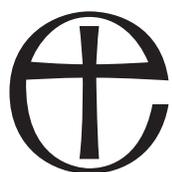


SAFEGUARDING HANDBOOK

for the Protection of Children
and Vulnerable Adults



DIOCESE OF OXFORD

Serving Berkshire, Buckinghamshire and Oxfordshire

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Foreword by the Bishop of Oxford

The church embraces its duty to keep people safe. This should not be a difficult or daunting task: it is mostly a matter of doing simple things well. But to know what we should do it is helpful to have some guidance, and so we have issued this *Safeguarding Handbook*. I hope you find it useful.

In calling it guidance we mean that we offer suggestions and recommendations to parishes which are consistent with the policies of the national church, with legal requirements and with accepted good practice. But we are not a position to impose, nor would we wish to impose, legal requirements on our parishes and people. If in parishes you consider that the guidance does not suit your needs, do contact the Diocesan Safeguarding Adviser to discuss the matter

In response to many requests and following a decision by the Board of Mission we are now including guidance on work with vulnerable adults, on domestic abuse, on dignity at work and with survivors of abuse. Model forms, checklists, good practice guides and similar material are in a separate folder.

Recent events have shown that people still expect a higher standard of behaviour from those with responsibilities in churches than they might from the general community. This is a tribute to the seriousness of our calling in working with children, vulnerable adults and others. At the end of the day it is people and not procedures who safeguard and protect our people and I would rather you thought through your issues and made some sensible decisions than simply treated this handbook as a rulebook. Nevertheless, it is useful to have some pointers and I hope you find what you need here.

The Right Reverend John Pritchard
Bishop of Oxford
March 2012

Introduction

This handbook replaces *Protecting Children in the Diocese of Oxford* and has several new features:

- It now covers vulnerable adults, domestic abuse, dignity at work and survivors of abuse as well as children. However, it is shorter than the previous version
- It concentrates on those aspects which experience has suggested are most likely to be needed and used by parishes
- Some rarer situations are therefore not considered. However, advice is always available
- Model policies, forms, good practice guides and the like are in a separate folder
- The handbook is also available on the Diocesan website and will be fully searchable so everyone should be able to find the topic they need. The web version will be updated periodically, probably six monthly. So it will be advisable to check the website for updates
- Relevant government and national church guidance is provided on the website for those who wish to check the source documents
- We envisage a five year life for this handbook. Some issues which are likely to change are dealt with by brief references and a separate practice note in the forms section

No handbook of this kind can cover every situation or all the possible nuances. If the advice offered seems inappropriate it will be more useful to think through the issue and consider what seems best. In the words of Eileen Munro's 2011 report on child protection: *it is more important to do the right thing than to do things right.*

If you find errors please let me know.

Stephen Barber
Safeguarding Adviser
Diocese of Oxford

House of Bishops Safeguarding principles

These principles were agreed by the House of Bishops in 2010.

Preamble

Every person has a value and dignity which comes directly from the creation of male and female in God's own image and likeness. Christians see this potential as fulfilled by God's re-creation of us in Christ. Among other things this implies a duty to value all people as bearing the image of God and therefore to protect them from harm.

Principles

We are committed to:

- The care, nurture of, and respectful pastoral ministry with, all children and all adults
- The safeguarding and protection of all children, young people and adults when they are vulnerable
- The establishing of safe, caring communities which provide a loving environment where there is a culture of 'informed vigilance' as to the dangers of abuse

We will carefully select and train all those with any responsibility within the Church, in line with safer recruitment principles, including the use of Criminal Records Bureau (CRB) Disclosures.

We will respond without delay to every complaint made which suggests that an adult, child or young person may have been harmed, co-operating with the police and local authority in any investigation.

We will seek to work with anyone who has suffered abuse, developing with him or her an appropriate ministry of informed pastoral care.

We will seek to challenge any abuse of power, especially by anyone in a position of trust.

