that Good Practice documents are updated as appropriate
3. to develop systems for monitoring local church and Synod compliance with Good Practice, and to devise strategies for addressing identified weaknesses
4. to foster collaboration with ecumenical partners across the full range of safeguarding issues, including engagement in the development of public policy
5. to oversee the service which the URC receives from external safeguarding providers and other relevant agencies
6. to ensure that agreed training is delivered across all areas of church life.

The Safeguarding Advisory Group reports to the Mission Council and General Assembly.

Section 5

Confidentiality

Data protection and information sharing

5.1 Confidentiality and information sharing

Privacy and confidentiality are governed by legal provisions that aim to safeguard personal information, particularly:

- *The Human Rights Act 1998*
- *The Data Protection Act 2018*
- *The General Data Protection Regulation (GDPR)*
- *The Common Law Duty of Confidentiality.*

However, in England, Wales and Scotland, legislation and statutory guidance make clear that information about a person will sometimes need to be shared, without consent, for the purpose of safeguarding the welfare of a child or an adult at risk, particularly:

- *The Care Act 2014*
- *The Children Act 2004*
- *Children and Young People (Scotland) Act 2014*
- *The Crime and Disorder Act 1998*
- *The Mental Capacity Act 2005*
- *Social Service and Wellbeing (Wales) Act 2014*
- *Adult Support and Protection (Scotland) Act 2007.*

Nothing in the Data Protection legislation seeks to limit the appropriate disclosure of information in order to protect an individual who is, or may be, at risk of harm. What matters is that the process of information sharing is carried out appropriately.

It is necessary to show proportionality when information is shared – in other words, that a fair balance has been struck between the individual rights of the person and the relevant justification. Workers must, therefore, decide whether sharing information is a necessary and proportionate response to the need to protect the individual in question. The decision-making process must weigh up what might happen if the information is shared against what might happen if it is not shared. Information sharing should be limited to those who need to know. If in doubt, advice should be sought from the Synod Safeguarding Officer.

When information is shared, a record should be made of when it was shared, with whom, in what form, for what purpose, and whether it was disclosed with or without informed consent. Similarly, any decision not to share information should also be recorded. For more information on recording

It is important to note that Serious Case Reviews (SCRs) have shown how poor information sharing has contributed to the serious injury and, indeed, deaths of children.

5.1.1 Information sharing without consent

Consent should be sought to share information; however, sharing confidential information without consent will normally be justified in the public interest when:

- there is evidence or reasonable cause to believe that a child is suffering, or is at risk of suffering, significant harm
- there is evidence or reasonable cause to believe that an adult is suffering, or is at risk of suffering, serious harm
- it could prevent significant harm to a child or serious harm to an adult
- to seek consent would prejudice the prevention, detection or prosecution of a serious crime
- to seek consent would lead to an unjustified delay in making enquiries about allegations of significant harm to a child or serious harm to an adult.

It is important that workers are aware the *Data Protection Act 2018* and the GDPR place duties on organisations and individuals to process personal information fairly and lawfully, and to keep the information they hold safe and secure. The *Data Protection Act 2018* contains ‘safeguarding of children and individuals at risk’ as a processing condition that allows practitioners to share information. This includes allowing practitioners to share information without consent if it is not possible to gain consent, it cannot be reasonably expected that a practitioner gains consent, or if to gain consent would place a child at risk.

Please note: The *Data Protection Act 2018* and GDPR do not prevent, or limit, the sharing of information for the purposes of keeping children safe. Fears about sharing information must not be allowed to stand in the way of the need to promote the welfare of children and adults at risk, and protect their safety.

5.1.2 Sharing information on a ‘need to know’ basis

It is important to maintain confidentiality, sharing sensitive and personal information only on a ‘need to know’ basis. This means that it should only be shared with individuals and agencies who have a responsibility for the reporting of, or decision making about, a particular safeguarding situation.

For a local church, such people would normally include:

- the Church Safeguarding Coordinator
- the Church Minister, leader, CRCW or Interim Moderator
- the Synod Safeguarding Officer
- the statutory agencies to whom a safeguarding referral is being made, such as Children's or Adult Services, or the Police. Churches should share all relevant information in their possession, and follow multi-agency decisions.

For a Synod or Assembly event, this would ordinarily include:

- the person appointed to act as Safeguarding Officer for the event
- the Synod or Assembly Safeguarding Officer
- the Synod Moderator or the URC General Secretary
- the statutory agencies to whom a safeguarding referral is being made, such as Children's or Adult Services, or the Police. The Synod or Church House should share all relevant information in their possession, and follow multi-agency decisions.

Decisions about whether others need to be informed, such as the parents or carers of children or adults at risk, would be made by those managing the case, and would be on a strictly 'need to know' basis. There may well be situations where they should not be told.

The whole Eldership of a local URC, or the trustees of a Synod or Assembly, might be informed that a safeguarding case is being dealt with and the actions that are being taken, without divulging confidential details of the case. These details might include the people and churches involved, or the precise nature of the issue.

Synod Moderators should always be informed when the general well-being of a church is affected by a serious safeguarding incident, or when the whole Eldership of a local church are failing to take appropriate steps to protect a child or an adult at risk.

It is important to remember that, regardless of whether or not consent is obtained, concerns about a child or adult at risk being harmed, or being at risk of harm, should be passed on to the relevant person without delay.

5.2 Record-keeping

As part of their duty of care, churches have a responsibility to appropriately manage both their paper and electronic records, in line with legislation and guidance. Paper records should be stored securely on church premises, as opposed to in private homes. Confidential, sensitive or important records should be stored in locked filing cabinets or safes, and must be disposed of in a secure manner, such as by shredding.

Electronic records should be managed in the same way as paper records. Churches should use a well-organised filing system containing appropriate procedures for the retention and disposal of records, as detailed in the Table. Document titles should be understandable, and include the date of creation. It is also helpful to include this title and creation date within the document itself to help identify printed copies of the document. Emails are also electronic records which need to be managed appropriately, and any filing system used for this type of communication must also have appropriate procedures for retention and disposal, as described in the Table.

5.2.1 Record retention periods

Records must be kept only if they are required for operational, legal and historical purposes. When records are no longer required for any of these purposes, they should be destroyed in an appropriate manner. The URC advises the following retention periods:

<i>Type of record</i>	<i>How long to keep it for before destroying during IICSA (Independent Inquiry into Child Sexual Abuse)</i>	<i>How long to keep it for before destroying beyond IICSA (Independent Inquiry into Child Sexual Abuse)</i>
Child protection policy documents	Retention period suspended – Retain until further notice	Policy superseded + 25 years with no destruction for archival reasons
Photocopies of DBS Disclosures	The actual disclosure form must be destroyed after 6 months. A record can be kept of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, the unique reference number and the details of the recruitment decision taken. A record of whether a disclosure was clear/ unclear or blemished must not be kept.	The actual disclosure form must be destroyed after 6 months. A record can be kept of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, the unique reference number and the details of the recruitment decision taken. A record of whether a disclosure was clear/ unclear or blemished must not be kept.
Records relating to safeguarding concerns about children, young people or adults at risk	Retention period suspended – Retain until further notice	These should be kept for 75 years following the date when the concern is raised.
Records relating to a safeguarding-related allegation (concerning a child or adult at risk) against a member of staff/volunteer, including where the allegation is unfounded	Retention period suspended – Retain until further notice	These should be kept for 75 years following the date when the concern is raised.
Safeguarding Contract/ Agreement with an offender/alleged offender	Retention period suspended – Retain until further notice	This should be kept for 75 years following the date when the contract is signed.
Records of children's activities and events (e.g. registers, risk assessments, consent forms, health & safety records)	These should be kept for 25 years after the date of the activity/event.	These should be kept for 25 years after the date of the activity/event.
Accident reports	Reports of an adult's accident should be kept for three years. Reports of a child's accident should be kept until the child is 21 years old.	Reports of an adult's accident should be kept for three years. Reports of a child's accident should be kept until the child is 21 years old.

In March 2015, the government launched the Independent Inquiry into Child Sexual Abuse (IICSA). Under the scope of the inquiry, organisations are asked to share information related to child protection, and allegations of child abuse made against individuals or the organisation itself. The Inquiry issued further guidance on document retention: 'Retention Instructions and Data Protection requirements'¹⁵ which confirms that prolonged retention of records necessary for the Inquiry would not contravene the 1998 Act. The guidance goes further in stating that 'Under Section 21 of the *Inquiries Act 2005* the Inquiry has the power to order the production of documents. Failure to comply with such an order without reasonable excuse is an offence punishable by imprisonment (Section 35 of the *Inquiries Act 2005*). It is also an offence for a person, during the course of an Inquiry, to destroy, alter or tamper with evidence that maybe relevant to an Inquiry, or deliberately to do an act with the intention of suppressing evidence or preventing it being disclosed to the Inquiry'. This request supersedes any existing retention schedules. Any records which may be relevant to the Inquiry should not be destroyed until the Inquiry is complete.

For more information about record keeping for children's activities, please see *Section 8 – Good Working Practice*.

5.3 Top Tips

Remember:

- that GDPR and the Data Protection Act are not barriers to sharing information. They provide a framework to ensure that personal information about living persons is shared appropriately
- to be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could, be shared
- to seek advice if you are in any doubt, without disclosing the identity of the person where possible
- to share with consent where appropriate. Do not seek consent if doing so would increase risk
- to ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely
- to keep a record of your decision and the reasons for it, whether it is decided to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose. If you decide not to share, then record why. Records should demonstrate how the process has been managed. Keeping a chronology of events can be very useful in this respect.

 **Appendix T: A guide to confidentiality and data protection** includes a sample confidentiality agreement which workers can be asked to sign.

¹⁵ <http://bit.ly/retention-instructions>

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Section 6

Safer recruitment

6.1 Context

Most people working with children or adults at risk are dedicated individuals who want the very best for those in their care. Only a minority of individuals work with children or adults in order to harm them. It is important that this is understood, whilst at the same time acknowledging that there will, unfortunately, always be people who pose a real danger to children and adults at risk. For this reason, operating safer recruitment procedures is an essential element of our safeguarding arrangements, as those who do pose a risk rarely stand out. The procedures apply to both paid and volunteer staff, because it is their engagement and contact with children and adults at risk which is significant.

No-one has an automatic right to work with children or adults at risk. Operating a safer recruitment policy sends a powerful message to parents, children and visitors, as well as those intent on causing harm, that safeguarding children and adults is taken seriously by the URC.

Churches that are registered charities fall under the regulatory control of the Charity Commission. The Commission requires that charities prevent harm to the beneficiaries of the charity 'through sound recruitment and safe programming' and that 'the recruitment methods of staff, volunteers and trustees should be sufficiently robust and appropriately reviewed'. Likewise, in the case of churches that are not registered as charities, assessing the suitability of staff, volunteers and Elders aligns with the care and responsibility to ensure the welfare of all in the local congregation.

6.2 What is safer recruitment?

Safer recruitment is a framework which uses a range of measures designed to both deter and prevent unsuitable individuals from working (either paid or unpaid) with children and/or adults at risk. Mistakenly, some believe that carrying out a Disclosure and Barring Service (DBS) check (England, Wales, the Channel Islands and the Isle of Man), or a Protecting Vulnerable Groups (PVG) check (Scotland) is all that is needed when recruiting staff and volunteers. It can be tempting for churches to take shortcuts when people are willing to help out, are a familiar face, or there are gaps in the rotas. However, it is important to be aware that a DBS/PVG check is only one part (albeit an essential one) of a safer recruitment process that helps to prevent unsuitable or dangerous individuals gaining access to children, young people and adults at risk.

The safer recruitment process includes:

- providing a job description and a person specification
- completing an application form
- completing a self-declaration of criminal history
- a face-to-face interview
- checking references
- completing a DBS/PVG check
- a trial period.

This is supplemented by the applicant's agreement to abide by the URC Safeguarding Policy and a commitment to undertaking regular safeguarding training and supervision.

To help determine an applicant's suitability for the role, the job description should have clearly stated duties and person specification details. In addition, each job description should make clear the duties expected of the post-holder regarding contact with, and responsibility for, children, young people or adults at risk, and what level of supervision will be provided for these duties.

Both DBS code of practice (published under section 122 of the Police Act 1997) and PVG code of practice (issued by Scottish Ministers under Part V of the Police Act 1997 and the Protection of Vulnerable Groups Scotland Act 2007) advise that it is a requirement that all registered bodies must treat applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed. The codes oblige all churches registered with DBS/PVG to have a written policy on the recruitment of ex-offenders, a copy of which can be given to DBS applicants at the outset of the recruitment process. 🏰 **Appendix D** provides a model policy statement on the recruitment of ex-offenders.

A full explanation of each of the steps within the safer recruitment process can be found in 🏰 **Appendix K – Guidance on safer recruitment and criminal record checks**. Examples of the forms necessary within the Safer Recruitment process can be found in 🏰 **Appendix L1 – Model paid worker application form**, 🏰 **Appendix L2 – Model Volunteer Application Form** and 🏰 **Appendix N – Model self-declaration form**.

6.2.1 Volunteers

Every parent, carer and family member has the right to expect the same standards of recruitment and professionalism, irrespective of whether an individual is paid or works voluntarily. The Charity Commission requires safer recruitment for volunteers as well as paid staff, whatever the role or position. Failing to carry out a safer recruitment process could not only put people at risk, but could also invalidate the church's insurance and, potentially, there may be a personal financial liability for Elders and Ministers (Trustees). It is therefore important to be rigorous when selecting volunteers.

A potential volunteer's willingness to complete any necessary forms, and undertake interviews and other processes, shows that they take safeguarding seriously. It enables the church to show that the potential volunteer is valued as a person, and not only for the service they are offering. Generally, people will not be put off by paperwork, if its importance is clear. Remember that most voluntary organisations require people to complete application forms, give referees and have some form of interview, so the process will not be unexpected to them. However, robust safer recruitment practices will deter and prevent many who are unsuitable from applying in the first place.

Churches must be satisfied that all appropriate checks have been made, and that they have done everything possible to deter and prevent unsuitable candidates from applying and working with children or adults at risk. Not all volunteers have to be checked, except those who are involved in regulated activities with children and/or adults at risk.

6.2.2 Checklist for safer recruitment

It is helpful to have a clear process in mind when embarking upon a recruitment process and for the recruiting person to have a good idea about the position and what sort of people may be appropriate to fill the position. Make sure:

- there is a written job description/role profile and person specification for the position
- the position is advertised
- those applying have completed a standard application form and a self-declaration form
- written references have been obtained and followed up
- candidates have been interviewed
- safeguarding has been discussed at interview
- qualifications have been verified
- a criminal records application form has been completed
- a suitable induction training programme is provided
- the applicant has been given a copy of the church/organisation safeguarding policy and knows how to report concerns
- a probationary period has been agreed
- safeguarding training has been attended.

Candidates should not commence work until the recruitment process has been fully completed, including the receipt of all checks and references. This will reduce the risk of exposing children and adults who may be vulnerable to potential harm, as well as the embarrassment of having to remove someone from a position of work if they prove unsuitable. It also reduces the risk of committing an offence by inadvertently employing someone whose name is on either of the barred lists.

Section 7

Criminal records checks

7.1 DBS checks

The URC uses the Disclosure and Barring Service (DBS) in England and Wales, and the Protecting Vulnerable Groups Scheme (PVG) in Scotland, to help ensure that those working with vulnerable groups are safe to do so.

Criminal record checks are just one part of an effective recruitment process. They reveal any information held on central Police databases, such as cautions and convictions, and any mention on government lists that bar an individual from working with children or adults at risk. Although each nation in the UK uses a different scheme, they are all aligned and recognise each other's decisions. An applicant who is barred from working with children in one nation is barred across the UK.

Individuals and the self-employed cannot apply for a standard or enhanced check from the DBS directly. Due Diligence Checking Ltd has been contracted to provide criminal records checking services for all relevant paid and voluntary roles and positions within the URC.

It is a criminal offence for anyone listed and barred by the DBS and PVG to work, or apply to work, in the UK with the protected groups for which they are listed and barred (either children or adults). It is also illegal for any local church or Synod knowingly to employ a listed or barred person to do regulated activity and work from which they are barred or listed.

Those who act on behalf of the denomination should be vigilant in assessing each role or position, and determining whether a DBS/PVG check should be initiated and what type of check is required. Once a decision for appointing an applicant has been made, a DBS/PVG check should always be carried out for successful applicants, and only if the nature of the job role and position requires it. Before someone considers asking an individual to apply for a criminal record check, they are legally responsible for ensuring that they are entitled to submit a disclosure application for the role/position, and that the individual has consented to the application. It is best practice that those who act on behalf of the denomination obtain suitable written consents from the applicants, and ensure applicants are fully aware of what will be done with their data, and why they are providing it. If a local church or Synod has a Privacy Notice, the applicant should read and understand this prior to the URC asking to process their data. A model Privacy Notice can be found on the URC website.¹⁶

It is essential that criminal offence data obtained via checking schemes are obtained lawfully, fairly and transparently. Any application for a check should, therefore, be initiated with the consent of the applicant to ensure protection of the rights of people who apply to work or volunteer for the URC. Personal data relating to any criminal convictions and offences are not included in the definition of special category data,¹⁷ but similar extra safeguards are applied to the processing of sensitive category data.

The job or role description should say whether it is eligible for, and requires, a criminal record check and, if so, the level of the check. There are four types of criminal record checks:

- Basic – This checks for unspent criminal convictions and conditional cautions only, and it can be used for any position or purpose. This is obtained from DBS and Disclosure Scotland.
- Standard – This checks for spent and unspent convictions, cautions, reprimands and final warnings to support employment/recruitment purposes. This is applied to specific roles and is obtained from the DBS and Disclosure Scotland.
- Enhanced – This includes the same as the standard check, plus any additional information held by local Police that is reasonably considered relevant to the role for which the person has applied. This is also obtained from the DBS and Disclosure Scotland.
- Enhanced including barred list checks – This is similar to the enhanced check, but also includes a check of the DBS barred lists. This is obtained from the Databases and is equivalent to the Protecting Vulnerable Groups (PVG) Scheme in Scotland.

7.1.1 Which church roles and positions require a check?

The URC advises that DBS/PVG checks must always be carried out for any role which is eligible for such checks, as part of a Safer Recruitment process. Certain General Assembly appointees and others undertaking roles for the denomination, including Ministers, will be deemed to be engaging in regulated activity, and therefore require a criminal record check prior to undertaking such work. In order to identify which roles are eligible for a DBS check, it is important to be clear about what each role entails. This is best achieved by producing a written job description, including reference to:

- the type of work
- the frequency and period of time over which the work will be done
- if and how the work will be supervised.