We will seek to offer pastoral care and support, including supervision and referral to the proper authorities, to any member of our church community known to have offended against a child, young person or vulnerable adult.

In all these principles we will follow statute, guidance and recognized good practice.

Diocesan policies and responsibilities

Diocese of Oxford safeguarding policy

- 1 The Diocese will adopt the relevant national church policies relating to safeguarding as its own and commend them to parishes and other church bodies. It will adapt them as may be necessary with changes in the law and practice. At the time of writing these are
 - *Promoting a Safe Church 2006 - Joint Statement of Safeguarding Principles for the Church of England and the Methodist Church of Great Britain 2010*
 - *Responding to Domestic Abuse 2006*
 - *Dignity at Work 2008*
 - *Safeguarding Guidelines relating to Safer Recruitment 2010 (interim version)*
 - *Responding Well to those who have been sexually abused 2011*
- 2 Over time the Diocese will encourage safer practice by parishes with vulnerable adults and will combine and harmonize its policies for safeguarding vulnerable adults with those for safeguarding children
- 3 The Diocese will adopt an inclusive approach to vulnerability in adults, recognizing that those living in institutions or receiving statutory services may have a higher level of vulnerability than others, and that legal responsibilities and options will vary according to the individual situation of a vulnerable person
- 4 Domestic abuse and responding to adult survivors of abuse in childhood will be included within the Diocesan approach
- 5 The Diocese will appoint a Safeguarding Adviser to provide advice and guidance in this field. The adviser will have full access to clergy and other confidential files as may be necessary and with due regard to any conflict of interest
- 6 The Diocese will establish steering groups to oversee work with and for children and for vulnerable adults
- 7 The Diocese will provide and maintain suitable content on the Safeguarding pages of the Diocesan website
- 8 The Diocese will prepare and issue a handbook for parishes and other church organizations. This will
 - a. take account of legal responsibilities
 - b. build on national guidance
 - c. provide model documents, good practice guides, procedures and forms as may be necessary
 - d. be provided both as a hard copy and in downloadable form on the Diocesan website

- 9 The Diocese will encourage parishes and other church organizations to practise safer recruitment of those working with children and vulnerable adults, including the use of Criminal Records Bureau (CRB) Disclosures for those who are eligible. It will provide or facilitate access to the CRB
- 10 The Diocese will provide a regular newsletter. This will be issued electronically to parish contacts and posted on the Diocesan website. Consideration will be given to establishing a Facebook page and a blog
- 11 The Diocese will advise parishes to appoint a safeguarding officer or officers, to oversee work with children and with vulnerable adults
- 12 The Diocese will prepare and issue a model policy for parishes, as a revision of that already commended for safeguarding children. It will commend a process of formal adoption and annual review of this policy and monitor the achievement of this through the Archdeacons
- 13 The Diocese will prepare suitable training materials and encourage parishes to arrange training for their workers. It may use a range of methods
 - a. through the delivery of stand-alone sessions
 - b. through providing a module in a course such as one in pastoral care
 - c. directly or through recruiting paid or volunteer trainers
 - d. through provision of training materials which parishes can use themselves
 - e. through developing, commissioning or securing suitable e-learning courses
- 14 The Diocese will prepare Good Practice Guides for workers in this field. This will address the issue where parties are in conflict or where a vulnerable adult is both victim and perpetrator
- 15 The Diocese will provide an advice service on policies and cases where a child or vulnerable adult may be at risk or cause a risk and will work with statutory bodies as necessary
- 16 The Diocese will provide a model policy for parishes to use if they have an issue of misconduct
- 17 The Safeguarding Adviser will take a lead role in the event of allegations of misconduct affecting children or vulnerable adults against clergy, others with the Bishop's licence and parish lay employees and volunteers
- 18 The Safeguarding Adviser will provide advice to the Bishop or other church employers on the possibility of suspending, disciplining, reinstating, redeploying or otherwise managing those with convictions or unresolved concerns about their conduct in respect to children or vulnerable adults. This will include advising on external risk assessments and facilitating though not funding these
- 19 The Safeguarding Adviser will provide assistance if a referral to the Independent Safeguarding Authority is needed

- 20 The Diocese will prepare an annual report of its activity in safeguarding children and vulnerable adults and will provide this to the national church
- 21 This policy will be reviewed every three years or as necessary more frequently

Diocesan Policy on Recruitment of Ex-Offenders

The Diocese, as a Registered Body with the Criminal Records Bureau (CRB), has adopted a policy on the recruitment of ex-offenders. This is set out below. Parishes will need to adopt a similar policy and a model policy on recruitment and CRB Disclosures is available.

- 1 As an organization using the CRB Disclosure service to assess applicants' suitability for positions involving working with children and vulnerable adults, the Diocese of Oxford complies fully with the CRB Code of Practice and undertakes to treat all applicants for positions fairly. It undertakes not to discriminate unfairly against any subject of a Disclosure on the basis of conviction or other information revealed
- 2 The Diocese of Oxford is committed to the fair treatment of its staff, potential staff, volunteers and users of its services, regardless of race, gender, religion, sexual orientation, responsibilities for dependants, age, physical or mental disability, or offending background
- 3 This policy on the recruitment of ex-offenders can be made available to all Disclosure applicants at the outset of the recruitment process
- 4 We actively promote equality of opportunity for all with the right mix of talent, skills and potential, and welcome applications from a wide range of candidates, including those with criminal records. In selecting people we assess their skills, qualifications and experience
- 5 A CRB Disclosure is only requested for eligible positions with children and vulnerable adults. For those positions where a CRB Disclosure is required, all application forms, job advertisements and recruitment briefs will contain a statement that a CRB Disclosure will be requested in the event of the individual being offered the position
- 6 Where a CRB Disclosure is to form part of the recruitment process, we encourage all applicants called for interview to complete a *Confidential Declaration* at an early stage in the application process. We request that this information is sent under separate, confidential cover, to a designated person within the Appointing Body and we guarantee that this information will only be seen by those who need to see it as part of the recruitment process
- 7 For eligible positions involving work with children and vulnerable adults we ask questions about the applicant's entire criminal record on the *Confidential Declaration Form*, as the Rehabilitation of Offenders Act 1974 provides that for this purpose no convictions are regarded as unspent. Failure to reveal information that is directly relevant to the position sought could lead to withdrawal of an offer of employment
- 8 Appointing Bodies will be made fully aware of their duties under the provisions of the Criminal Justice and Court Services Act 2000 prohibiting the employment of disqualified

people from working in regulated positions and any other relevant requirements stipulated by law or by regulatory bodies

- 9 At interview, or in a separate discussion, we ensure that an open and measured discussion takes place on the subject of any offences or other matters that might be relevant to the position. A risk assessment may be undertaken, when offences are disclosed, which takes into account the circumstances of the offence and the position applied for
- 10 We make the CRB Code of Practice readily available through the Diocesan website
- 11 We undertake to discuss any matter revealed in a CRB Disclosure with the person seeking the position before withdrawing a conditional offer of employment
- 12 We have a procedure to deal with complaints relating to CRB Disclosures and the use of CRB Disclosure information
- 13 Having a criminal record will not necessarily bar someone from working with us. This will depend on the nature of the position and the circumstances and background of your offences
- 14 It is Diocesan policy that no-one who has been convicted or who has accepted a caution for a sexual offence against a child will be permitted to undertake regulated activity or have unsupervised access to children
- 15 A person convicted of, or who has accepted a caution for, any other offence against a child or for whom there are unresolved serious allegations outstanding will only be allowed to undertake regulated activity or have unsupervised access to children with the express agreement of the incumbent following consultation with the Diocesan Safeguarding Adviser and the police
- 16 A person known to be convicted of, or to have accepted a caution for, an offence against a child will be subject to an individual agreement defining attendance at worship and other church activities