¹⁶ <https://urc.org.uk/gdpr>

¹⁷ GDPR special category data is personal information of data subjects that is especially sensitive, the exposure of which could significantly impact the rights and freedoms of data subjects and potentially be used against them for unlawful discrimination.

DDC has set up a web page¹⁸ with further information and guidance for local churches, trustees, verifiers and other responsible staff to complete on line, and paper DBS and PVG applications for those working or volunteering with children and adults at risk. The government also provides an on-line tool to check the eligibility of roles for a Disclosure and Barring Service (DBS) check in England and Wales.¹⁹ If legal information is complex or questions arise, local churches, Synods and other bodies of the Church are advised to seek guidance from safeguarding professionals, and regularly access statutory websites to keep information up to date, because of the frequent changes to the legislation and eligibility.

7.1.2 DBS eligibility for those who work with children

For roles which fall within regulated activity, an Enhanced DBS plus Barred List check must be carried out. It is a criminal offence to appoint someone to such a role if they are on the Barred List.

In local churches, such roles would typically include:

- any role which involves teaching, supervising or providing advice and guidance to children on a frequent (weekly) basis, such as leaders of weekly children's and youth groups
- any role which involves teaching, supervising or providing advice and guidance to children intensively (at least four days in a 30-day period), such as leaders at a children's holiday club lasting four days or more
- any role which involves the supervision of children overnight, irrespective of how many nights or how often, for example leaders staying overnight at a residential event
- any role which includes personal care of children on account of their illness, disability or age, irrespective of how often this takes place, such as leaders helping children with eating, drinking, toileting, washing, bathing or dressing
- those who drive children as part of their church role weekly, four or more days in a 30-day period, or overnight, for example someone who has been asked by the church to transport children to and from a church activity
- any role on church premises used for Ofsted (Care Inspectorate in Wales) registered childcare, which gives opportunity for unsupervised contact with children during childcare, such as a church office worker or caretaker in a building where toilets are shared with the children
- any role which includes the management or supervision of the above regulated activity.

7.1.3 Supervised workers

In most church activities, volunteers tend to work as co-workers rather than any one person supervising others. The above list, therefore, assumes that the roles are not supervised at all times by a senior worker. The URC's definition of supervision covers situations where the person being supervised is in sight of the supervisor at all times when in contact with vulnerable groups. If one of the above roles is supervised in this way, it no longer falls within the current definition of Regulated Activity, but it is still eligible for an Enhanced DBS check without a barred list check.

7.1.4 Regular, but less frequent work

Those who work in the above roles on a regular basis, but less often than every week, are still eligible for an Enhanced DBS check without a barred list check. This includes, for example, leaders on a monthly rota for a children's activity.

¹⁸ www.ddc.uk.net/urc

¹⁹ <https://www.gov.uk/find-out-dbs-check>

7.1.5 Helpers who are under 18

The lowest age at which someone can apply for a DBS check is 16 years old. However, workers under 18 years old should be supervised at all times by an adult, and therefore should never be engaged in Regulated Activity. As such, they will not require an Enhanced DBS plus Barred List check. However, if 16- or 17-year olds are doing one of the roles in the above list under supervision, then they are eligible for a DBS Enhanced check without a Barred List check.

7.1.6 Activities in which parents/carers are present (such as parent/carer and toddler groups or messy church)

Any roles which are solely about working with the parents, providing refreshments or providing administrative support are not eligible for a DBS check. If the role of the worker does not involve supervision or personal care of children, they do not require a DBS check, but the leader in charge of the group and their deputy should have an Enhanced DBS check without a Barred List check.

If the role of the worker includes supervision or personal care of the children, perhaps while the parents do other things, then an Enhanced DBS check plus Barred List would be required for the worker (unless supervised at all times, in which case a Barred List check would not be required), as well as for the leader in charge of the group and their deputy.

7.1.7 DBS eligibility for those working with adults at risk

The definition of Regulated Activity is simpler for work with adults at risk. An individual is carrying out Regulated Activity relating to adults only when engaging in:

- healthcare for adults provided by, or under the direction or supervision of, a regulated healthcare professional
- personal care for adults involving hands-on physical assistance with washing and dressing, eating, drinking and toileting. This includes prompting and supervising an adult with any of these tasks on account of their age, illness or disability. This also includes teaching someone to do any of these tasks
- social work – provision by a social care worker of social work which is required in connection with any health services or Social Services
- assistance with an adult's financial transactions, money handling, bills or shopping on account of their age, illness or disability arranged via a third party
- assisting in the conduct of an adult's own affairs under a formal appointment
- conveying adults for reasons of age, illness or disability to, from, or between places where they receive healthcare, personal care or social work arranged via a third party.

Even if workers only engage in these activities once, it is still considered Regulated Activity.

A person whose role includes day-to-day management or supervision of any person who is engaging in Regulated Activity is also considered to be working in Regulated Activity. Regulated Activity excludes any activity carried out in the course of family relationships or private arrangements made outside of a church role, for example, between friends.

Within a church setting, Regulated Activity with adults is likely to be limited to a small number of church roles where the person is involved, as part of their church role, in:

- helping with washing, dressing, eating, drinking, toileting or teaching someone to do one of these tasks
- helping with a person's financial transactions, bills or shopping on account of their age, illness or disability. Posting letters for a housebound person is not Regulated Activity, but taking money from them to pay for postage is Regulated Activity.
- driving someone on account of their age, illness or disability to/from places in order to receive health, personal or social care.

For roles involving the above activities, an Enhanced DBS plus Barred List check must be carried out. It is a criminal offence to appoint someone to such a role if they are on the Barred List.

For other church roles in which a worker has a significant level of involvement with adults at risk, an Enhanced DBS check without a Barred List check should be carried out as a matter of good practice.

The  Appendix K contains a table that shows URC roles where the activity is seen to be considered eligible for vetting, disclosure and barring checks. However, this list is indicative and not exhaustive as there will be local variations in roles and positions. Furthermore, it should be recognised that roles do change over time, and new roles are formed, and that some roles are not eligible, while others require certain type of checks. As an example, those in self-help groups or 'family and friends' arrangements are not eligible for an enhanced criminal record check. When a role is reviewed or a new one is created, those who are responsible for appointments should consider first whether the individual undertaking that role is going to be undertaking Regulated Activity with children or adults at risk.

7.1.8 How does a church carry out vetting, disclosure and barring checks?

Due Diligence Checking Ltd (DDC) carries out all checks on behalf of the URC. More detailed guidance about the process is available on URC's pages on the DDC's website.²⁰

7.1.9 How often should DBS checks be renewed for URC workers?

DBS checks for all roles and positions must be renewed every five years.

7.1.10 How does a church check the suitability of overseas visitors?

People who are not British citizens cannot be DBS checked using the United Kingdom system. Some countries will provide a Police check of some sort to declare if the person has any criminal convictions, and these should be carried out if available. If this cannot happen, a risk assessment should be completed to assess the candidate being recruited, taking into account the other areas of safer recruitment that can be completed (see *Section 6 – Safer recruitment*), whatever their nationality. The application process for overseas criminal records checks or 'Certificates of Good Character' for someone from overseas varies from country to country. The government's webpage has more information about criminal records checks for overseas applicants²¹.

²⁰ <https://www.ddc.uk.net/urc/>

²¹ <http://bit.ly/CR-check-overseas>

7.1.11 Who can be the DBS verifier in a church?

The church secretary of each local church is automatically on the list of approved verifiers. The church can ask for additional persons to be added to this list by completing and returning the 99SG form which is available via the safeguarding section of the URC's website. www.bit.ly/2TP2y7D

7.1.12 Blemished Disclosures

It is important for churches to be clear about the procedure for dealing with concerns resulting from information revealed through a DBS check (known as a blemished disclosure). Following the introduction of the Single Certificate, a copy of the disclosure check is no longer sent to the organisation that is either recruiting or renewing a disclosure check; it goes directly to the applicant.

The DBS Code of Practice requires that Disclosure information, including whether a Disclosure has content, is only made known to those who need to know as part of their duties. DBS/PVG verifiers or requesters are not required to see or request to see blemished Disclosures. The URC's policy is that applicants should show their blemished disclosure to the Church in order to make an employment or appointment decision. The URC Safeguarding Team at Church House is responsible for handling blemished Disclosures. DDC will contact the applicant directly if their Disclosure is blemished and send them a special pack in the post. DDC will gather further information from the applicant and make arrangements for the Disclosure to be sent directly to their offices to be passed on to the Safeguarding Team.

The URC Safeguarding Team will carry out a risk assessment on the information it contains. If an applicant is cleared to work in a role, the local church or URC office will receive a standard email notification confirming the certificate's issue number and date. If an applicant is deemed unsuitable to work in a role, or should work within particular conditions, they will receive a specific notification containing the relevant information. No applicant should start working in their role before local churches receive such notification. In the Synod of Scotland, the risk assessment process for staff and volunteers is conducted jointly between the Synod and the Recruitment Sub Committee of the Church of Scotland because of the different safeguarding arrangements.

DDC will liaise with the URC Safeguarding Adviser at Church House, who will review and initiate accordingly a risk assessment process regarding the safety of the appointment with the support of the relevant Synod Safeguarding Officer. Old, minor, unrelated and irrelevant offences will not prohibit people who are otherwise suitable to work with children/ adults at risk from doing so. While not being complacent about risk, the URC understands that people are capable of reform. Our commitment to equality of opportunity, which includes information about our approach to employing anyone with a criminal conviction, can be found in  **Appendix D: Model church policy statement on the recruitment of ex-offenders.**

However, this opportunity to, potentially, make an appointment, subject to certain conditions, does not apply to anyone who has been convicted for any number of offences against a child or adult described by the DBS as 'Relevant Offences' (see DBS website for details). Anyone who has committed a 'Relevant

Offence' will have been barred from working with either children or adults at risk (or both) in Regulated Activity, and they will have been notified of their barred status. An individual who is barred and seeks employment (paid or unpaid) in Regulated Activity is committing a criminal offence. An employer who knowingly seeks to appoint an individual who is barred from working in Regulated Activity from which they have been barred is also committing a criminal offence. Both offences are punishable by a £5000 fine and/or five years' imprisonment.

Certain convictions of a serious nature would mean that the URC would not allow the person to hold a position of responsibility within the church.

7.1.13 Filtering of criminal record information

For those over 18 at the time of the offence, an adult conviction will be removed from a DBS certificate if:

- 11 years have lapsed since the date of conviction, and
- it is the person's only offence, and
- it did not result in a custodial sentence.

An adult caution will be removed after six years have elapsed since the date of caution.

For those under 18 at the time of the offence, the conviction will be removed from a DBS certificate if:

- five-and-a-half years have lapsed since the date of conviction, and
- it is the person's only offence, and
- it did not result in a custodial sentence.

A caution will be removed after two years have elapsed since the date of caution.

There is a 31-page list of offences that will never be filtered off a DBS disclosure certificate. This list can be found on the DBS website. These include sexual and violent offences towards both children and adults. Therefore, the preceding information only applies if the offence is not on this list.

7.1.14 Secure storage, handling, use, retention and disposal of DBS certificates and certificate information

The DBS code of practice requires that all registered bodies must have a written policy on the correct handling and safekeeping of DBS certificate information. It also obliges those registered bodies to ensure that any body or individual on whose behalf they are countersigning applications has a written policy in place. A model policy can be found on the DBS website.²²

22 www.gov.uk

7.2 PVG checks

The Protecting Vulnerable Groups Scheme (PVG) is a membership scheme which is managed and delivered by Disclosure Scotland, an executive agency of the Scottish Government. Since January 2018, PVG checks, rather than DBS checks, are required for jobs in Scotland. Please see www.disclosurescotland.co.uk for further information.²³

Individuals are regarded by Disclosure Scotland as being suitable to do regulated work unless they are barred from working with children and/or adults at risk (known as 'protected adults' in Scotland). Organisations assess the suitability of vetting information, such as convictions and cautions, in determining whether someone is suitable for the role.

All PVG Scheme Members are subject to ongoing monitoring (continuous updating). This means that, when an individual is a PVG Scheme Member, their vetting information is kept up to date, and if there is new information about them, this will be assessed to determine if they are unsuitable to do regulated work with children and/or adults at risk. All parties who have declared an interest (including the URC, if they have requested a PVG check) will be informed.

7.2.1 Types of check

For work with children and adults at risk, a PVG is required. A basic disclosure is available for roles that do not meet the requirements for work with these groups.

7.2.2 Eligibility for PVG checks

The PVG Scheme does not apply to all jobs and volunteering. The work with children and protected adults has to meet the criteria for regulated work, otherwise no PVG is required. Note that Disclosure Scotland refers to 'protected adults' as opposed to 'adults at risk'.

There are two types of regulated work: work with children and work with protected adults. Regulated work is usually jobs including:

- caring responsibilities
- teaching or supervising children and/or protected adults
- providing personal services to children and/or protected adults
- working directly with children and/or protected adults
- certain positions of trust within organisations, even where the role involves no direct contact with children or protected adults.

A child is defined as:

- a person under 16, or
- any person under 18, if already subject to compulsory measures of care or is being looked after by the local authority.

²³ Please be aware that currently there is a new Disclosure Bill in Scottish Parliament that will change the PVG Act. Information can be found on the Scottish Parliaments website <https://www.parliament.scot>

A protected adult is defined as anyone aged 16+ who:

- is unable to safeguard their own well-being, property, rights or other interests, and
- is at risk of harm, and
- because they are affected by disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than adults who are not so affected.

All three are required to meet the definition of Adult at Risk.²⁴

For those working with adults in Scotland, please refer to Schedule 3 of the *Protection of Vulnerable Groups (Scotland) Act 2007*.

7.2.3 How does a church carry out a PVG check?

Application forms for a PVG check are available from our service provider, in the same way as DBS forms for England and Wales.

7.2.4 How often should PVG checks be renewed for URC workers?

In Scotland, membership of the PVG scheme lasts forever. PVG scheme members are continuously checked, unless they decide to leave the scheme, and they should keep their record up to date if, for example, they change jobs or move to a new house. An individual should notify Disclosure Scotland if they stop doing regulated work.

7.2.5 Who can be the PVG verifier in a church?

The Safeguarding Co-ordinator verifies PVG application forms in Scottish Congregations.

²⁴ Adult Support & Protection (Scotland) Act 2007

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Section 8

Good working practice

8.1 Introduction

Safeguarding is about ensuring the needs of the church's children and adults are met and, if they are not, responding sensitively and creatively to meet them. It is not always about abuse and harm, but can be about day-to-day matters which need attention, and which are affecting the welfare of the child or adult and their feeling of being safe. This aspect of safeguarding is what we refer to as good working practice.

Good working practice is underpinned by:

- preventing harm
- promoting safe ways of working
- protecting everyone – children, adults at risk and the workers and volunteers.

It isn't possible to guard against every eventuality, potential harm or abuse. However, churches can do their best to provide a safe place for everyone by making sure that they follow good working practice in every area of church life.

Section 8 defines some of the aspects of good working practices to help churches plan and run safe activities for all ages and needs. Some of these are specific to working with children and young people, and some are relevant for whoever you are working with.

These good working practices are applicable to activities organised by the church, both on and off the church premises, including:

- regular groups run by the church on church premises (e.g. junior church, Pilots, fellowship groups, Messy Church, lunch clubs)
- regular groups for children or adults at risk run by the church which take place on other premises (e.g. house groups or fellowship groups in people's homes)
- pastoral visits of children or adults at risk in their homes
- occasional events (e.g. holiday clubs and outings)
- residential events (e.g. youth camps, all-age church weekends away)
- other work amongst children or adults at risk offered by the church (e.g. mentoring, detached youth work, prayer ministry)
- groups which include adults and children when children attend without adult supervision (e.g. all-age choir, music group or craft group).

Please note: The above list is not exhaustive.

8.2 Preventing harm

8.2.1 Accessibility

The Church premises should be as accessible as possible to all people, recognising the limitations that that may result from the age and design of some buildings. Any restrictions to access, visibility, audibility, toilet facilities, lighting or heating should be addressed and, where necessary, aids and adaptations should be put in place.

8.2.2 Health and safety

Churches have a responsibility to provide a safe environment for their workers and all who use the building, and so should take reasonable measures and precautions to minimise the chance of people getting hurt. Health and safety should be managed as part of all activities, and churches should ensure proper health and safety processes are in place. For more information, advice and support in preparing a health and safety policy, see the Health and Safety Executive (HSE) website.²⁵

8.2.3 Risk assessments

While it is not possible to avoid all risks when working with children or adults at risk, it is possible to try and minimise those risks. This can be achieved through careful planning and preparation and by providing a written record of the thought processes and actions taken. Activity risk assessments should be undertaken before any activity takes place and kept securely, in case they need to be seen at a later date, for example as a result of an accident taking place. These are not onerous, and can be broken down into five easy steps:

1. Identify the risks / hazards
7. Decide who might be harmed, and how
8. Evaluate the risks (likelihood and impact) and decide on precautions/actions
9. Record findings
10. Regularly review and update

In an activity risk assessment, it is important to take into account:

- the type of activity
- the space and setting being used
- the ages, abilities and special needs of participants in the group

²⁵ www.hse.gov.uk

- the staff ratios
- the staff experience
- emergency planning.

Where activities include trips away from normal venues or overnight stays, risk assessments should be completed after a site visit, covering all arrangements and potential activities.

For more information and guidance on completing an activity risk assessment, see

 **Appendix I: A Guide to risk assessment** and **Appendix J: Model risk assessment form**.

8.2.4 Checking for hazards

Before each activity that takes place on the church premises, you should check the rooms and toilets for hazards, and ensure the spaces used are fit for purpose. As an example, a stack of chairs commonly found at the side of the hall, which may not be seen as a hazard to a group using the hall for a pensioner's lunch club, could be hazardous to a toddler group, with fearless toddlers potentially grabbing and pulling on the unstable chairs.

All equipment should be checked for faults regularly, especially electrical and activity equipment. Faulty equipment should be reported, and any electrical repairs performed only by a qualified professional. Trailing leads and cables should be secured, and trip hazards removed.

8.2.5 Fire safety

The law says that fire risk assessments and fire safety plans in your premises must be reviewed regularly to make sure they are up to date. Such reviews would include:

- Checking building complies with fire safety regulations and guidelines
- Ensuring exits and fire exits are clear and are clearly marked
- Regularly checking and servicing fire extinguishers and smoke detectors, which should be fitted throughout the premises
- Ensuring all users of the building are aware of the fire procedures
- Carrying out fire drills regularly with all groups who use the premises
- Appointing designated fire marshals, and providing them with appropriate training
- Keeping accurate records of all checks, drills and tests.