Duties of the Diocesan Bishop and Diocesan synod

These are to:

- adopt the policies issued by the House of Bishops in the field of safeguarding, together with any additional diocesan procedures and good practice guidelines which should be endorsed by the diocesan synod
- provide a structure to manage safeguarding in the diocese
- appoint a suitably qualified Diocesan Safeguarding Adviser (DSA) to advise on work with children and vulnerable adults, including those at risk of domestic abuse and survivors of abuse

- provide appropriate financial, organisational and management support. The adviser must have full access to clergy files and other confidential material. The adviser may need to act as complainant under the Clergy Discipline Measure 2003. The duties of the adviser may also include work on other matters at the discretion of the Diocese
- ensure that the Diocesan Safeguarding Adviser is informed of any serious safeguarding situation, including any allegations made against a member of the clergy, or anyone else holding the Bishop's licence, concerning misconduct in respect to children or vulnerable adults
- include the monitoring of safeguarding in parishes as part of the Archdeacons' responsibilities
- facilitate access to the Criminal Records Bureau (CRB) for parishes, the Bishops' offices and the diocesan office for those beneficed and licensed clergy, paid workers and volunteers who need to obtain disclosures
- keep a record of clergy and church officers that will enable a prompt response to bona fide enquiries. This record should include start and finish dates, all posts held and next post when known; where there have been safeguarding concerns, these should be clearly indicated on file
- provide access to a risk assessment service so that the Bishop or others can evaluate and manage any risk posed by individuals or activities within the Church
- select and train those who are to hold the Bishop's licence in safeguarding matters
- provide training and support on safeguarding matters to parishes, other clergy, diocesan organizations, including religious communities and those who hold the Bishop's licence
- provide a complaints procedure which can be used for those who wish to complain about the handling of safeguarding issues
- work collaboratively with statutory bodies as necessary
- ensure that referrals are made as necessary to the Independent Safeguarding Authority
- share relevant information about individuals with other dioceses, other denominations and organizations or the national Church as appropriate

Diocesan steering groups for children and for vulnerable adults

These are sub-committees of the Board of Mission, through which they are accountable to the Bishop's Council.

The terms of reference of each are:

- It will coordinate work in the field of safeguarding children or vulnerable adults respectively for the Diocese and in its parishes
- It will normally meet twice a year

- It will consider and agree policies and practice recommendations in the field of safeguarding children or vulnerable adults respectively
- It will maintain an overview of the arrangements for obtaining Criminal Records Bureau (CRB) checks
- It will receive an annual report on safeguarding activity in the Diocese
- It will do such work together that will enhance and further the work of safeguarding children or vulnerable adults

Their membership is as follows:

Safeguarding Children Steering Group

- A Chair appointed by the Bishop of Oxford
- A member of the Board of Mission
- Director of the Department of Mission ex officio
- Safeguarding Adviser (executive secretary)
- Children's Adviser
- Youth Adviser
- An education adviser
- Chief Executive of PACT
- Representative from a local authority in the area
- Representative from Thames Valley Police
- Representative from Thames Valley Probation
- Representatives from parishes

Safeguarding Vulnerable Adults Steering Group

- A Chair appointed by the Bishop of Oxford
- A member of the Board of Mission
- Director of the Department of Mission ex officio
- Safeguarding Adviser (executive secretary)
- Social responsibility adviser (chair)
- Adviser in the Spiritual Care of Older People
- Disability Adviser
- Representative from a local authority in the area
- Representative from Thames Valley Police
- Representative from Thames Valley Probation
- Representatives from parishes

Diocesan Safeguarding Adviser

The Diocesan Safeguarding Adviser is based in the Department of Mission. His duties are to:

- prepare, issue and review Diocesan policies and practice guidance on safeguarding both in hard copy and on the Diocesan website, updating it as required
- encourage parishes to adopt good practice in this field and advise on individual issues
- advise parishes and clergy on the handling of individual cases, including on involvement with statutory services
- maintain contact with statutory organizations as necessary
- prepare and deliver training programmes for clergy and church officers
- recruit and maintain a group of voluntary trainers to support the training programme
- be the lead on behalf of the Diocese when allegations of misconduct involving children or vulnerable adults are made against clergy or other church officers and assist in making referrals for consideration for the barred lists
- take part in regional and national developments in safeguarding in the Church of England
- keep in touch with national developments in the statutory sector and attend appropriate training

Diocesan Criminal Records Bureau (CRB) Administrator

The Diocesan Criminal Records Bureau (CRB) Administrator is based in Central Services and is also Personal Assistant to the Diocesan Secretary. The Diocesan CRB Administrator's duties include:

- managing day-to-day relations with the CRB Registered Body which acts as the Diocese's recommended agent in processing CRB Disclosure applications for most parish-based volunteers
- advising parishes on CRB processes and Diocesan policy in relation to CRB matters
- responding to parish queries related to records for CRB Disclosure applications processed by the Diocese between 2002 and 2011
- resourcing the Bishops' secretaries and others, in their role as Diocesan countersignatories for CRB Disclosure applications from clergy, licensed lay ministers, Diocesan Church House staff, those with Bishops' licences, and paid youth workers
- working with the Diocesan Safeguarding Adviser on issues of eligibility for CRB Disclosures and related matters, and assisting in compiling the CRB parts of the annual return to the national church
- reporting to the Diocesan Secretary, who acts as Lead Countersignatory for the Diocese as a Registered Body with the CRB

Parish safeguarding responsibilities

The incumbent and churchwardens for each parish should:

- note the Diocesan safeguarding policy
- adopt and implement a safeguarding policy, accepting as a minimum the Diocesan model parish safeguarding policy, while being responsive to local parish requirements; a copy should be sent to the Diocesan Safeguarding Adviser
- adopt a parish policy on recruitment and CRB Disclosures; a model policy for parishes, based on the Diocesan one is available
- appoint at least one safeguarding officer to work with the incumbent and the parochial church council (PCC) to implement policy and procedures. The safeguarding officer should be a lay person and should either be a member of the PCC or have the right to attend the council and should report at least annually on the implementation of the policy within the parish; the safeguarding officer is also usually the Recruiter for church workers with children or vulnerable adults
- consider appointing a person, who may be different from the safeguarding officer, to be a children's advocate. This should be someone whom children know they could talk to about any problems, if they so wish. It can be useful if the safeguarding officer is not someone whom children know personally
- appoint a person to act as Verifier to check identity for CRB Disclosures
- display in church premises where children's activities take place, the contact details of the safeguarding officer or children's advocate, along with the 'Childline' and 'Parentline Plus' telephone numbers
- ensure that all those authorized to work with children or vulnerable adults are appropriately recruited according to safer recruitment practice, and are trained and supported; see recruitment
- ensure that all those authorized to work with children or vulnerable adults are appropriately trained and that this training is refreshed at least every three years
- ensure that there is appropriate insurance cover for all activities involving children or vulnerable adults undertaken in the name of the parish
- review the implementation of the safeguarding policy at least annually and provide an updated copy of the parish policy to Diocesan Safeguarding Adviser
- if appropriate, in rural parishes or parishes held in plurality, consider joining together to implement the policy and procedures, while remembering that legal responsibility will continue to rest with the individual parishes
- if working within Local Ecumenical Partnerships (LEPs), agree which denomination or organization's safeguarding policy to follow, including where to seek advice in urgent situations. This decision should be ratified both by the Bishop and other appropriate church leaders in the partnership; in the event of a specific safeguarding concern, ensure that all the LEP partners are notified

If the parish undertakes no work with children or vulnerable adults then no safeguarding officer need be appointed. It will, however, still be necessary for the PCC to adopt a safeguarding policy, provide a copy to the Diocesan Safeguarding Adviser, and ensure that it is reviewed annually.