For further information and advice on fire safety for your church, please see the government's Fire safety law and guidance documents for business webpage.²⁶

8.2.6 Terrorism

As we have seen in the UK and across Europe, terrorist attacks can happen at any time and any place without warning. In order to keep everyone as safe as possible, all key personnel should be made aware of the necessary action to take should a place of worship or an event become a target of terrorism.

In the unfortunate event of an attack, the 'Stay Safe' principles should be followed. The principles are:

- RUN – escape if you can
- HIDE – if you can't RUN, HIDE
- TELL – call the Police.

²⁶ <http://bit.ly/fire-safety-law>

Please remember that, as well as looking after your own safety, you must also remain responsible for those in your care.

Methods of attack are not just physical, and some attacks may be through interference with vital information or communication systems. Others may be enabled by someone with specialist knowledge or access to your venue. The threat of terrorism may also take the form of threats or hoaxes which are designed to frighten and intimidate. If your place of worship is to be safe and secure, it is essential that all the work you undertake on protective security is in partnership with the Police, other authorities as appropriate, and your neighbours. It is worth noting that implementing measures for countering terrorism will also work against other forms of criminality, such as theft, burglary and arson, which remain the greatest threats to places of worship. Where possible, additional security measures should be integrated with the church's existing security.

For more information and advice on increasing protection of your church from terrorist attacks, please see the *Crowded Places Guidance 2017*, which can be found on the UK government's website.²⁷

8.2.7 First aid

First aid kits, the contents of which must be regularly checked and refilled, should be clearly located and recognisable. A first aid kit should be carried for all off-site events and activities, and in all vehicles used by the church. Where possible, ensure that there is at least one trained first aider on the premises. Regular staff and volunteer first aid training (including renewal training) should be undertaken, and a list of first aiders compiled and kept available. Ensure that all leaders know their role and responsibility with regards to first aid.

8.2.8 Accidents

An accident book should be maintained, and easily accessible in all places where activities take place with children or adults at risk. Parents or carers should be notified of any accidents, and of any first aid that has been administered. The person responsible for the church's health & safety should also be notified of any accidents, so they can consider if any action needs to be taken to improve health & safety provisions.

8.2.9 Food hygiene

If food is regularly prepared on the church premises, the facilities will need to be checked by the Environmental Health Office, and a Food Handling and Hygiene Certificate acquired. Regular staff and volunteer food hygiene training (including renewal training) should be undertaken. For more information and advice, see the Food Standards Agency website²⁸ and, in particular, the May 2018 document, *Providing food at community and charity events*.

8.2.10 Lettings

Many local churches allow other organisations to use their premises. Those hiring the premises should hold and abide by their own safeguarding policy. If a hirer does not have a policy, they must abide by the church's own safeguarding policy, a copy of which should be made available. Each hiring body is required to ensure that children and adults at risk are protected at all times by taking all reasonable steps to prevent injury, illness, loss or damage occurring.

²⁷ <http://bit.ly/crowded-places-guide>

²⁸ www.food.gov.uk

When any church premises are let to an external, informal group or individual, whether or not they pay, a copy of the local church safeguarding policy should be provided to them. They should sign to say that they have read it and will follow it. If they have one, church officers or the church safeguarding coordinator should see a copy of their safeguarding policy and ensure that they are satisfied with it, placing emphasis on clear reporting and sharing information procedures.

When hiring out the church premises or providing space to community groups/organisations whose work involves children and/or adults at risk on one-off or regular basis, it is important to use a written letting agreement. The safeguarding arrangements with non-URC groups and organisations must be clearly stated. The following wording is recommended to be added to the letting agreement:

I/We have read and understood the requirement of the hiring agreement for a safeguarding policy of _____ Church. I/We have a safeguarding policy regarding the safeguarding of children and adults, and will implement it with any necessary insurance in place.

or

I/We do not have a safeguarding policy. Therefore, I/we agree that whilst using the premises of _____ Church, I/we will adhere to and uphold the principles of church's safeguarding policy.

If the hiring organisation is required to register with OFSTED or the Care Inspectorate Wales (for example, if it is a nursery, pre-school or out-of-school-hours childcare), then the church should ask to see the registration certificate, and record that it has been seen.

All lettings should be reviewed annually. Your Synod or Synod Trust may be able to offer advice or information about leasing and hiring of premises responsibilities.

Please note: Some local churches sponsor Scouts, Guides, Boys' Brigade or Girls' Brigade activities and groups. The leaders of these groups are required to follow the safeguarding policy of their organisations. Scout groups, Guide units, Boys' Brigade or Girls' Brigade groups sponsored by local churches are not hiring, as they have an overarching sponsorship agreement with the Church.

8.2.11 Insurance

Insurance cover is required to protect property, staff, volunteers and participants against the risks associated with all activities. The level and range of cover must be adequate, and should be reviewed annually.

The type of cover required will vary for different activities, and may include:

- public and employer's liability
- personal accident cover for workers (paid and unpaid), other adults and children
- additional cover for specialised high-risk activities, such as mountaineering
- cover for damage or loss of equipment (whether owned or hired)
- compensation against cancellation, travel delays, and loss of baggage, personal effects and money
- legal assistance in the recovery of claims
- additional cover for international trips, including medical insurance

Insurance policies require the insured to take all reasonable steps to prevent injury, loss or damage occurring, and to follow legal, statutory and Charity Commission requirements and guidelines. Failure to take such precautions may impact the insurance arrangements, and therefore it is recommended for the insured to adopt *GP5*, based on current and ongoing guidelines.

URC insurance is in place for Assembly-appointed staff to organise and lead nationally arranged events. However, this does not cover Synod or local area events, which require their own insurance.

All local churches should have their own insurance cover. Most church policies cover public liability for standard events for children and adults at risk. However, if an event involves higher-risk activities, such as rock-climbing or water sports, the church should check with their insurance company whether additional insurance is required.

Please note: It is now advised that copies of insurance policies are retained for 50 years, given the potential for historic claims.

8.2.12 Driving

Good working practice safeguards the transportation of children. However, it is recommended that the same guidelines are followed when driving adults at risk.

If travel arrangements for children are organised on behalf of the church, then it becomes the church's responsibility to follow good working practice. Where necessary, details of travel arrangements should be included within the consent form for any activity or event, and it should be clearly communicated where the bounds of responsibility lie when transporting children and adults at risk.

Other aspects to consider include:

- sensible drivers. The church should check the credentials of prospective drivers, including viewing their full driving licence. Minibus drivers must have passed a MIDAS test, unless D1 is on their licence
- safe vehicles. The church should satisfy itself that vehicles to be used are roadworthy, and fitted with seat belts for each passenger. Drivers have a legal responsibility to ensure that seat belts are used by children in their car, and that appropriate car seats or booster cushions are used by younger children
- suitable insurance cover. Drivers should have appropriate insurance cover for any driving they do on behalf of the church. Drivers should check with their insurance company to make sure that they are covered
- supervision. Ideally, there should be a driver and an additional worker and, where possible, workers should avoid giving lifts to children alone. If a worker has to be alone in a car with a child or young person, another leader should be made aware of the situation and the reasons behind it.
- emergencies. There may be occasions where a child requires transport in an emergency situation. Such circumstances should always be recorded and reported to the leader of the group or activity as well as the parents/carers
- where transport is used in connection with activities for which there is a charge, the organiser should have a public service vehicle operator licence.²⁹

²⁹ <https://www.gov.uk/psv-operator-licences>

8.3 Promoting safe ways of working

8.3.1 Registration forms/register of attendance

Where the church is running a dedicated service for children or adults at risk, best practice requires that all activities should have a registration form and a register.

Registration forms should be updated annually, and include the following:

- name
- date of birth
- address
- parent/carer contact details
- emergency contact details
- medical information
- details of any additional needs
- any other information relevant to the activities, such as dietary requirements, and who is allowed to collect a child at the end of the activity
- consent for emergency medical treatment
- consent for photographs or videos.

Where possible, it is best practice to keep a record of the children and adults in attendance for groups and activities organised by the church. A register of attendance might include:

- the name and type of group or activity
- the date, time and venue of the group or activity
- a list of children present (ages may also be helpful)
- a list of adults present.

The church should also record any significant incidents which occur during groups or activities. Any disclosures of abuse should be recorded separately (see *Section 10 – Responding to safeguarding concerns* for more information on recording disclosures of abuse) but cross-referenced in an incident log.

8.3.2 Consent

Consent for a child should be given from a parent or someone with parental responsibility. Separate consent is needed for one-off events, activities and outings. Provisions should include:

- participation in specific groups, activities or events
- necessary medical treatment in the event the parent/carer cannot be contacted in a medical emergency
- making and using appropriate images of children, including specific consent for display of images on the internet
- online communication between workers and children.

A child can give their own consent from the age of 16.

For more information on online areas of consent and sample forms, see:

-  **Appendix V: Safeguarding and digital communications**
-  **Appendix F: Model information and consent form**
-  **Appendix G: Model request to administer medication form**

8.3.3 Registration of children's activities

Some churches provide groups for children under the age of 6 who attend regularly for more than two hours at a time, or for more than 14 days in any period of 12 months. Unless an exemption applies, these will need registration with the relevant body (OFSTED in England, CIW in Wales and the Care Inspectorate in Scotland). However, even if there is an exemption, there may still be a requirement to inform the relevant body of the activity. For contact details see  **Appendix U: Useful contacts – for all forms of abuse of children and adults.**

8.3.4 Filming and photography

Organisations should take great care in the ways in which they create and use photographs or film footage involving children and adults at risk. This does not mean that pictures or filming should be prohibited but, in order to safeguard children and adults, it is recommended that the following steps are taken:

- permission should be obtained from parents/carers before a photograph is taken or film footage recorded
- it must be made clear why images or films are being made, what they will be used for, who might see them and where they will be stored
- children and young people should be asked if they want to be filmed or photographed
- parents/carers should be asked NOT to take photographs that include any child who is not their responsibility, unless permission has been granted
- use group photographs of children where possible to ensure that individuals cannot be identified by any personal details such as their name, school badge, age or address
- all photographs should be appropriate and respectful of the subject
- photos and other digital media should be stored in a secure location, ideally on a church computer. If this is not possible, it is important to record where the photographs and digital media are stored
- Consent forms should contain a section covering consent for photography and digital media. See  **Appendix F: Model information and consent form.**

8.3.5 e-Safety, acceptable use policy & safeguarding policy

Within their Safeguarding Policy, all churches should have a section on e-safety, including the expectations of workers in their electronic communications with children. It should also include an acceptable use policy in relation to the use of church computers by both workers and children. See  **Appendix C: Model church online safety policy**, which includes sample forms which children and workers could be asked to sign.

8.3.6 Financial integrity

This includes petty cash, invoices, money handling and other related topics. Clear and transparent systems should be in place to prevent the possibility of financial irregularities occurring within the church. Any allegations of financial discrepancies may be based on misunderstanding or confusion, and therefore having clear processes in place will help to protect church workers.

8.3.7 Lone working

It is not advised that workers meet with children alone. However, if such a situation arises, such as a child wanting to discuss a personal matter with a worker, the worker should:

- inform the leader or a co-worker about the contact beforehand
- if possible and safe to do so, obtain the agreement of a parent/carer, but remember that telling a parent/carer might put the child further at risk, depending upon what they wish to disclose
- meet in a public place, such as a room with an open door with other people present close by in the building. Avoid meetings in remote, secluded areas
- carefully consider the needs and circumstances of the child
- record and report to the leader any situation where a child becomes distressed or angry
- inform the leader or a co-worker when the lone working has started, and then again when it has finished.

8.3.8 Overnight stays

When organising overnight stays and residential events, it is important that:

- there is a nominated safeguarding person(s), and all participants and leaders know who it is
- there is a qualified first aider in attendance
- a risk assessment of the venue and activities has been completed beforehand
- adequate insurance cover is arranged for any activities and the premises used
- participants provide emergency contact details, and have been given contact details of the leader or an identified worker
- all church workers have completed safeguarding training, and have sufficient criminal record checks prior to the event
- all medical information and emergency contact numbers are easily accessible
- if using an established residential centre, confirmation is made that it has a suitable safeguarding policy, carries out training and criminal records checks on workers, and has full risk assessments for health and safety.

In the specific case of overnight stays with children:

- consent forms have been completed, with medical requirements, travel and collection arrangements, sleeping arrangements, dietary requirements and any other relevant information
- both female and male leaders are needed for mixed-gender groups
- males and females sleep separately
- workers do not sleep in the same room as children, unless there are exceptional circumstances where children require supervision
- appropriate nightwear is worn
- changing and showering facilities are single-sex, and separate for children and adults. If there are limited facilities, timetables are used to ensure separate access times for children and adults.

For advice on overnight stays with a child or young person who is transitioning, or who does not identify as male or female, contact your Synod Safeguarding Officer.

8.4 Protecting everyone

8.4.1 Responsibilities

In relation to safeguarding in the church, it is important that everyone knows who does what, with all roles clearly defined. Whatever their role, all workers, both paid and voluntary, should have undergone thorough safer recruitment procedures.

No matter who you are or what you do within the church's life, it is your responsibility to be aware of:

- your role and the responsibilities associated with that role
- children, young people and adults at risk
- policies and procedures, and any failures to adhere to them
- potential safeguarding issues within the church premises and activities
- where to ask for help, guidance or support when needed.
- contingency or emergency planning, such as what happens if a leader doesn't turn up, or if there is an accident and someone needs to be taken home or to hospital.

8.4.2 Ratios of leaders to children

It is recommended to have at least two adults present when working with or supervising children. The following adult-to-child ratios are recommended as the minimum numbers to help keep children safe:

0–2 years	one adult to three children
2–3 years	one adult to four children
4–8 years	one adult to six children
9–12 years	one adult to eight children
13–18 years	one adult to 10 children

There should be at least two adults present, even with smaller groups. If there are young people helping to supervise younger children, only those aged 18 or over should be included as adults when calculating adult-to-child ratios. These ratios are a minimum, and may need to be increased to take into account the nature of the group, such as if children with additional needs will be present, and the nature of the activities and the venue – activities spread across a number of rooms, outings and residential events will require more adults. Where possible, at least one female and one male leader should be present for mixed-gender groups. This is essential in the context of overnight stays.

Please note: It is important to make sure parents and carers are clear about when the responsibility for the care of their children returns to them following the activities or events.

Children are entitled to respect and privacy at all times

8.4.3 International trips

The recommended ratio for international trips is:

up to 10 children	three adults
1–10 additional children	one additional adult: for example, 30 children would require a minimum of five adults

However, no fewer than three staff should accompany a group of up to 10 children. More detailed advice and guidance can be obtained from the International Relations department at Church House.

8.4.4 Young helpers

Although the age of 18 marks the legal division between children and adults, it is recommended that a minimum three-year difference is required between the age of young workers and the age of the children they supervise.

8.4.5 Insufficient workers

Ideally, there will be a pool of workers who have undergone safer recruitment procedures, and who can be called upon at short notice if other workers are suddenly unavailable. However, if no other safely recruited workers are available to stand in, the leaders who are present should carry out an informal risk assessment of the activity to decide if it is safe to continue with the number of leaders available. This might result in changing the planned activities to reduce risks. Decisions and reasons for any such alterations should be recorded in an incident report. If it is decided that the risks to the participants' safety are unacceptable, then the activity should be cancelled.

Please note: Under no circumstances should the church run children's groups with only one leader available.

8.4.6 Guidelines on touch

Church groups and activities should provide a warm, nurturing environment for children and adults, whilst avoiding any inappropriate behaviour, or the risk of allegations being made.

- all physical contact should be an appropriate response to the needs of the child or adult at risk, and not the worker
- touch should always occur in public. Giving someone a hug in the context of a group is very different from a hug behind closed doors
- be sensitive to the individual's reaction to touch. If someone is not happy with physical contact, respect this and find another way of conveying your concern for them
- touch with children should be age-appropriate, and initiated by the child
- as far as possible, be aware of the individual's culture, and the meaning that touch has to them
- workers should be able to monitor each other's behaviour with regard to touch and physical contact. They should feel safe and confident to check out issues, discuss any concerns and to constructively challenge anything which could be misunderstood or misconstrued.

8.4.7 Supporting those with medical needs

Churches should identify any health issues or medical needs when organising activities with children or adults at risk, to enable all to fully participate. This includes identifying:

- accessibility issues
- special educational needs and disabilities (SEND)
- medical information and consent forms
- who is required to administer medication
- children and adults at risk carrying and taking medication themselves
- circumstances in which children and adults at risk may take non-prescription medicines such as painkillers
- storage and access to medication
- emergency procedures, including the appropriate response to allergies, diabetes and other illnesses.

Where there are specific instructions from parents/carers about a child's or adult's medical needs, all relevant staff should know what they are, and how to carry them out. For more information, see  **Appendix G: Model request to administer medication form.**

8.4.8 Confidentiality

Confidentiality means that someone's personal business must not be discussed with others, except with their permission. This is not always possible when considering referring information about abuse or concerns. However, it is possible to keep the information confidential to the relevant parties. This means not telling or hinting to others what someone has disclosed, not even for prayer purposes.

8.4.9 Up-to-date safeguarding policies

A copy of the latest local church safeguarding policy should be clearly displayed within the premises. This should include the contact details of key people who can be used for advice, support, or to share a concern with. It is important to discuss any questions or concerns with someone who has responsibility or expertise – no one should ever feel that they have to cope alone with any questions or concerns.

8.5 Following good working practice

These good working practice guidelines are not about rules and regulations in order to prevent you and your church from doing things. Rather, they are about working together to enable all people to get more out of their church and community life, in safe and enjoyable ways.

Part 2

Identifying and responding to abuse



Section 9

Abuse

9.1 Introduction

Abuse is the violation of an individual's human and civil rights by another person or persons, and it arises from the misuse of the power and control that someone has over another.

Abusers come from all sections of society, and are often perceived by others as respectable, reliable and trustworthy people. The vast majority of abusers are well known to the victim, and often hold a position of trust or authority.

Abuse may be perpetrated by an individual or a group, including:

- a parent
- a partner, child, sibling or other relative
- a friend or neighbour
- a paid or volunteer carer
- someone from within the church
- institutions
- people employed or volunteering to work with them
- an employer
- a child or an adult at risk.

Anyone can abuse

Children are more at risk of being abused if they:

- have disabilities or learning difficulties
- have parents with substance misuse issues
- have caring responsibilities.

Adults are more at risk of being abused if they:

- are isolated and have little contact with friends, family or those around them
- have difficulties with their memory
- have problems with communication
- are dependent upon a carer, whether this is a family member, a friend or a paid worker
- have a carer who is reliant upon them for financial or emotional support.