Definition of a child

Someone under the age of 18. There are sometimes slightly different arrangements for those aged 16 and 17 if younger children are not involved. See below.

Definition of parent

The term parent includes carer, though this is not repeated at every place where it might be relevant. It means someone who is legally entitled to take decisions on behalf of the child. If it appears this is not straightforward, consult the Diocesan Safeguarding Adviser.

Definition of a vulnerable adult

Any adult aged 18 or over who, by reason of mental or other disability, age, illness or other situation is permanently or for the time being unable to take care of him or herself, or to protect him or herself against significant harm or exploitation.

This will include in particular anyone who:

- is living in residential accommodation, such as a care home or a residential special school
- is living in sheltered housing
- is receiving domiciliary care in his or her own home
- is receiving any form of health care
- is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act 1999
- is in contact with probation services
- is receiving a welfare service of a description to be prescribed in regulations
- is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care (age-related needs includes needs associated with frailty, illness, disability or mental capacity)
- is receiving direct payments from a local authority/HSS body in lieu of social care services
- requires assistance in the conduct of his or her own affairs

Parish safeguarding roles

These roles may be combined by one person or split among several. The PCC should ratify the appointments, review them at least annually, and inform the Diocesan Safeguarding Adviser and Criminal Records Bureau (CRB) Administrator of appointments and changes to the roles of Safeguarding Officer, Recruiter and Verifier.

Parishes may use their own terminology for these roles.

Churchwardens may take any of the following roles but it needs to be clearly understood and agreed that this is in addition to their normal duties.

Applications for CRB Disclosures for those in eligible roles must state the role.

Safeguarding Officer

Each Church Council must appoint one or more safeguarding officers to be responsible under them for implementing the Diocesan policy in the parish. There could be separate safeguarding officers for children and for vulnerable adults or one person could carry the combined responsibility.

This should be a lay person, preferably with some relevant professional background, e.g. a current or former teacher, nurse, doctor, police officer or social worker. Ideally, the representative should be someone who is not already an office holder or directly involved in children or vulnerable adult work in the parish, so that independence is maintained. The safeguarding officer should either be a member of the PCC or have the right to attend it.

The Safeguarding Officer will be responsible for:

- Implementing the Diocesan safeguarding policy in the parish
- Possessing a copy of this *Safeguarding handbook*
- Making any extra recommendations required for the particular circumstances of a parish and having those agreed by the PCC
- Overseeing the process for new appointments, sending out *Confidential Declaration* forms and reference letters (unless this is carried out by the Recruiter)
- Being a member of the Appointing Body for any new appointments to represent safeguarding concerns
- Being the link person between the Diocesan Safeguarding Adviser and the parish
- Receiving, with the incumbent, any concerns about children or adults in the parish and making sure that proper advice is sought and proper referrals made; concerns about the incumbent should be raised with the Bishop
- Ensuring that any ex-offenders against children or vulnerable adults known to be in the church community are notified to the Diocesan Safeguarding Adviser

- Ensuring that any allegations against church workers of misconduct against children are notified to the Diocesan Safeguarding Adviser and as necessary to the Local Authority Designated Officer
- Reporting to the PCC at least annually on the implementation of the policy within the parish

The Safeguarding Officer may also be responsible for:

- Being the Children's Advocate (see below)
- Being the Recruiter (see below)
- Supporting the workers with children or vulnerable adults through regular meetings and in other ways
- Providing or arranging provision of training in safeguarding for all workers (both volunteers and paid staff)

The Safeguarding Officer should work closely with the incumbent and if possible be co-opted on to the PCC.