Abuse may consist of a single act or many repeated acts, and it can occur in any relationship with a child or adult. Any or all types of abuse may be perpetrated as the result of deliberate intent, negligence or ignorance. The consequences and the pain of abuse are long-lasting and, for children who are abused, the effects are likely to reach into their adulthood.

Abuse can take place in all kinds of different settings, including:

- at home
- at someone else's home
- at school or in the workplace
- within a nursing home, hospital, residential care or day care
- in a car or other vehicle
- on line
- in church.

Abuse can take place anywhere

9.2 Forms of abuse

Abuse can take many forms including:

- physical
- sexual
- emotional
- neglect (including self-neglect)
- financial (or material)
- spiritual
- discriminatory
- institutional
- domestic
- online
- modern slavery
- exploitation
- radicalisation
- bullying & harassment.

The following definitions of the different types of abuse are compiled from a number of different sources, including *Working Together to Safeguard Children 2018*.

Please note: this is not an exhaustive list, and relates to abuse of both children and adults.

Physical abuse	To inflict pain, physical injury, impairment or suffering
Emotional abuse	The use of threats, fear or power, gained by another's position, to invalidate the person's independent wishes. Such behaviour can create very real emotional and psychological stress. In children, it can cause severe and persistent adverse effects on their emotional development.
Sexual abuse	For a child – forcing or enticing a child to take part in sexual activities. For an adult – any non-consenting sexual act or behaviour. No-one should enter a sexual relationship with someone for whom they have pastoral responsibility or hold a position of trust.

Neglect	<p>A person's well-being is impaired and their physical and/or psychological care needs are not met.</p> <p>In a child, neglect is likely to result in the serious impairment of the child's health or development.</p> <p>Neglect can be deliberate, or can occur as a result of not understanding what someone's needs are.</p>
Self-neglect	<p>An unwillingness or inability to care for oneself and/or one's environment.</p>
Self-harm	<p>The intentional damage or injury to a person's own body. It is often used as a way of coping with, expressing or releasing overwhelming emotions and distress.</p> <p>It may also be about converting emotional pain into physical pain, expressing something that is hard to put into words, or giving a feeling that they are in control.</p>
Financial abuse	<p>The inappropriate use, misappropriation, embezzlement or theft of money, property or possessions.</p>
Discriminatory abuse	<p>The inappropriate treatment of a person because of their age, gender, race, religion, cultural background, sexuality or disability. This is often referred to as hate crime.</p>
Institutional abuse	<p>The mistreatment of a person by a regime or individuals within an institution. It can occur through repeated acts of poor or inadequate care and neglect, or poor professional practice or ill-treatment.</p> <p>The church as an institution is not exempt from perpetrating institutional abuse.</p>
Spiritual abuse	<p>The inappropriate use of religious belief or practice.</p> <p>Coercion and control of one individual by another in a spiritual context.</p> <p>The abuse of trust or misuse of power by someone in a position of spiritual authority, such as a minister.</p> <p>The person experiences spiritual abuse as a deeply emotional personal attack.</p>
Modern slavery	<p>The illegal exploitation of people for personal or commercial gain.</p> <p>Includes human trafficking, where people are moved from one place to another into a situation of exploitation, using deception, coercion and violence.</p>
Radicalisation	<p>The process that moves a person to legitimise their support for, or use of, violence.</p> <p>The promise of an ideology which gives purpose and belonging.</p> <p>Can take place over a long time period, or happen quickly.</p> <p>The person may not understand that they have been radicalised.</p>
Child sexual exploitation	<p>A type of sexual abuse.</p> <p>The child is given gifts, drugs, money, status or affection in exchange for performing sexual activities.</p> <p>The tricking or grooming of children to believe they are in a loving and consensual relationship.</p> <p>Can be in person or on line.</p> <p>The child may not understand that they have been abused. They may seem to be condoning, or even encouraging, the abusive behaviour.</p>

9.2.1 Signs and symptoms of abuse

It is important to be able to recognise the possible signs of abuse. Observing any of the signs or symptoms does not necessarily mean that a person is being abused; there could be perfectly ordinary explanations. However, the observation of multiple signs and symptoms, together with explanations which are inconsistent or do not ring true, should give more cause for concern.

 **Appendix A6 – Signs and symptoms of abuse** includes a comprehensive table of definitions, signs and symptoms of the types of abuse listed above. The table has been compiled from a number of different sources, including *Working Together to Safeguard Children 2018*.

Please note: it is not an exhaustive list, and relates to abuse of both children and adults.

9.2.2 Online abuse

Online abuse is the use of the internet to harm or harass in a deliberate manner, whether this is via email, mobile phones, websites, social media, instant messaging, chatrooms, online games or live-streaming. It can happen at any time, and is not limited to a specific location. It can be experienced even when alone. Online abuse can affect anyone at any age.

Irrespective of which technology or digital space children and adults at risk use, they need to be aware of:

- protecting their own safety and knowing what to do if they feel threatened
- the risks involved in meeting people online, and the danger of being groomed
- the security of their digital footprints, which can lead to a loss of privacy, identity theft, data misuse and fraud
- cyber bullying, online fights, making threats and sexting
- file-sharing, computer security and copyright law
- exposure to dangerous material such as pornography, racist and other hate-focused materials, self-harm advocacy, drug paraphernalia, suicide and gambling
- the addictive nature and dangers of overusing technology.

For more information on different types of online abuse, guidance on creating, managing and the safe use of church websites and social media accounts, befriending children online and positive electronic communications, see  **Appendix V: Safeguarding and digital communications**.

9.2.3 Domestic abuse

Domestic abuse is any threatening behaviour, violence or abuse between adults or young people who are, or have been, intimate partners, family members or extended family members, regardless of age, gender or sexuality or social status. This includes child to parent/carer abuse, the abuse towards elderly family members, female genital mutilation (FGM), 'honour'-based violence (committed to protect or defend what the perpetrator perceives as the honour of the family and community), and forced marriage.

It can encompass, but is not limited to, emotional, physical, sexual and financial abuse, and is rarely a one-off incident. More frequently, it consists of repeated, and often escalating, patterns of controlling and coercive behaviour, abuse and fear.

Children can experience domestic abuse by seeing and/or hearing the abuse within the family, or seeing the injuries or distress afterwards, as well as being directly targeted.

9.2.4 Criminal exploitation

Also known as 'county lines', criminal exploitation involves gangs and crime networks grooming and exploiting children and adults at risk to move and sell drugs. Coercion, intimidation, violence (including sexual violence) and weapons are used to push the children and adults at risk into the criminal activities. The victims are often made to travel across counties to smaller towns in order to transport and sell the drugs. Dedicated mobile phone lines are used to take orders from the drug users.

9.2.5 Peer-on-peer abuse

Peer-on-peer abuse is any form of physical, sexual, emotional (including coercive control) or financial abuse directed at a child by another child of a similar age. Everyone directly involved in peer-on-peer abuse is under the age of 18. It can take various forms, including serious bullying, child sexual exploitation, online abuse and harmful sexual behaviour.

It is not always easy to tell the difference between normal sexual exploration and harmful sexual behaviour. Many patterns of behaviour might, understandably, alarm adults. These range from playful experimentation which unintentionally goes too far, all the way through to serious sexual assault. Children, particularly in younger age groups, may engage in such behaviour with no knowledge that it is wrong or abusive.

Issues surrounding peer-on-peer abuse are highly complex. Help and support should be given for any children whose behaviour towards their peers is a cause for worry, as well as for those children on the receiving end of peer-on-peer abuse.

9.2.6 Bullying and harassment

Bullying is offensive, malicious, insulting or intimidating behaviour intended to cause hurt and pain, or to humiliate or denigrate the recipient. Harassment is unwanted conduct against a person's protected characteristic (including age, disability, race, religion, sex and sexual orientation) to violate their dignity, or to create a hostile, intimidating, degrading or humiliating environment.

Bullying and harassment can take many forms, including:

- verbal abuse, such as shouting or swearing
- threatening or insulting behaviour
- offensive jokes or pranks
- isolation, exclusion or victimisation
- threatened or actual assault or violence
- rifling through, hiding or damaging personal property
- lewd or suggestive comments.

9.2.7 Grooming

Churches offer excellent opportunities for children and adults at risk to grow in faith, and are often one of the main places where they develop appropriate trusting relationships with those outside family or formal education/employment settings. However, churches can also provide opportunities for adults to target and groom children and those who are vulnerable.

Grooming is when someone builds a relationship, trust and emotional connection with a child, young person or someone who is vulnerable, with the intention of manipulating, exploiting and abusing them. It can take place over short (days or weeks) or long (months or years) periods of time.

Groomers may also build a relationship with the victim's family or friends to make them seem trustworthy or authoritative. This could include members of the victim's family, and people within the church. For example, an adult who wanted to abuse a child might spend significant time and energy building a friendship with the child's parents/carers, the minister and members of the congregation. By grooming the adults around the child, developing a reputation of respectability, helpfulness or popularity within the church, the abuser makes it more difficult for the child to disclose abuse, or for adults who may trust and know the individual well to accept even the possibility that there could be a cause for concern or, if allegations are made, that they could be true.

9.2.8 Things to note about abuse:

- it is unlikely that just one type of abuse will occur in isolation from another
- there can be an overlap of the signs and symptoms with different types of abuse
- all abuse involves the misuse of power
- there is an emotional aspect to all types of abuse, including the witnessing of abuse
- if a child sees or hears domestic abuse, this is considered to be child abuse
- secrecy is fundamental to abuse continuing, and victims are often trapped before they know what has happened
- any type of abuse committed within the church can also have a negative impact on someone's faith and relationship with God
- it is not our role to determine which type of abuse it may be, or to investigate.

For more information about specific forms of abuse, useful contacts of relevant organisations, and details about those who are vulnerable to abuse, see:

-  **Appendix A6: Signs and symptoms of abuse**
-  **Appendix R: A guide to domestic abuse**
-  **Appendix V: Safeguarding and digital communications**
-  **Appendix X: Responding to allegations of bullying and harassment**
-  **Appendix E: A guide to working with people with disabilities**
-  **Appendix U: Useful contacts – for all forms of abuse of children and adults**

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Section 10

Responding to safeguarding concerns

10.1 The 4 Rs

The 4 Rs, which are universal in safeguarding, show us what to do if there are concerns about the safety and welfare of someone.

1. Recognise the concern
11. Respond well, acting in an open and transparent way
12. Record what has been seen, heard or said
13. Report concerns to the appropriate people.

10.1.1 Recognising the concern

You might recognise abuse by:

- something you see. This might be an injury or behaviour consistent with abuse and unlikely to have been caused another way; indications of abuse through artwork, play or posts on social media; or abuse witnessed first-hand
- Something you hear. Perhaps someone discloses to you abuse that they have experienced; abuse is disclosed by someone else who knows the person experiencing abuse; indications of abuse through language and conversation, perhaps that is inappropriate for the age or context
- Something that troubles you – that feeling that something is not right with a situation.

It is not always easy to recognise abuse or harm. Therefore, it is important to act if you suspect abuse – don't wait until you are absolutely sure or have solid proof. It is not your role to investigate and get evidence. Key questions to ask yourself are:

- does it look right?
- does it sound right?
- does it feel right?

Everyone has a responsibility for safeguarding, and therefore we all need to notice and recognise if something isn't quite right. Trust your gut instinct.

10.1.2 How to respond well

If abuse remains a secret, abusers will continue to abuse. If someone speaks about the abuse, this can help to end the abuse, support the victim and may even open the door to treatment for the abuser, leading to positive change towards a safer society.

If a child or an adult discloses abuse, it is essential that their information is taken seriously. Ways to respond well to a possible safeguarding concern include:

- listen attentively
- remain calm – be aware of your body language and non-verbal communication
- reassure – they are not to blame and have done the right thing in telling you
- do not promise confidentiality – tell them that this information needs to be shared. If it is an adult, then ask for their consent to pass on what they have told you. Always seek advice if you have any concerns and don't know what to do
- Ask open questions – Tell me, Explain to me, Describe for me (TED). Do not ask closed or leading questions, and don't try to investigate
- repeat back what you have heard them say
- avoid making comments or judgements
- don't stop an individual who is talking freely about what has happened
- seek medical attention if necessary
- explain to them what will happen next – tell them whom you are going to tell, and give them a timescale
- don't confront those alleged to be responsible
- keep quiet – once you have passed the details on to the relevant person, you should not tell anyone else about the disclosure – not even for prayer purposes, or to investigate for yourself.

Please note: Investigating to see if your suspicions are true is not a correct response.

Helpful things to say:

- You have been brave for telling me
- Thank you for telling me
- I am glad you've told me
- It's not your fault
- I will do what I can to help you
- I believe you
- It is OK to tell me
- I am sorry that happened

Avoid saying:

- Why didn't you tell anyone before?
- Are you sure?
- This is really serious
- Don't tell anyone else
- I can't believe it
- I'm shocked!
- This is awful!
- I won't tell anyone
- Are you sure you are telling the truth?

Children and young people rarely disclose directly that they have been, or are being, abused. Adults may also be reticent to make direct disclosures of abuse. It is more likely that you would be concerned by changes in behaviour or physical appearance that you have noticed, or because of something another person has told you.

If you recognise something that causes you concern, don't ignore it; respond.

If the abuser is a family member or has shared a long-term relationship with the victim in a trusted setting, it can be especially painful for them to acknowledge that abuse has been committed against them. Subsequently, it can be even harder for them to be open with others about what they have experienced, either at the time or at a later date. Others may find it difficult to believe what they have disclosed, and can respond with denial, thus isolating the victim even further.

When abusers say to someone they have abused, 'Nobody will believe you,' they are, unfortunately, likely to be correct. Many people struggle to get over the hurdle of believing that abuse could actually happen to – or be perpetrated by – someone they know, particularly if the perpetrator is well liked and respected, or holds a position of authority within the church.

10.1.3 Recording

Safeguarding records provide a history of what happened, summarise what church workers did, and ensure that when people move on, the account is not lost.

Records should include:

- who was involved – the names of key people, including actual or potential witnesses
- what happened – facts not opinions. Use the person's own words where possible
- where it happened – specific location and address
- when it happened – date and time
- who it was referred on to and, if known, what the outcomes were – what happened next, including full names, roles and contact details
- a signature and date, with the full name printed in capitals next to the signature for clarity.

Records should be written up as soon as possible after the event. They should be clear and concise, and it is important that they are legible. Use the individual's own words, and avoid jargon. Notes should be relevant and factual, without including opinions or judgements. It is not your role to verify or prove that the information given is true. If no action follows, it is important to explain the rationale for this decision. Pass all this information on to the Church Safeguarding Coordinator or the Synod Safeguarding Officer as soon as possible.

It is important to write a record of what you have recognised, no matter how small or seemingly inconsequential it may appear.

Any notes or records should be handwritten and NOT typed up for evidential reasons. All records should be kept securely, and only disclosed to the appropriate authorities.

See  **Appendix A5: Safeguarding incident report form.**

10.1.4 Reporting concerns

If you believe that a child or an adult may be suffering or is at risk of suffering significant harm, these concerns should always be referred. It is not appropriate to investigate matters yourself. Reporting (sometimes known as referring) is about sharing concerns with the appropriate person(s) in the Church, or in statutory authorities, in order to prevent more harm, and facilitate access to support and services. As safeguarding is everyone's responsibility, it is important that everyone is clear about to whom they should report their concerns.

If you have a concern, have witnessed abuse, or it has been disclosed to you, you must report it to your Church Safeguarding Coordinator or Synod Safeguarding Officer within 24 hours. The only exception is if they are the subject of the concerns, in which case you must report it to the safeguarding designated person who is not implicated in the situation. **Please note:** The Church of Scotland Safeguarding Service should be the contact in Scotland, rather than the Synod Safeguarding Officer. **Under no circumstances should you contact the person who is the subject of allegations, or share information disclosed to you with them.**

In an emergency, anyone can, and should, make a referral to Children's Services/Adult Care Services/Social Work Scotland, or the Police. A record should be kept of such a referral, and given to the Church Safeguarding Coordinator or the Synod Safeguarding Officer without delay. Relevant contact details of local statutory services should be included in the church's safeguarding policy. If anything is likely to receive attention from the media, then the URC Press Office will be informed by the Synod Safeguarding Officer or the URC Safeguarding Adviser. It is worth noting that Children's Services/Social Work Scotland should always be notified of incidents of domestic abuse. This is because of the emotional impact that witnessing domestic abuse has on children, and the increased risk of physical abuse, sexual abuse or neglect.

Please see  **Appendix R: A guide to domestic abuse** for further information.

When it comes to external referrals, information concerning an adult must only be shared with their consent, and the wishes of those who do not consent to having their information shared should be respected. If you decide to share the information without consent (if you believe the person lacks mental capacity to make such a choice, when there is a risk of harm to others, or in order to prevent a crime) make sure that you record your decision and your reasoning.

Consent is not a condition of making a referral about a child. Whenever a child reports that they are suffering or have suffered significant harm through abuse or neglect, or have caused or are causing physical or sexual harm to others, the initial response from all professionals and volunteers should be limited to listening carefully to what the child says to:

- clarify the concerns
- offer reassurance about how the child will be kept safe
- explain what action will be taken, and within what timeframe.

The child must not be pressed for information, led or cross-examined, or given false assurances of absolute confidentiality, as this could prejudice police investigations, especially in cases of sexual abuse. If the child can understand the significance and consequences of making a referral to Children's Services, they should be asked their view. However, it should be explained to the child that whilst their view will be taken into account, the professional or the volunteer has a responsibility to take whatever action is required to ensure the child's safety, and the safety of other children.

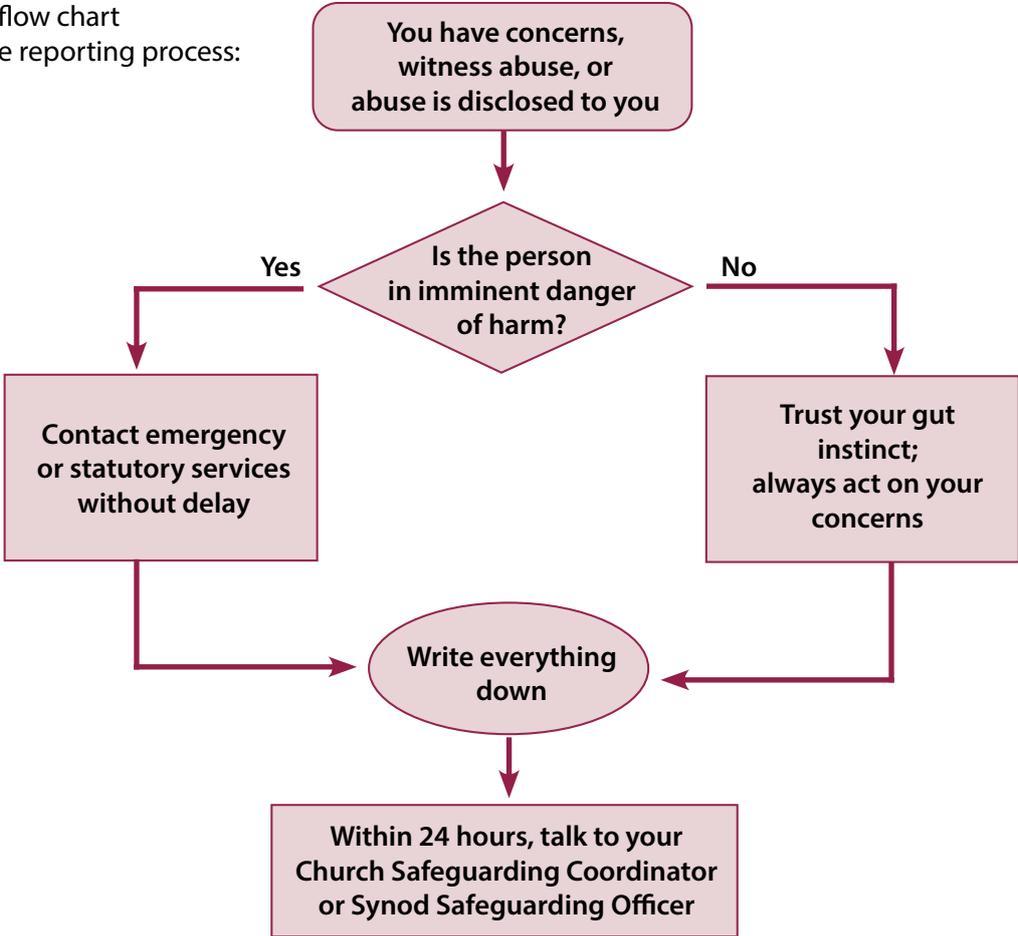
Where practicable, concerns should be discussed with the parent, and agreement sought for a referral to Children’s Services, unless seeking agreement is likely to place the child at risk of significant harm through delay, or the parent’s actions or reactions. An example would be where there are concerns or suspicions that a serious crime such as sexual abuse or induced illness has taken place. Where the parent refuses to give permission for the referral, further advice should be sought from the statutory agencies, unless it would cause undue delay. If, having taken full account of the parent’s wishes, it is still considered that there is a need for referral, then:

- the reason for proceeding without parental agreement must be recorded.
- the parent’s withholding of permission must form part of the verbal and written referral to Children’s Services.
- the parent should be contacted to inform them that, after considering their wishes, a referral has been made.

Reporting a concern is an important thing to do, although it is not always easy. It can be particularly difficult if the family is known and respected within the church community. If you are in any doubt about whether to report your concern, contact your Synod Safeguarding Officer or the Assembly Safeguarding Adviser for advice. You may also contact Statutory Services to consult and seek their advice to determine the level of risk, establish whether a referral must be made, and what further steps could or should be taken to protect the person at risk. You can explain the situation to them without providing further details, and they will advise you upon a possible course of action to take.

Please note: Records should be kept of all conversations that have been had, and any decisions made.

Here is a simple flow chart to summarise the reporting process:



A church member or worker may only have made one small observation, but that piece of information may be vital when put together with others to make the big picture. Safeguarding is made up of many pieces of information and practice, like a jigsaw. Everyone must ensure that any information possessed or uncovered is disclosed to the appropriate person(s) so that all can contribute to the 'Safeguarding Jigsaw' which helps to protect the vulnerable.

10.1.5 When concerns are reported externally

It is preferable for any external referral to be made by the Church Safeguarding Coordinator or Synod Safeguarding Officer, or that they support the person with the concern to make the referral, but if they are not available, anyone can do it. It is important to follow the advice given by statutory services (Children's Services, Adult Social Care or Police).

Once an external referral has been made, there are several options open to the statutory services, including assessments, strategy meetings, case conferences, investigations and interventions. Ministers or church members may be asked to attend meetings, provide statements or give evidence in care or criminal proceedings. If this is the case, or if you are asked to give a character reference for someone involved in a case, you should first consult with the Church Safeguarding Coordinator and the Synod Safeguarding Officer.

In some situations, the reporter might NOT be contacted, and may not be kept informed or given updates. This can be frustrating, but it is important for maintaining confidentiality.

10.1.6 Abuse which occurred when an adult was under 18 years of age

If someone has chosen to disclose historic abuse to you, it is important to establish:

- what the person would like to happen next
- what would be helpful to them
- whether they are safe from harm now
- whether they know what happened to the person who abused them.

Even though the alleged abuse may have happened many years ago, it is still important that it is recorded and reported to your Church Safeguarding Coordinator or Synod Safeguarding Officer. This should be done with the consent of the person disclosing their abuse. It might be necessary to refer the concern to the statutory services if:

- you are aware that more than one person may have been subject to the potential abuse
- a criminal offence may have been committed
- the person asks for the situation to be reported
- you are not aware of any action that has been taken, and others could still be at risk
- the perpetrator may still be in a position to inflict harm upon others.

If you become aware of historical abuse, but not directly from the person who has been harmed, it should be followed up using the same process as for a concern or disclosure of current abuse.

10.1.7 Responding to abuse when the alleged perpetrator is a paid worker, minister or volunteer in the church

If you believe the alleged perpetrator of abuse against children or adults at risk, is a worker, paid or volunteer, or a minister, you must immediately contact the Church Safeguarding Coordinator. If you believe the Church Safeguarding Coordinator has a relationship with the people involved, or other potential conflict of interest, seek the advice of the Synod Safeguarding Officer. If you believe the Synod Safeguarding Officer may have a potential conflict of interest, contact the Assembly Safeguarding Adviser for advice.

Please note: In Scotland, contact the Church of Scotland Safeguarding Service if the alleged perpetrator is a volunteer or paid worker, and if it is a minister, contact the Synod Moderator. In cases where there is a conflict of interest, contact the Synod Clerk or the Assembly Safeguarding Adviser.

The Church Safeguarding Coordinator and/or Synod Safeguarding Officer will agree on the appropriate next course of action, and will likely contact the statutory agencies, as appropriate. They will also determine who will inform the Minister and Moderator. If the situation involves a minister, and statutory agencies decide to proceed with an investigation, the Moderator will advise the General Secretary.

Following discussions with statutory agencies, and in accordance with their requirements, a decision will be made about whether to suspend the alleged perpetrator, or to move them to a role which does not involve working with children or adults at risk. Where an allegation of abuse is made against Ministers (MSWs or CRCWs), depending on the nature of the allegation and any advice received from Social Services or the Police, consideration is given to suspending the minister without prejudice. Any course of action to protect children, adults and the local congregation should be in alignment with the duty to seek pastoral care and promote the welfare of the congregation. The Synod Moderator then instigates the disciplinary process.

Please note: Churches should not undertake any investigatory process until statutory agencies have advised this can take place. This is because statutory processes will take precedence, and it is important not to contaminate any evidence they may need.

Part 3

Safeguarding children and young people



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Section 11

Safeguarding children and young people

11.1 Introduction

In England and Wales, the more recent government guidance *Working Together to Safeguard Children 2018* addresses inter-agency and multi-agency working, including the role of the faith sector in the protection of children. The *National Guidance for Child Protection in Scotland 2014* sets out similar guidance for Scotland. The emphasis on all agencies and organisations working together for the welfare and protection of children places both a duty and a responsibility on churches to cooperate with the relevant statutory agencies.

Working Together to Safeguard Children 2018 states that:

61. Every VCSE (Voluntary, Community and Social Enterprise), faith-based organisation and private sector organisation or agency should have policies in place to safeguard and protect children from harm. These should be followed and systems should be in place to ensure compliance in this. Individual practitioners, whether paid or volunteer, should be aware of their responsibilities for safeguarding and protecting children from harm, how they should respond to child protection concerns and how to make a referral to local authority children's social care or the Police if necessary.

62. Every VCSE, faith-based organisation and private sector organisation or agency should have in place the arrangements described in this chapter. They should be aware of how they need to work with the safeguarding partners in a local area. Charities,³⁰

30 within the meaning of section 1 Charities Act 2011

religious organisations³¹ and any person involved in the provision, supervision or oversight of sport or leisure are included within the relevant agency regulations. This means if the safeguarding partners name them as a relevant partner they must cooperate. Other VCSE, faith-based and private sector organisations not on the list of relevant agencies can also be asked to cooperate as part of the local arrangements and should do so.³²

According to *Working Together to Safeguard Children 2018*, such arrangements should include:

- a culture of listening to children
- clear lines of accountability for children's activities
- a designated person at a senior level to lead on safeguarding
- clear whistleblowing procedures
- safer recruitment practices
- clear policy and procedures for making safeguarding referrals to other agencies, and dealing with allegations against those who work with children
- appropriate training, supervision and support for all workers so that they are competent to play their part in safeguarding and promoting the welfare of children.

Recent high-profile investigations, such as Operation Yewtree, have further helped to change societal attitudes towards safeguarding by heightening awareness of the scale of abuse perpetrated by public figures and others.

31 regulation 34 and schedule 3 to School Admissions

32 H.M. Government, *Working Together to Safeguard Children 2018* page 71

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Section 12

Managing allegations against those working with children

12.1 People in positions of trust

Most staff work well and safely with children. However, it is a sad fact that some people will cause harm to those they work with. On occasion, this is intentional and, regrettably, a part of their motivation to work with children. For others, it may be as a result of poor attitudes, low standards of care, or inadequate awareness of professional boundaries. Regardless of the circumstances surrounding harm caused to children by workers, the URC believes it is never acceptable.

It is essential that local churches know how to manage allegations of abuse against workers. We endorse and follow the guidance issued in *Working Together to Safeguard Children 2018*,³³ which emphasises organisational responsibility with regard to people who hold positions of trust in a range of settings, including faith-based organisations, and which details clear criteria for a referral to Police or statutory services.

Any allegation against people who work with children should be reported immediately to the line manager of the worker, the minister of the local church or the Church Safeguarding Coordinator. If the allegation relates to an ordained minister, the Synod Safeguarding Officer should always be informed, and they will then notify the Synod Moderator of the need to review and instigate disciplinary procedures if appropriate. Synod Moderators will inform the General Secretary, depending on the seriousness of allegations and the risks involved.

³³ Working Together to Safeguard Children: A guide to inter-agency working to safeguard and promote the welfare of children', Department for Education, 2018

Church Safeguarding Coordinators must inform Synod Safeguarding Officers, who will then share concerns and allegations about workers' conduct with children, whether they are paid or unpaid, lay or ordained. They will also inform the Designated Officer (DO), or team of officers, in the Local Authority in England, the Local Safeguarding Board in Wales, or Social Work Scotland. For convenience, this document uses the term DO to refer to each of the above referral points and the term 'Worker' to refer to volunteers, ministers and paid staff members in the URC and local congregations.

Working Together to Safeguard Children 2018 states that a referral must be made directly to the Police or the DO within one working day of all allegations that come to a church's attention, where it is alleged a worker has:

- behaved in a way which has harmed a child, or may have harmed a child
- has, or possibly has, committed a criminal offence against or related to a child
- behaved towards a child or children in a way which indicates they may pose a risk of harm to children.

These procedures may also be used where concerns arise about:

- a person's behaviour in their personal life, which may impact upon the safety of children to whom they owe a duty of care
- a person's behaviour with regard to their own children.

If an allegation requiring immediate attention is received outside normal office hours, the out-of-hours emergency duty team or Police should be contacted, and the DO informed the next working day.

Concerns which fall outside the above criteria may, nevertheless, amount to inappropriate conduct. The church should seek advice from the Synod Safeguarding Officer (or Church of Scotland Safeguarding Service) to decide whether to handle this by way of advice, supervision, training, disciplinary processes, or a combination of some or all of these.

A record should always be kept of all allegations made.

12.1.1 Who should be informed of a referral

If the Church Safeguarding Coordinator, or any other person in the church, makes the referral to a DO, the Synod Safeguarding Officer (or Church of Scotland Safeguarding Service) should always be informed. Where there is potential reputational risk to the Church, the URC Press Office should also be informed by the Synod Safeguarding Officer, or the URC Safeguarding Adviser in the case of serious incidents.

The worker concerned should be informed as soon as possible after consultation with the DO, but with due regard to protecting evidence. A decision about who should inform the worker will be made in consultation with the DO and the Synod Safeguarding Officer.

12.1.2 The role of the Designated Officer (DO) (and their equivalents in Wales and Scotland)

The DO provides advice and guidance to employers and voluntary organisations, including the faith sector, where there are concerns about a worker in relation to children.

They will first establish, in discussion with the referrer, whether or not the allegation falls within the scope of their procedures, and whether or not it appears to have sufficient foundation. The DO ensures that all allegations of abuse against people working with children are dealt with fairly and efficiently. They help co-ordinate information-sharing with the right people, and also monitor and track any investigation, with the aim of resolving it as quickly as possible.

Contact details for the appropriate DO should be included in each church's safeguarding policy. They can also be found on Local Authorities' websites.

The DO's responsibilities include:

- management and oversight of individual cases
- providing advice and guidance
- monitoring the progress of cases to ensure they are dealt with within agreed timescales
- ensuring a consistent and thorough process for all adults who work with children when allegations are made against them
- liaising with the Police and Crown Prosecution Service
- discussing the possibility of referral to the Disclosure and Barring Service.

Information that will need to be given to the DO includes:

- what was said, and by whom
- any action taken
- whether the parents/carers of the child have been informed
- the name, date of birth and address of the member of staff and the child/children involved
- whether or not there are any witnesses
- details of any previous strategy meetings/discussions about the worker in question.

Depending on the nature of the allegation and on the urgency of the referral, the DO may decide that a strategy discussion is appropriate. The initial discussion can be carried out via telephone. If the allegation is more serious and/or complex in nature, the DO will set up a multi-agency strategy meeting to agree the next steps.

Strategy meetings will usually include the employer and/or referrer, a Children's Services worker, a Police Officer and the DO. The aim is to gain fuller information and discuss immediate steps, such as whether the member of staff should be suspended, or if there is an alternative way of ensuring proper enquiries can be undertaken. Advice will be given about whether, when and what information can be given to the staff member about the investigation.

An investigation against a worker may have three related, but independent, strands:

- child protection enquiries relating to the safety and welfare of any children who are, or may have been, involved
- a Police investigation into a possible offence against a child
- consideration of disciplinary action in respect of the worker, including the possibility of suspension.

If the Police or Children's Services decide to investigate, it is likely that they will advise that internal investigations should wait until the outcome of the statutory investigations. Minutes of meetings are distributed to all those in attendance.

12.1.3 Informing the member of staff

The worker who is the subject of the allegation needs to be informed as soon as possible after consultation with the DO or the Police.

Where it is likely that the Police and/or Children's Services will be involved, an agreement needs to be made regarding when, and what, information can be disclosed to the worker in question. This agreement will involve the line manager of the worker, in consultation with the Synod Safeguarding Officer, and those agencies.

If the alleged misconduct involves sexual abuse or other allegations of child abuse where there is a risk that the alleged perpetrator may destroy evidence, it is essential that the Police are consulted before the person is informed about any action, as the Police must be given the opportunity to investigate first.

If the staff member is a member of a trade union or a professional association, they should be advised to seek support from that organisation.

12.1.4 Informing parents/carers

There are some circumstances where a church may need to directly advise parents/carers of an incident involving their child. In these circumstances, care should be taken not to say anything which could jeopardise the ability to conduct a proper investigation. The DO will be able to advise on this.

12.2 Suspension of a worker

Suspension of a worker, pending the outcome of an investigation, should be carried out in consultation with the statutory authorities. Timing can be crucial, as the Police and Social Services need to be able to conduct investigations which are not compromised by a premature suspension. As described in section 2, the term 'worker' in this policy also includes Ministers of Word and Sacrament and Church Related Community Workers (CRCWs).

Where an allegation of abuse is made against a worker, depending on the nature of the allegation and any advice received from Social Services or the Police, consideration should be given to suspending the worker without prejudice, in other words, without passing judgement on the validity of the allegation. Staff should not be suspended automatically, and strategy meetings may discuss alternative courses of action. If they are a paid member of staff, they will be suspended at the appropriate rate of pay (normally full pay) pending an investigation.

This action protects the worker from further allegations of abuse, protects the organisation from allegations of not dealing with the situation appropriately and, most importantly, protects the child from possible further abuse or intimidation.

Suspension should always be considered where there is reason to suspect a child is at risk of significant harm, an allegation warrants investigation by the Police, or an allegation is so serious that it might be grounds for dismissal.

It is clearly in everyone's interest for the matter to be dealt with swiftly. Failure to do so, and failure to suspend the worker while the investigation is undertaken, could make a subsequent

dismissal unfair.³⁴ The reason for this is that summary dismissal for serious misconduct implies that the employer considers the misconduct so serious that it would be impossible to allow the worker to remain in employment. Doubt could be cast on this belief if it appears to have taken the employer a long time to put the allegation to a worker, or if the employer appears to have felt able to take the risk of the worker remaining on the premises while an investigation was undertaken.

When suspending a worker, the appropriately authorised manager should put the allegation to the worker. The worker may be accompanied by a friend of their choice, and it is advisable for the manager to be accompanied as well. The allegation should be put in a non-judgemental manner, and there should be an explanation of how the matter will be taken forward, explaining that the worker will be suspended on the appropriate rate of pay (normally full pay), if in a paid position, while an investigation is carried out, and that it may also be necessary to speak to the worker further as part of the investigation before determining whether a disciplinary hearing is required. It should be emphasised that suspension is not disciplinary action in itself, and does not imply guilt. Rather, it is a precautionary measure which is taken where serious allegations are raised in order for an appropriate investigation to be undertaken.

A record of the suspension meeting should be kept in case it is necessary to refer to it at a subsequent hearing, and the arrangements for suspension should also be confirmed to the worker in writing.

At the time of suspension, the worker should be asked if they undertake any other paid or voluntary work with children or adults at risk. Where there are other employers (for either paid or voluntary posts), they should be informed of the allegation, and the worker should be informed that this will happen. The worker should also be asked whether or not they live in a household with children, as they may require protective measures. It is likely that the DO will inform other employers and Children's Services. The referrer should check this with them.

If the suspended worker wishes to remain involved in the life of a church, then it may be necessary to place them under a contract (see *Section 13 – Managing and supporting those who pose a risk of harm to children*). This is to protect children from any potential risk of harm. In this instance, the Synod Safeguarding Officer should be contacted for advice.

Only relevant people in the church should be made aware of the allegation and subsequent suspension. This may include the Church Safeguarding Coordinator, Minister and an Elder nominated to be responsible for safeguarding. In terms of releasing any church or press statements, this should first be discussed with the Synod Safeguarding Officer or the URC Safeguarding Adviser, who will inform and liaise with the URC Press Officer.

A *pro forma* letter giving guidance to staff can be found in  **Appendix Q: A guide for staff facing allegations.**

12.3 Investigation and disciplinary procedures

The DO's discussion with the Police may result in a criminal investigation being initiated. The Police will aim to complete their enquiries as quickly as possible, in a way that is consistent with a fair and thorough investigation. The church involved must cooperate with the Police at all times.

³⁴ Within the meaning of the law on unfair dismissal

Ministers and others should be aware of the pitfalls of providing a character reference in criminal matters. Commenting on matters under investigation should be avoided, unless invited by the investigating team at a formal meeting or in discussion with the Synod Safeguarding Officer. Any comments should be restricted to known facts and first-hand knowledge.

The Police will keep the victim of the investigation regularly updated and this is generally done by the allocated officer in the case. There are no set timelines for this to happen as the updates are agreed by the victim with the Police and these are individual to each victim and case being investigated. The Police will constantly review the investigation and provide updates when necessary but often investigations of this type are protracted and can take a significant amount of time to complete. The Police will also keep the employer informed of progress and outcomes. This is usually done through the DO.

The Police will gather their evidence, and seek advice from the Crown Prosecution Service (CPS), or the Crown Office and Procurator Fiscal Service (COPFS) in Scotland, regarding the level of evidence needed in order to proceed through the courts.

There are many reasons why a particular case may not come to court or may result in a 'not guilty' verdict. One reason is that in the criminal court, the prosecution must prove the case they allege beyond reasonable doubt in order to obtain a conviction. This is a higher test of proof than in the civil court, where cases are tested on the balance of probabilities.

Such a verdict does not, however, necessarily mean that there is no remaining concern, and it may be that the person should not continue to work with children. Equally, there may remain evidence of inappropriate or misguided behaviour which needs to be addressed, or untested complaints of serious harm to a child. The advice of the statutory agencies should be sought about any continuing risk to children. It may still be appropriate in some circumstances, and in accordance with legal advice, to continue disciplinary action.

A professional risk assessment can also be used in the process of ascertaining whether or not it is safe for a person to continue work which brings them into contact with children. Depending on the outcome of the assessment, the following actions may be necessary:

- training and supervision
- drawing up a safeguarding contract
- referring the person to the Disclosure and Barring Service/Disclosure Scotland
- re-deploying the person to another post
- terminating employment.

12.3.1 Criminal prosecution

The Crown Prosecution Service (CPS) (in England and Wales) and Crown Office and Procurator Fiscal Service (COPFS) (in Scotland) work to certain guidelines, and the Police are expected to demonstrate that there is sufficient evidence for a realistic prospect of conviction.

The CPS/COPFS also considers whether or not taking the case to court is in the child's or the public interest, and whether or not proceeding with a case would be an abuse of process.

It may be decided that the case should not proceed through the criminal courts, and the Police may pass the case back to the employer to consider carrying out their own investigation and, possibly, consider disciplinary action.

12.3.2 Disciplinary proceedings

If the CPS/COPFS decides against criminal proceedings, disciplinary proceedings must always be considered.

Disciplinary proceedings carry a lower burden of proof than criminal proceedings. The employer must be satisfied that in all probabilities it did happen, rather than having to prove that it happened beyond reasonable doubt.

If the employer (church or other body of the Church) has a reasonable belief that the individual has acted inappropriately (i.e. in an abusive manner) and that the implications in relation to their role are such that it is no longer tenable for them to continue in it, then it is acceptable to dismiss a person from that role, whether it is paid or voluntary.

The Police may be able to share some details of their investigation with the employer. The Synod Safeguarding Officer will be able to advise on how to proceed with both the internal investigation, and any subsequent disciplinary action.

If the allegations are against a minister and disciplinary action is needed, the Synod Moderator will instigate Section O (the URC's disciplinary procedure for Ministers), if the process has not already begun.

12.3.3 Resignations and compromise agreements

If a person tenders their resignation during an investigation or before one is started, the investigation should be continued. It is important to try to reach a conclusion. In practice, continuing to investigate without the compliance of the worker can prove very difficult indeed. However, employers are expected to be able to show evidence that they have done as much as they can to reach a conclusion which can be properly recorded.

Compromise agreements by which a person agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference, must not be used in these cases without legal advice, and careful consideration of any safeguarding issues. In any event, such an agreement will not prevent a thorough Police investigation where appropriate, nor can it override an employer's statutory duty to make a referral to the Disclosure and Barring Service and the Charity Commission where circumstances require it.

12.3.4 References

The fact of a disciplinary investigation should be mentioned in any future references provided for an employee or volunteer, unless the allegation was proved to be unfounded.

12.3.5 Referral to the Disclosure and Barring Service (DBS)/ Disclosure Scotland

The law (*The Safeguarding Vulnerable Groups Act (SVGA) 2006* in England and Wales and *The Protection of Vulnerable Groups Act 2007* in Scotland) place duties on organisations to refer individuals, when certain prescribed conditions are met, to protect vulnerable people from harm. This applies to local congregations, volunteers and paid staff when the URC has withdrawn or removed a person from working or volunteering with children or adults at risk in regulated activity or would have done so had that individual not moved on through resignation, retirement or re-deployment. A referral must be made to DBS to consider whether to add the individual to the barred list because the person has:

- been cautioned or convicted of a relevant (automatic barring either with or without the right to make representations) offence such as a serious sexual or violent offence)
- engaged in relevant conduct in relation to children and/or vulnerable adults. An action or inaction has harmed a child or vulnerable adult, or put them at risk of harm
- satisfied the harm test in relation to children and/or vulnerable adults, e.g. there has been no relevant conduct but a risk of harm to a child or vulnerable adult still exists.

In Scotland, churches have a duty to make a referral to Disclosure Scotland within three months of taking a final decision to dismiss an individual or move them permanently from regulated works when they are satisfied that an individual's conduct meets the following criteria:

- harmed a child or protected adult
- placed a child or protected adult at risk of harm
- engaged in inappropriate conduct involving pornography
- engaged in inappropriate conduct of a sexual nature involving a child or protected adult
- given inappropriate medical treatment to a child or protected adult.

This is a statutory duty which applies to churches and, therefore, a failure to submit a referral in such circumstances is a criminal offence. The duty applies in respect of all staff, whether ordained, lay, casual, agency, self-employed, paid or voluntary, irrespective of whether a referral has been made to local authority children's services and/or the designated officer or team of officers.

Relevant conduct is conduct which:

- endangers, or is likely to endanger, a child
- if repeated against a child, will endanger, or be likely to endanger, them
- involves sexual material relating to children (including possession of such material)
- involves sexually explicit images depicting violence against human beings (including possession of such images)
- is inappropriate conduct of a sexual nature involving a child.

The harm test is satisfied if the individual:

- may harm a child
- may cause a child to be harmed
- puts a child at risk of harm
- attempts to harm a child
- incites another to harm a child.

A person will be automatically included on a barred list where they have been convicted of, or cautioned in relation to, serious criminal offences involving sexual misconduct or violence.

If you are concerned about a member of staff, a referral should already have been made to the DO (or equivalent), who will discuss referral to the DBS/Disclosure Scotland. The DO should suggest such a referral when appropriate information, and any documentary evidence which is available, has been gathered. Any church worker is responsible for making referrals to the DBS/Disclosure Scotland, in consultation with the Synod Safeguarding Officer, who needs to be consulted and kept informed.

The DBS and Disclosure Scotland have processes for dealing with referrals, and have risk assessment tools which are used to make decisions. A decision not to bar someone from working with children does not necessarily mean that the person poses no risk, as in the case of unsuccessful criminal proceedings. It remains the employer's duty to decide whether a person should continue to work with children. If necessary, a professional risk assessment should be carried out.

For advice on making a referral or completing a risk assessment, contact your Synod Safeguarding Officer.

12.3.6 Charity Commission

The Charity Commission's advice is that referral to the DBS constitutes a threat to the reputation of a charity and should, as such, be reported to the Commission as a serious incident. Serious incident reporting by charity trustees ensures that the Charity Commission can provide assistance at the earliest opportunity, target their resources where the risks are highest, and help to put charities back on a secure footing where necessary. The responsibility for reporting serious incidents rests with the charity's trustees, even if they delegate this work to others – for example, the Elders of a local church might ask the Synod Safeguarding Officer to report on their behalf. Trustees of the building would also need to report to the Charity Commission if an incident happened on premises they hold in trust.

12.3.7 Insurance advice

It is vital that where there may be liability issues, churches should inform the claims manager of their insurance company as soon as any incident arises which may lead to a claim. Advice should be sought about the insurance cover, and any steps that need to be taken (as far as possible) to safeguard it. The claims manager will also need to be kept in touch with developments. The Elders' meeting needs to review any serious situation, and delegate this task to a trusted member of the church.

Any person accused of abuse who has the benefit of insurance should also inform their own insurance company.

12.4 Action in respect of false or unfounded allegations

If an allegation is determined to be unfounded, malicious or, in rare situations, is proven to have been deliberately invented, consideration should be given to referring the matter to Children's Services in order for a decision to be made as to whether or not the child concerned is in need of support.

It is crucial to ensure that the member of staff who has been the subject of a false allegation is also properly supported, whilst maintaining appropriate confidentiality and protecting the rights of this individual. Such incidents can cause extreme stress to the individual concerned, and the employer may need to offer the services of a counsellor.

However, the details of the one making allegations are not to be disclosed.

12.5 Reinstatement and redeployment

Careful consideration should be given to the future employment or volunteering role of anyone against whom an allegation has been made.

A professional risk assessment carried out by someone with suitable qualifications and experience in this field, which will withstand scrutiny and possible legal challenge, may be needed. The Synod Safeguarding Officer is responsible for undertaking risk assessments, with the support of the Assembly Safeguarding Adviser. The Synod Safeguarding Officer can also be contacted for advice.

Please note: In Scotland, the Church of Scotland safeguarding service may assist in the risk assessment of volunteers.

12.6 Timescales

Timescales will vary depending on the policy of the Local Authority where the church or other body of the Church is located. However, most require to be informed within one day of the allegation/action coming to light, and three days before the strategy discussion is held.

It is in everyone's interests to resolve cases as quickly as possible, consistent with a fair and thorough investigation. Every effort should therefore be made to avoid any unnecessary delay. It is expected that most cases will be resolved within one month, although cases which require a criminal prosecution, or a complex Police investigation are likely to take longer than three months.

Where no new information is likely to be forthcoming or there is no plan to gather more information, early decisions should be made and recorded.

12.7 Pastoral support

Pastoral support offered at the local church is paramount. Disclosing and sharing can be difficult for survivors of abuse, and therefore it is important that pastoral care is available for them. Pastoral care is one of the responsibilities of the Elders' meeting, which is exercised jointly by the Ministers and Elders of the church. Ministers and Elders need to relate with compassion, kindness and within appropriate boundaries, taking slow steps to avoid raising expectations and causing additional damage by being unable to deliver what might be promised as a church.

During any police investigation or assessment by children's social services, the child and their family will need support. A separate person will need to support the alleged perpetrator. People involved in support should not be involved with the investigation or disciplinary proceedings, and may be chosen from outside the church or Synod to ensure neutrality. The Police advise that it is important that the parties do not communicate with each other about the allegation to prevent the contamination of evidence.

In the case of allegations against a minister, the Synod Moderator or Synod Pastoral Committee will need to manage the impact of the investigation on the local church,³⁵ for example by appointing an Interim Moderator and establishing clear lines of communication.

The General Secretary of the URC will manage the impact of the investigation on the wider Church.

12.8 Media

The URC Press Office should be informed of all cases which may attract media attention by the Synod Safeguarding Officer or the URC Safeguarding Adviser. A statement from the URC Press Office will be made available to the Synod office and the local church involved.

12.9 Whistleblowing

To fulfil its commitment to safeguarding and promoting the welfare of children, the URC recognises the importance of creating a culture where there is a mechanism in place for workers to be able to raise legitimate concerns about other workers. This is commonly referred to as whistleblowing.

The Public Interest Disclosure Act 1998 gives workers legal protection against being dismissed or penalised as a result of publicly disclosing certain serious concerns. While the Act does not provide the same protection for volunteers, churches should endeavour to adopt the same practice for all.

All staff, volunteers and members of a congregation should be encouraged to acknowledge and take individual responsibility by bringing matters of unacceptable practice, performance or behaviour to the attention of any of the following:

- Church Safeguarding Coordinator or deputy
- Elders
- Minister or Interim Moderator
- Synod Moderator
- Synod Safeguarding Officer

The URC promotes the need for a denominational whistleblowing policy based on the learning gained by the Past Case Review process. More details can be accessed at  **Appendix Y – URC Whistleblowing policy.**

³⁵ For further exploration of the issue, see Deirdre Offord – Betrayals of trust: Addressing the impact on Congregations when leaders abuse their Position. Grove Books

12.10 Complaints

There may be occasions when a parent or staff member is alerted to an issue by their child or another parent regarding a church. As a children's activities' provider, each local church should have a clear process to deal effectively with complaints. A denomination-wide complaints policy was approved at the Mission Council in March 2018, and can be accessed in the Manual of the Church.³⁶

12.11 Recording and retention of records

Where there is an allegation of a safeguarding nature against a member of staff or a volunteer, including where the allegation is unfounded, records should be retained for 75 years from the date of the allegation. During IICSA (Independent Inquiry into Child Sexual Abuse), the retention period is suspended, and records need to be retained until further notice.

If a minister, member of staff or volunteer about whom an allegation has been made leaves the Synod, their file should be passed to the receiving Synod. If the individual moves to a different denomination, the receiving denomination should be informed, and a copy of the relevant information from the file passed on to them.

12.12 Learning lessons

At the conclusion of a case in which an allegation is substantiated, the church should review the circumstances of the case, with the assistance of the Synod Safeguarding Officer. This should determine any improvements which need to be made to procedures or practices in the future.

Consideration should be given to any policy or practice areas which require greater exploration. This may include additional commitment to training, a more robust induction process for new staff, the use of codes of conduct, and improved guidance for managing particularly vulnerable groups, as well as dealing with parents/carers.

³⁶ More information about URC's complaints policy can be accessed on the website here: <http://bit.ly/MC-March18-P1>

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Section 13

Managing and supporting those who pose a risk of harm to children

13.1 Introduction

The URC believes it is called to share its ministry with all people. As a result, congregations may have people within their membership who have abused children. Not all will have committed sexual offences. Some may have neglected, or physically or emotionally abused, a child. The duty to share God's universal offer of love and forgiveness places a duty on all within the URC to ensure that those who pose a potential risk to children are welcomed to participate in Church Life in ways which do not compromise the safeguarding of children.

If anyone is made aware that a person attending their church has been convicted of an offence against a child, or has had an allegation of this nature made against them at any time, they should immediately inform the Synod Safeguarding Officer and Minister or Interim Moderator. In Scotland, the Church of Scotland Safeguarding Service should be contacted.

It is important to note that when offenders, or alleged offenders, disclose information themselves, they often offer a minimised version of events. They may also be respected and well-liked within the church, which can affect people's judgement. Abusers may not only groom children, but may also manipulate the adults around them, making it more difficult for adults who may trust and may know the individual well to accept even the possibility that there could be a cause for concern. Advice should, therefore, always be sought. See  **Appendix Z: A guide to managing risk and offenders** for the URC's protocol on managing offenders.

13.1.1 Sex offenders

Sex offenders are people who commit, or have committed, a crime involving a sexual act. They are often referred to as paedophiles. However, this term is only appropriate when indicating someone who has a sexual interest in pre-pubescent children. The term hebephile is used to denote people who have a sexual interest in children who are in the early years of puberty.

By understanding the behaviour of sexual offenders, we can place obstacles in their way, and develop a greater insight into how best to support them in being offence-free.

Although the following may apply to innocent parties as well as to sex offenders, those who have sexually abused children may:

- be good at making friends with children. They can appear to be kind, trustworthy, caring and helpful. They put on a good act which fools parents, children and other adults who might be protective, such as church members
- appear as both nice and nasty to the abused child: 'I can be loving and kind, but if you don't do what you're told, you'll see another side to me.' They may also be extremely controlling, intimidating and frightening, using fear, threats and violence to get both adults and children to do what they want
- live in or join families in order to abuse children
- look for jobs or volunteer roles which place them in regular contact with children
- spend time around places like arcades, playgrounds, parks and sports venues to get to know children so they are not seen as strangers
- offer a combination of attention, gifts, treats, games, outings, money, toys, bribes and threats to children in order to entrap them. They may threaten the child with physical harm, or with the loss of someone they love, if they don't do what the abuser wants
- seek out and join organisations with unclear boundaries around contact with children, or with poor safeguarding standards generally, in order to avoid attracting concern about their behaviour. This might be a club with no guidance on travelling with a young person, photography, texting, lone working, or where the prevailing culture is to disregard such guidance
- treat a particular child as a favourite, making them feel special compared to other children
- spend most of their time with children, and have little or no interest in spending time with people of their own age
- attempt to prevent a child or children from interacting with other adults or children.

Most abusers try to find out as much as possible about the child, and use this information to engage the child, and also to drive a wedge between the child and those who would protect them. The more difficult it is for abusers to come between children and protective adults, the safer children will be.

13.2 Caring for convicted sex offenders

Where it is known that someone has a caution or conviction for committing a sexual offence, the church can play an important role in the prevention of further abuse by helping the offender to live an offence-free life.

It is important to provide known offenders with a group of people who will offer support, friendship and supervision. The membership of this group should be chosen carefully, and the

Synod Safeguarding Officer consulted about its constitution. The members should have training, which can be provided or sourced by the Synod Safeguarding Officer or the Church of Scotland Safeguarding Service.

In its safeguarding commitment to the protection of children, the members of the group will set boundaries for the individual which they will be expected to keep. Following advice from the Synod Safeguarding Officer, it may be appropriate to draw up a formal safeguarding contract between the church, the person who is considered to pose a risk, and any statutory agencies involved. This will include a range of conditions which the individual will be expected to meet. For example, it might specify designated areas of the church building where it is, or is not, appropriate for the abuser to enter, either at all or at specific times. This is a highly confidential process involving a select group of people within the church, with advice and support from the Synod Safeguarding Officer. Any information-sharing should be given careful consideration, and be done in consultation with the Synod Safeguarding Officer. Safeguarding contracts are explained in more detail in the next pages, and in  **Appendix Z: A guide to managing risk and offenders.**

The offender should not be given any official role in the church which gives them status or authority, and should not be given positions where children would invest trust in them by virtue of their role. For instance, people involved in pastoral ministry of any kind are regarded as trustworthy people of integrity, both by church communities and by the general public. This perception can be used by offenders, if in such a role, to target victims.

13.3 Caring for those against whom an allegation of abuse is made

To protect the person against whom the allegation is made, as well as to take into account the possibility of truth in allegations, it is necessary to establish appropriate boundaries. This is usually achieved in the form of a safeguarding contract. Such a process does not presume a person's guilt, but, instead, protects the safety of all involved through the concept of respectful uncertainty. Respectful uncertainty involves critically evaluating the information before you, not taking it at face value, whilst keeping an open mind and treating everyone with respect.

Synod Safeguarding Officers should be consulted for advice on safeguarding contracts.

13.3.1 Treatment of sex offenders

Research shows that those who complete treatment are less likely to fantasise about children, or deny that they harmed their victims. They are also likely to be able to show more self-control and are, therefore, less likely to re-offend. However, the result of research does rely heavily on reports from sex offenders themselves. Rehabilitation of offenders is the best guarantee of long-term public protection, including the protection of victims.

There are sex offender treatment programmes in some areas run by Prison and Probation services, although sadly there is little in the way of support or training programmes for partners of sex offenders, who are sometimes referred to as non-abusing carers.

Regardless of whether or not a sex offender has received treatment, they should still be considered a risk and, therefore, it is vital that the necessary safeguards are put in place.

13.4 Safeguarding contracts

If an offender is to be allowed to attend church activities and/or worship in a particular church, then robust measures need to be put in place to ensure that children are safeguarded. These measures are in the interests of everyone, including children, offenders and churches.

Where someone is known to pose a risk, or is suspected of posing a risk, it is important that the Synod Safeguarding Officer (or Church of Scotland Safeguarding Service) is contacted and advised as soon as possible. They will, together with agreed members of the church leadership team, meet with the person and explain the need for safeguarding procedures to be put in place.

Not all offenders accept that what they have done is wrong, and they may not accept the impact of their actions on their victim. They can be very manipulative, and may not have developed an understanding of the importance of boundaries. It is, therefore, vital that there is a mechanism for undertaking assessments, and that clear boundaries are established for the protection of all.

A risk assessment should be completed by the Synod Safeguarding Officer, with support from the Church Safeguarding Coordinator or the Minister, to review all aspects before deciding whether to set a safeguarding contract while a Police, Children's Services or Adult Social Care initial assessment or investigation are ongoing. The Assembly Safeguarding Adviser might also be involved depending on the seriousness of the circumstances.

Any contract should involve two representatives of the Church, the offender (or alleged offender) and the person's partner or relevant family members. Contracts will need to be personalised in each case, taking into account the needs of the individual concerned, local circumstances, support needs and other factors. This should be in line with the risk thought to be posed, determined in consultation with the Synod Safeguarding Officer.

There may be conditions for putting an interim safeguarding contract in place in case of police investigations or pending court decisions. The contract will be finalised with all parties involved, signed and dated by all those named within it. It will be reviewed regularly, initially every three months, unless there are compelling reasons to leave more time between reviews.

The Safeguarding Contract will remain in force for as long as the person is part of the congregation, whether or not they are on licence or their name appears on statutory lists such as the sexual offenders register. In each case, churches or other parts of the Church need to be prepared to ban the offender from the church if the contract is broken. A copy of the contract should be shared with URC's safeguarding office at Church House.

If the person leaves the church, the receiving church should be informed of the existence of the contract so that an assessment can be taken to review the possibility of drawing up a new contract. If a person leaves without informing anyone where or whether they will attend anywhere for worship, the Police should be informed.

See  **Appendix Z: Guidance on managing risk and offenders** for further details.

13.4.1 Multi-agency public protection arrangements (MAPPA)

The Police, Prison and Probation services (known as the responsible authority) are required³⁷ to establish and monitor the arrangements for managing sexual and violent offenders, known as Multi-Agency Public Protection Arrangements (MAPPA). MAPPA Panels may also include Housing, Health, Children's and Adult Services.

It is important to note that there are many people convicted of sexual offences against children who do not meet the MAPPA criteria and, subsequently, do not have such managed and co-ordinated approaches by the statutory agencies. Equally, offenders who start off under MAPPA do not continue to be monitored by MAPPA indefinitely. It is therefore crucial that arrangements for the protection of children are put in place irrespective of whether an offender falls within the MAPPA.

The purpose of MAPPA is to help reduce the re-offending behaviour of sexual and violent offenders in order to protect the public, including previous victims, from serious harm. It aims to do this by ensuring that all relevant agencies work together effectively to:

- identify all relevant offenders
- complete comprehensive risk assessments which take advantage of co-ordinated information sharing across the agencies
- devise, implement and review robust Risk Management plans
- focus available resources in ways which best protect the public from serious harm.³⁸

Each area has a MAPPA Strategic Management Board (SMB), attended by senior representatives of each of the responsible authorities plus two lay advisers. It is the role of the SMB to ensure that MAPPA are working effectively, and to establish and maintain working relationships with the Safeguarding Partners in a local authority.

13.4.1.1 MAPPA guidance for the faith sector

Guidance under MAPPA states that religious communities must put in place effective arrangements which allow them to ensure they are able to protect their community whilst, at the same time, allow sex offenders to maintain their right to worship in as safe a way as possible. An assessment of risk is needed, which should be carried out together with the Police, Probation services and Children's Services, as well as with the Synod Safeguarding Officer (or Church of Scotland Safeguarding Service). The statutory agencies can provide appropriate information and guidance.

The relevant section of the MAPPA guidance reads as follows:

It is essential that we assist religious communities to put in place effective arrangements, which allows them to ensure they are able to protect their community whilst allowing the offender to maintain their right to worship but in a safe way. The place of worship and religious leader should be provided with sufficient information to protect their congregation.

Where a Registered Sex Offender (RSO), who has committed offences against children, or other offenders who present a risk of harm to children and/or other identified victims wishes to continue to practise their religion, through attending services and/or being part of their faith community

³⁷ Criminal Justice Act 2003 S 325-327

³⁸ MAPPA Guidance 2012

the offender/case manager must ensure that they have fully assessed the potential risk of harm this could present.

There should always be a discussion with the offender regarding the need to protect children/identified victims (unless this places the victim at greater risk), who may also be present at services and/or events, from harm. The offender needs to be aware that information will be disclosed to the religious organisation and that they (the offender) will be required to agree to and sign a 'contract' of behaviour. Where an offender is unwilling to give this undertaking, the Offender Manager (OM) and Police should consider whether to seek a restrictive condition on a licence or in a Sexual Offences Prevention Order (SOPO) to prevent the offender being in a place of worship. The outcome of this decision must be recorded [i.e. by the Offender Manager] on the Violent and Sex Offender Register (ViSOR) and the case management record.

Any breaches of the 'contract' with the offender must be reported to the offender/case manager.³⁹

There are three categories of offender eligible for MAPPA:

- registered sexual offenders (Category 1) who are required to notify the Police of their name and address, as well as other personal details, and notify any subsequent changes
- violent offenders (Category 2) sentenced to imprisonment/detention for 12 months or more, or detained under hospital orders (in relation to murder or offences specified in schedule 15 of the Criminal Justice Act 2003). This category also includes a small number of sexual offenders who do not qualify for registration, and offenders disqualified from working with children
- other dangerous offenders (Category 3) who do not qualify under categories 1 or 2, but who currently pose a risk of serious harm. There is a link between their offending and the risk posed, meaning that they require active multi-agency management.

When an offender comes to notice before release, the Synod Safeguarding Officer can explore, with the probation service, whether specific licence conditions should be included. Sex Offender Prevention Orders (SOPOs) can be sought to control or exclude an offender's involvement with a place or community of worship. In appropriate cases, the Synod Safeguarding Officer should explore with the Police whether a SOPO condition should be sought, and how it should be drafted.

If someone is coming out of prison and wishes to be part of a church community, discussions may need to be held about which church might be appropriate, in the light of an offender's needs and taking into account the nature of the congregation of any given church. For instance, if there is a church locally which does not have children, it may be preferable to encourage the person to attend that church, rather than one which does. The Synod Safeguarding Officer will be involved in these discussions.

It is important to note that management arrangements are likely to continue to be needed even after statutory intervention has ceased.

³⁹ MAPPA Guidance 2012

13.5 Information sharing

The MAPPA guidance sets out principles for information sharing. Full details can be found in the guidance itself.⁴⁰ It is possible for information about offence(s) to be given by the Police through a third-party disclosure. The Police will give careful consideration to whether it is appropriate to share the information and will take into account, amongst other things, whether it is proportionate and necessary to do so. They will identify who in the church needs to know, and these people will be specifically listed in the disclosure. The Police will need to be assured of the safety and security of the information.

If a disclosure is considered appropriate, it will be likely that, apart from the Synod Safeguarding Officer, it will be possible to inform a small number of the leadership team, including the Minister or Interim Moderator. Those people would need to keep the information confidential, and seek further guidance from the Synod Safeguarding Officer and Police if they felt that others needed to know.

It is not acceptable for the entire congregation to be informed, as this would not be considered to be either proportionate or necessary to safeguard children, and would be contrary to the offender's human rights. If, however, the information is in the public domain, for instance in local press reports, it may be necessary for the sake of the overall ministry of the Church to have a more open discussion. Careful thought would need to be given to how it would be best to handle such a situation, as these types of scenarios have the real potential to split a church, given that there are likely to be many different emotions at play. The Synod Safeguarding Officer or URC Safeguarding Adviser and URC Press Officer should be involved in any kind of church statement.

The appropriate safeguarding officer from a partnership denomination should be informed where any concern is considered, investigated or referred within a Local Ecumenical Partnership (LEP).

13.5.1 Pressing Needs Test regarding an offender/suspected offender

Synod Safeguarding Officers should be consulted before confidential information is shared. A disclosure should only be made if there is a pressing need. A disclosure can have grave consequences, so there must be real and cogent evidence of a pressing need for disclosure.

Each case must be considered on its own merits. A blanket approach is not possible. Considerations involved in deciding whether there is a pressing need to share information about an offender/suspected offender include:

- the balance between the public interest and the need to protect children with the right of an individual to a private life
- the person's previous history and current risk assessment, if available
- the level of likely access to children
- the degree of risk posed by the person if a disclosure is not made
- any other factor in the individual case which is thought to be relevant.

Where possible, these matters should be considered on a multi-agency basis. Legal advice should be sought where there is doubt about the lawfulness of a disclosure. In view of the possibility of a legal challenge/complaint by an offender, potential/suspected offender or future

⁴⁰ MAPPA guidance 2012 p.51-57

victim, all agencies must, in addition to seeking any legal advice required, maintain a written audit trail of events, actions, discussions and decisions as well as the reasons for them.

13.6 The Child Sex Offenders Disclosure Scheme/Community Disclosures Scheme

In England and Wales, there is the Child Sex Offenders Disclosure Scheme (known as Sarah's Law⁴¹) and in Scotland, the Community Disclosure Scheme – Keeping Children Safe. Both enable parents, carers and third parties to enquire whether a person who has access to a child is a registered sex offender or poses a risk to the child.

Under the scheme, a parent, carer or third party can make an application to find out if there is any information about which they should be aware to assist in protecting children in their care. If there is a need to pass on such information, the Police will disclose this to whoever is in a position to use it in safeguarding the child(ren). This might not necessarily be the person who requested it.

The scheme builds on existing processes for proactive management of sexual and violent offenders by the constabulary's Public Protection Units under the Multi-Agency Public Protection Arrangements (MAPPA).

41 Sarah's Law was proposed after the murder of eight-year-old Sarah Payne by a convicted sex offender

Part 4

Safeguarding adults at risk



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Section 14

Adults at risk

14.1 Introduction

The responsibility placed upon churches for safeguarding adults is no less important than the responsibility for safeguarding children. The Church and Church Elders/ Deacons/ leaders who act in the role of charity trustees are responsible for ensuring they have policies and procedures for safeguarding adults, in accordance with the requirements of the Charity Commission and insurers. See *Section 2 – Definitions* for further details.

The URC is committed to creating and maintaining a safe and positive environment, and accepts responsibility for safeguarding the welfare of all adults involved with the church, in accordance with the *Care Act 2014 (England)*, the *Social Services and Wellbeing (Wales) Act 2014* and *Adult Support and Protection (Scotland) Act 2007*

The URC's policy and procedures in relation to adults apply to all individuals involved in the URC and church related activities. The URC will encourage partner organisations to adopt the principles and practice of equality as set out in the URC's policy and procedures for adults, and will support them in demonstrating their commitment to these principles and practices.

14.2 The Church and safeguarding adults

Churches and places of worship are unique, with a universal regard for others requiring that we offer a welcome to all. This means our church communities care for those who have been abused, or are at risk, yet also hold a responsibility for giving pastoral support to perpetrators and people accused of abuse.

This can mean survivors of abuse, and those at risk of harm, may be in close proximity to people alleged to have abused, or who have been convicted of abuse. We believe this difficult responsibility can be met through careful attention to the needs of all the church family.

We recognise that there will be times when consideration of risks and circumstances lead to the conclusion that the wisest and safest decision is to ask an individual not to worship in a particular church, and to invite them to attend services elsewhere. To do so expresses our duty of care to all in our church communities, in an honest and faithful manner.

14.3 Principles

The guiding principles for Adult Safeguarding in England, Wales and Scotland do vary, and are provided in the separate pieces of legislation.

14.3.1.1 England

The *Care Act 2014* sets out the following principles that should underpin safeguarding of adults in England:

- **Empowerment.** People being supported and encouraged to make their own decisions and informed consent: 'I am asked what I want as the outcomes from the safeguarding process and these directly inform what happens.'
- **Prevention** – it is better to take action before harm occurs: 'I receive clear and simple information about what abuse is, how to recognise the signs and what I can do to seek help.'
- **Proportionality** – The least intrusive response appropriate to the risk presented: 'I am sure that the professionals will work in my interests, as I see them, and they will only get involved as much as needed.'
- **Protection** – Support and representation for those in greatest need: 'I get help and support to report abuse and neglect. I get help so that I am able to take part in the safeguarding process to the extent to which I want.'
- **Partnership** – Local solutions through services working with their communities. Communities have a part to play in preventing, detecting and reporting neglect and abuse: 'I know that staff treat any personal and sensitive information in confidence, only sharing what is helpful and necessary. I am confident that professionals will work together and with me to get the best result for me.'
- **Accountability** – Accountability and transparency in delivering safeguarding: 'I understand the role of everyone involved in my life, and so do they.'

14.3.1.2 Wales

The fundamental principles of the *Social Services and Wellbeing (Wales) Act 2014* in Wales are:

- **Voice and control** – putting the individual and their needs at the centre of their care, and giving them a voice in, and control over, the outcomes that help them achieve well-being
- **Prevention and early intervention** – increasing preventative services within the community to minimise the escalation of critical need
- **Well-being** – supporting people to achieve their own well-being, and measuring the success of care and support
- **Co-production** – encouraging individuals to become more involved in the design and delivery of services.

14.3.1.3 Scotland

The overarching principle of Part 1 of the *Adult Support and Protection (Scotland) Act 2007* in Scotland is that any intervention in an individual's affairs should provide benefit to the individual, and should be the least restrictive option of those that are available which will meet the purpose of the intervention. This is supported by a set of additional guiding principles. These are:

- consider the wishes and feelings of the adult at risk (past and present)
- consider the views of other significant individuals, such as the adult's nearest relative, their primary carer, guardian or attorney, or any other person with an interest in the adult's well-being or property
- it is important that the adult takes an active part in the performance of the function under the Act
- providing the adult with the relevant information and support to enable them to participate as fully as possible
- ensuring that the adult is not treated less favourably than another adult in a comparable situation
- the adult's abilities, background and characteristics (including their age, sex, sexual orientation, religious persuasion, racial origin, ethnic group and cultural and linguistic heritage) are taken into account.

The principles of all the Acts still recognise common themes, ensuring that:

- adults are empowered and have a voice
- prevention and early intervention are important
- adults are supported with an interest in their well-being
- working in partnership is encouraged.

In addition, all adults, regardless of age, ability or disability, gender, race, religion, ethnic origin, sexual orientation, marital or gender status, have the right to be protected from harm, abuse and poor practice, and to participate in an enjoyable and safe environment.

The rights, dignity and worth of all adults will always be respected. We recognise that ability and disability can change over time, so that some adults, especially those with care and support needs, may become more vulnerable to abuse.

We all have a shared responsibility to ensure the safety and well-being of all adults, and will act appropriately and report concerns, whether these concerns arise within the URC, for example inappropriate behaviour of a youth leader, or in the wider community.

All allegations will be taken seriously, and responded to quickly, in line with this policy.

The URC recognises the role and responsibilities of the statutory agencies in safeguarding adults and is committed to complying with the procedures of the relevant local authority partnership, board or committee.

14.3.2 Making safeguarding personal

'Making safeguarding personal' is a common theme, and means that adult safeguarding should be person-led and outcome-focused. It engages the person in a conversation about how best to respond to their safeguarding situation in a way that enhances involvement, choice and control, as well as improving quality of life, well-being and safety.

Wherever possible, safeguarding concerns should be discussed with the adult to get their view of what they would like to happen, and keep them involved in the safeguarding process. Their consent should be sought to share information outside of the organisation where necessary.

14.3.3 Well-being principle

The concept of well-being is a common thread throughout the main pieces of legislation, and it is one that is relevant to adult safeguarding within the church. Well-being is different for each of us; however, the *Care Act 2014*, in particular, sets out broad categories that contribute to our sense of well-being. By keeping these themes in mind, we can consider that all adults benefit from:

- personal dignity (including treatment of the individual with respect)
- physical and mental health and emotional well-being
- protection from abuse and neglect
- control by the individual over their day-to-day life (including care and support, and the way they are provided)
- participation in work, education, training or recreation
- social and economic well-being
- domestic, family and personal domains
- suitability of living accommodation
- ability to contribute to society.

14.4 Guidance and legislation

The practices and procedures within this policy are based on the principles contained within the UK legislation and Government Guidance, and have been developed to complement the Safeguarding Adults Board/ Safeguarding Assurance Partnerships (England), Regional Partnership Boards (Wales) and Adult Protection Committees (Scotland) policy and procedures. They take the following into consideration:

- *The Care Act 2014*
- *The Protection of Freedoms Act 2012*
- *Domestic Violence, Crime and Victims (Amendment) Act 2012*
- *The Equality Act 2010*
- *The Safeguarding Vulnerable Groups Act 2006*
- *Mental Capacity Act 2005*
- *Sexual Offences Act 2003*

- *The Human Rights Act 1998*
- *The Data Protection Act 2018 (and General Data Protection Regulation)*
- *Adult Support and Protection (Scotland) Act 2007*
- *Adults with Incapacity (Scotland) Act 2000*
- *Mental Health (Care and Treatment) (Scotland) Act 2003*
- *Social Services and Wellbeing (Wales) Act 2014*
- *Children and Social Work Act 2017*

14.5 Definitions

To assist working through and understanding this policy, several key definitions need to be explained.

An adult is anyone aged 18 or over.

In recent years, there has been a marked shift away from using the term 'vulnerable' to describe adults potentially at risk from harm or abuse.

14.5.1.1 England

Section 42 of the *Care Act 2014* defines an 'Adult at Risk' as a person aged 18 or over who:

- has care and support needs
- is at risk of, or experiencing, abuse or neglect and
- as a result of those care and support needs, cannot protect themselves against actual or potential abuse or neglect.

An adult at risk of abuse or neglect is someone who, by nature of their circumstances, physical or mental health, is unable to protect themselves from harm or exploitation. The person must have care and support needs, although they do not have to be receiving help or services from the Local Authority, the NHS, or elsewhere to fall within the definition.

14.5.1.2 Scotland

Section 3 of the *Adult Support and Protection Act (Scotland) 2007* defines as adult at risk as a person aged 16 or over who is:

- unable to safeguard themselves, their property (their home, the things they own), their rights or other interests
- at risk of harm
- because of disability, mental disorder, illness or physical or mental infirmity, is more vulnerable to being harmed than others who are not so affected.

14.5.1.3 Wales

Section 126 of the *Social Services & Wellbeing (Wales) Act 2014* defines an adult at risk as an adult who:

- is experiencing or is at risk of abuse or neglect
- has needs for care and support (whether the local authority is meeting any of those needs or not)
- as a result of those needs is unable to protect himself or herself against the abuse or neglect, or the risk of it.

An adult in need of care and support is determined by a range of factors, including personal characteristics, factors associated with their situation and environment, and social factors. Naturally, a person's disability or frailty does not mean it is inevitable that they will experience harm or abuse.

In the context of safeguarding adults, the likelihood of an adult in need of care and support experiencing harm or abuse should be determined by considering a range of social, environmental and clinical factors, not merely because they may be defined by one or more of the above descriptors.

Abuse is a violation of an individual's human and civil rights by another person or persons. (See *Section 9 – Abuse* for further explanations)

Adult Safeguarding means protecting a person's right to live in safety, free from abuse and neglect.⁴²

14.6 Mental capacity, abuse and the right to choose

Mental capacity refers to the ability to make a decision at a particular time, for example when under considerable stress. The starting assumption must always be that a person has the mental capacity to make a decision, unless it can be established that they lack mental capacity.⁴³

A fundamental difference between safeguarding adults and children is that adults are presumed to have capacity for making their decisions, and the freedom and right to make choices about their life, unless the law restricts them from doing so, or they are assessed as lacking mental capacity.

This can mean that people at risk of abuse may wish to make choices that others deem unwise, and which perhaps expose them to future harms. It can include situations when a person is harmed or abused by a friend, paid carer or family member, and chooses not to press charges. This can be a difficult area for churches, particularly where there are pastoral relationships with both parties.

When deciding whether an adult can protect themselves from abuse and harm, it is important to consider the extent to which they can understand information and make decisions. This is known as 'mental capacity'. For example, someone with severe dementia is unlikely to have the mental capacity to make significant decisions that will affect their lives.

One of the difficulties associated with mental capacity is that it can fluctuate. Someone may lack capacity at one moment, and later on may be fully able to make important decisions by weighing up the implications of a situation, having received and understood information. Some adults may have capacity to make some decisions, but not all. Lacking mental capacity is not a permanent or fixed state, even though the physical or mental symptoms, illness or disability that reduce capacity can be of a permanent nature. For this reason, when health or social care professionals test a person's mental capacity, it will only ever relate to the decision that is being considered.

⁴² Care and Support Statutory Guidance issued under the *Care Act 2014*

⁴³ *Mental Capacity Act 2005*

Churches can get advice and support around mental capacity from their Synod Safeguarding Officer or their local Adult Care Services.

14.7 Consent and information sharing

Ideally, in all situations the person experiencing the abuse will either contact statutory authorities directly, or give you their consent to make the contact on their behalf. Sometimes this may not happen. If no consent is given because the person is confused or appears not to understand you, and is unable to tell you what they would like to happen next, this could be because of a lack of mental capacity. By taking action and reporting your concern, it is likely that you will be acting in the person's best interests to keep them safe from harm.

Where the person appears to understand that inaction creates further dangers for them, and continues to choose not to take action, you can still share information with the Synod Safeguarding Officer (or Church of Scotland Safeguarding Service), and Church Safeguarding Coordinator if you believe that a crime may have been or could be committed, or that a failure to do so would place an adult with care needs at risk of abuse. Examples might include:

- the alleged perpetrator is employed in a position of trust (including as a professional) which means others may be endangered
- the alleged perpetrator works with adults at risk
- others are in danger or at risk
- a criminal offence may have been committed
- there is a serious and high risk to the safety or life of the person
- the alleged perpetrator works for the church, whether paid or unpaid.

If you become aware that people are in immediate danger of harm, or that a criminal offence has been committed, you should contact the Police immediately. Follow the process as shown in *Section 10 – Responding to a safeguarding concern*.

If you are in doubt about whether to report the situation, contact your Local Authority Safeguarding Adults Team for advice. You can share the circumstances of the situation without providing the name of the person involved.

14.8 Confidentiality and information sharing

If someone starts to make a disclosure to you, find an opportunity early in the conversation to explain that you cannot keep secret any information about a possible criminal offence or risk to others. We all have to share certain types of information if people are in danger, or a crime has been committed. You can offer assurance that you will only share information with those who need to be made aware. This makes explicit the importance of what is about to be said.

Confidentiality is maintained when information is shared on a need-to-know basis. Details of a potential safeguarding situation should remain confidential to those who must be involved, and not shared more widely with anyone else.

It is essential to keep any records that include personal information confidential and ensure they are stored securely, with access only for those who need to see them.

It is possible to share generalised details, sufficient to make people aware of an alleged incident, when this becomes necessary. For example:

'A possible safeguarding incident has occurred and, our church safeguarding procedures are being followed. Owing to our desire to respect everyone's right to confidentiality, we are unable to share details. We ask that you respect this, and trust that every step is being taken to ensure our church is as safe a place to be as we can make it. If we are able to tell you any further information, we will do so. However, we may not be in a position to give any other details for some time. If you have any concerns of a safeguarding nature, please contact the Church Safeguarding Coordinator. Please pray for all involved.'

14.9 Responding to general concerns about an adult's well-being

There are times when you may have general concerns about an adult's well-being because of their frailty, mental ill health, learning or physical disabilities. If you have concerns about an adult's well-being, it might be appropriate to encourage them to find more help to remain independent and well.

If you are concerned about an adult carer who may be experiencing difficulties with their situation, you can encourage them to seek the help they may need.

Many charities produce very helpful guidance and advice and some suggested links are given in  **Appendix U: Useful contacts – for all forms of abuse of children and adults.**

14.10 Carers

Caring for family members with care and support needs can create stress and difficulties, which can lead to tensions between a person who is being cared for and the family carer. These situations are not unusual; they account for a significant number of safeguarding cases, and sometimes may indicate that the carer is not receiving enough help and support.

Although the risk of abuse is most usually from the carer, there are circumstances when the abuse can be inflicted upon the carer or other members of the family by the person being cared for. Difficulties between the carer and the person being cared for can be exacerbated when there is a history of abuse in the relationship.

Carers can be entitled to support services in some situations. Encouraging carers to access help can be an important step in preventing harm in the home. Young people and children caring for an adult with care and support needs are also entitled to support. They can also be subject to abuse from the parent or family member they are caring for. In these circumstances, this will be a children's safeguarding matter.

14.11 Managing allegations against those working with adults

When managing allegations against those working with adults, the same procedures should be followed as those found in *Section 12 – Managing allegations against those working with children*.

Suspension of a worker pending the outcome of an investigation should be carried out in consultation with the Police or other statutory authorities. Timing can be crucial, as the Police need to be able to conduct investigations which are not compromised by a premature suspension. It is important to note that it is the local Adult Care Services office which should be contacted with concerns about workers' (paid and unpaid, lay and ordained) conduct with adults, and not the Designated Officer (DO). The Synod Safeguarding Officer must always be informed of this contact to provide a coordinated response to consultation with statutory authorities and management of these allegations.

Where an allegation of abuse is made against someone working with adults, depending on the nature of the allegation and any advice received the Police or Statutory Authorities, consideration should be given to suspending the worker without prejudice, in other words, without passing judgment on the validity of the allegation. Staff should not be automatically suspended, and strategy meetings may discuss alternative courses of action. If they are a paid member of staff, they will be suspended at the appropriate rate of pay (normally full pay) pending an investigation.

This action protects the worker from further allegations of abuse, protects the organisation from allegations of not dealing with the situation appropriately and, most importantly, protects the adults from possible further abuse or intimidation. Suspension should always be considered where there is reason to suspect an adult is at risk of significant harm, an allegation warrants investigation by the Police, or an allegation is so serious that it might be grounds for dismissal.

Only relevant people in the church should be made aware of the allegation and subsequent suspension, such as the Church Safeguarding Coordinator, Minister and an Elder nominated to be responsible for safeguarding). In terms of releasing any church or press statements, this should first be discussed with the Synod Safeguarding Officer or the URC Safeguarding Adviser, who will inform and liaise with the URC Press Officer.

A professional risk assessment can also be undertaken in the process of ascertaining whether or not it is safe for a person to continue work which brings them into contact with adults or other vulnerable groups, such as children. Depending on the outcome of the assessment, the following actions may be necessary:

- training and supervision
- drawing up a safeguarding contract
- referring the person to the Disclosure and Barring Service/Disclosure Scotland
- re-deploying the person to another post
- terminating employment
- referring the matter to the Charity Commission, depending on the seriousness of the allegation or incident.



Appendix Z: A guide to managing risk and offenders provides more information.

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Section 15

Providing pastoral care and support for historic abuse

15.1 Supporting survivors of abuse

It is important to be sensitive and aware to the fact that, at all times, there may be those in a congregation who are facing issues relating to current or past abuse. When considering survivors of abuse, it is important for the Church, at all levels, to be sensitive to the suffering, pain and subsequent issues facing those who have experienced abuse. In any case, the procedures set out in *Section 10 – Responding to Safeguarding Concerns* must be followed, and survivors should be treated in the same way as someone who has more recently experienced abuse. The time since the abuse took place has no significance.

Forgiveness and healing are crucial concepts in Christian life, work and teaching, but they are not quick fixes. They are long and difficult processes which people must have the choice to work through, if and when it is right for them. Any action of the Church which presents forgiveness and healing as simplistic solutions without regard to people's pain

could be experienced as abuse in itself. As survivors consulted the Church, any prescriptive doctrine that impacts on people's lives (e.g. a concept of forgiveness) can be experienced as spiritual abuse.

The point of disclosure is one vital element that can contribute to life changes when responded to with compassion and sensitivity by a minister or an elder or a church worker who will readily listen to disclosures within private conversations, home visits or other private church services. The overarching aim should be to allow people space to wrestle with God within the Church without forcing any local church or other body of the Church to use specific liturgies or resources.

If someone within the congregation has alleged abuse and the authorities have decided not to investigate further, it is important to continue to offer appropriate pastoral support to the individual and/or signpost them to specialist services with their consent. A compassionate response to the survivor is required of everyone and particularly those in positions of power and leadership (church leaders, ministers and elders) acting with the individual in the journey of accessing pastoral care and support.  **Appendix S: A guide to supporting adult survivors of abuse** provides further guidance.

15.2 Managing allegations made against people in the church

An allegation of abuse against someone in a church can be a difficult time for all involved. The priority is to ensure that everyone is safe, and that the right steps have been followed. In doing so, it is essential that compassion, care and support are given to the person who makes the allegation, their family and friends. Similarly, the alleged perpetrator may equally require pastoral support and care from the church body.

See *Section 12 – Managing allegations against those working with children* and *Section 14.11 – Managing allegations against those working with adults* for more information, and the process which should be followed.

Paying close attention to the needs of all parties can help the church community to find ways to handle the situation sensitively and with gentleness. It can often be helpful for the person making the allegation, and the alleged perpetrator, to find them people to provide support who are not within the same church congregation.

15.2.1 How to respond to the church congregation

When an alleged abusive incident of any nature has occurred within a church setting, the pastoral concerns are manifold; individuals who have alleged abuse, those accused, concerned families and members of the congregation all require support. Balancing these, sometimes conflicting, needs is not an easy task. Maintaining confidentiality with regard to the names and details of a situation is essential, and therefore information needs to be shared in a structured way that allows the congregation to process what has happened.

There is no blueprint for successfully dealing with these situations, and Elders may feel ill-equipped to handle them. Pastoral care is one of the responsibilities of the elders' meeting, which is exercised jointly by the ministers and elders of the church. Ministers and elders need to relate with compassion and kindness within appropriate boundaries and to take slow steps, before they raise people's expectations and cause damage by being unable to deliver what might be promised as a church. It may also be helpful for the Synod to offer additional pastoral support to the local leadership, providing a safe environment in which people can seek help if they wish.

Listening skills are very important as equally as the value of human connection with people who are well informed about what trauma and sexual abuse. Each Church needs to have people ready to listen. Although not all elders are specialists in offering pastoral support, and not all churches have ministers, at least either an elder or a minister can be accessed in any URC church. Survivors

from several research groups⁴⁴ point out that they do not need great experts to listen to them; just another human being who listens at their pace, does not push them too hard and recognise that abuse is not their whole story. They want people who can trust the survivor to be the expert in their own life and offer them the chance to say no to help and withdraw their involvement if it is difficult for them and their needs change over time. The principle of empowerment that underpins adult safeguarding work is thus paramount: people being supported and encouraged to make their own decisions and informed consent.

15.3 Managing and supporting those who may endanger an adult at risk

Where it is known that someone has been convicted of abuse to an adult at risk, or is alleged to have committed an offence of that nature, a safeguarding contract between the church and the individual is a transparent approach to manage the risks. If this situation arises in a local church, the Synod Safeguarding Officer needs to be contacted immediately. In Scotland, the local Church Safeguarding Coordinator needs to contact the Church of Scotland Safeguarding Service.

The Synod Safeguarding Officer can establish that the Church Safeguarding Coordinator has no known conflict of interest.

If the person convicted of, or alleged to have committed, abuse of an adult at risk is under the age of 18 years, a different process from that outlined below will be required. Your Local Authority will be able to offer advice in these circumstances.

When it is necessary to draw up a contract involving adult perpetrators, this should be done in conjunction with the Church Safeguarding Coordinator, the Synod Safeguarding Officer and the Minister, if appropriate. If a local church does not have a minister, the Elders Meeting has a responsibility to put the right safeguards in place.

It is possible that statutory agencies, including Probation Services, may already be involved with a known or alleged perpetrator. They will assist in undertaking the necessary risk assessment to inform the safeguarding contract details. If statutory agencies are not involved, a risk assessment should be undertaken by the Synod Safeguarding Officer or the URC Safeguarding Adviser in case of a serious safeguarding incident that crosses the boundaries of synods. A copy of the contract should be shared with URC's safeguarding office at Church House.

Please note: If an individual is convicted of committing crimes associated with domestic abuse, a contract is required.

A safeguarding contract is advised to protect the alleged perpetrator, victims and the local congregation. The process of writing a contract is the same as described in *Section 13 – Managing and supporting those who pose a risk of harm to children*. See  **Appendix Z: Guide to managing risk and offenders** for further details.

44 Dale, P., *Adults Abused as Children: Experiences of Counselling and Psychotherapy*; NSPCC, East Sussex and Kent

List of GP5 Appendices

All appendices can be accessed at URC's website here:

www.urc.org.uk/good-practice-policy-and-procedures

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Appendix A1	Safeguarding policy statement
Appendix A2	The role of a Safeguarding Co-ordinator
Appendix A3	Code of conduct for working with children or young people
Appendix A4	Code of conduct for working with adults
Appendix A5	Safeguarding incident recording form
Appendix A6	Signs and symptoms of abuse
Appendix A7	Guidance on safeguarding for Local Ecumenical Partnerships
Appendix B	Model church safeguarding poster
Appendix C	Model church online safety policy
Appendix D	Model church policy statement on the recruitment of ex-offenders
Appendix E	A guide to working with people with disabilities
Appendix F	Model information and consent form
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Appendix O	Sample Synod Safeguarding Officer job description
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Appendix Q	A guide for staff facing allegations
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Appendix T	A guide to confidentiality and data protection
Appendix U	Useful contacts for all forms of abuse of children and adults
Appendix V	Safeguarding and digital communications
Appendix W	URC guidelines for the use of social media
Appendix X	Responding to allegations of bullying and harassment
Appendix Y	URC whistleblowing policy
Appendix Z	A guide to managing risk and offenders

Glossary

- AGM** Annual General Meeting
- ACR** Annual Church Return
- DO** Designated Officer
- CC** Charity Commission
- CFS** Churches Forum for Safeguarding
- CH** Church House
- CIW** Care Inspectorate Wales
- COPFS** Crown Office and Procurator Fiscal Service/Scotland
- CPS** Crown Prosecution Service/England & Wales
- CRCW** Church-related Community Workers
- CSC** Church Safeguarding Coordinator
- DBS** Disclosure and Barring Service
- DDC** Due Diligence Check Ltd
- GDPR**
- GP5** Good Practice 5
- HSE** Health and Safety Executive
- IICSA** Independent Inquiry into Child Sexual Abuse
- LEP** Local Ecumenical Partnership
- LADO** Local Authority Designated Officer
- MC** Mission Council
- MAPPA** Multi-Agency Public Protection Arrangements
- MIND** Ministerial Incapacity and Discipline Advisory Group
- OFSTED**
- OM** Offender Manager
- PCR** Past Case Review
- RSO** Registered Sex Offender
- SAG** Safeguarding Advisory Group
- SCR** Serious Case Review
- SEND** Special educational needs and disabilities
- SMB** Strategic Management Board
- SOPO** Sexual Offences Prevention Order
- SSO** Synod Safeguarding Officer
- GA** General Assembly
- GP** Good Practice
- URC** The United Reformed Church
- PVG** Protecting Vulnerable Groups (Scotland Scheme)
- ViSOR** Violent and Sex Offender Register

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