Recruiter

Selection of people to undertake work with children or vulnerable adults should be confirmed at an interview conducted by an Appointing Body. This should include at least two people, with the incumbent or a churchwarden and the safeguarding officer being among them. One of them should be designated Recruiter. This person is responsible for:

- Ensuring that safer recruitment processes are completed for all those working with children or vulnerable adults, and acting as a point of liaison between the parish and the diocese
- Receiving notifications from the Registered Body of the outcome of CRB checks
- Being the contact for the Diocese in the event of a positive or blemished CRB Disclosure

By local arrangement this person may also

- provide application forms for CRB checks to volunteers
- provide supervision, training and annual reviews to adults working with children or vulnerable adults without taking the role of leader and working directly with the vulnerable group

Neither the key responsibilities nor the additional roles put the Recruiter in a position of trust as defined below.

Verifier

This person is responsible for verifying the identity of applicants as part of the CRB process and dispatching applications to the Registered Body the parish uses for CRB Disclosures.

By local arrangement this person may provide application forms for CRB Disclosures to volunteers.

Children's advocate

- This is a named independent person that children are encouraged to talk to if they have worries
- It is not obligatory to have someone in this role but it can be useful if the safeguarding officer is not someone personally known to the children
- This person should also be available for contact by people who are concerned about a child or young person or about the behaviour of an adult
- Their name and contact details should be included with those of other parish officers on the church notice board and in the church hall or other church premises

This position is eligible for a CRB Disclosure.

Children's officer

This person is responsible for ensuring the welfare of any children under 16 in mixed age activities such as choirs, music groups, bell ringing or as an escort in transport arranged by the church. The leader of the activity cannot also be the children's officer.

Groups with young people of 16 or 17 but not younger do not need to have a children's officer.

This position is eligible for a CRB Disclosure.

Workers, leaders and helpers

Workers may be paid or volunteer. Parishes may use their own terminology to describe them. In this handbook the term leader is used for a person responsible for work with children or vulnerable adults and helper for someone who assists a leader and works under their direction and supervision. The term worker includes both leaders and helpers.

Leaders are eligible for CRB Disclosures. Helpers may be, depending on their role. See *CRB eligibility checklist*.

Church officers

The term church officer is used for anyone appointed by or on behalf of the church to a post or role, whether they are ordained or lay, paid or unpaid. It will include all workers with children or vulnerable adults but also those who have official positions without such a role, e.g. church wardens, parish secretaries.

Safer recruitment

All those who work regularly with children or vulnerable adults should be recruited according to the safer recruitment principles set out below. This applies both to leaders and to regular helpers. Occasional helpers will not normally need this process but care should be taken to recruit them safely if they wish to take greater responsibility or to work regularly.

- Identify who will be carrying out regulated activity, including those who work regularly and those in positions of trust
- Prepare a clear written job description (for paid staff) or role description (for volunteers) outlining the duties to be undertaken
- Ask applicants to complete an application form. There is a *model parish application form* available
- Ask applicants to complete the *Confidential Declaration*. If they make any disclosures on this consult the Diocesan Safeguarding Adviser
- Arrange an interview. This should include at least two people, one of whom should be the safeguarding officer and the other the incumbent or a churchwarden. One of them should be designated Recruiter
- The interview is not meant to be in any way confrontational but is an opportunity to explore the duties proposed, the experience and skills of the applicant, and any training needs which might arise
- Ask the applicant for references and follow these up, using the model reference request
- Explain that the appointment may be subject to a satisfactory CRB check and ask the applicant to apply for this according to local arrangements

On appointment it requires:

- completion of the model volunteer agreement
- acceptance of the relevant *Good Practice Guide*, a copy of which should be given to the person
- ensuring the person understands that they will be in a position of trust
- training in safeguarding, through the Diocese or elsewhere, which should be refreshed at least every three years
- a probationary period for those new in role
- understanding of relevant Diocesan or parish policies in relation to health and safety, insurance, expenses etc as relevant
- appropriate supervision and training

Positions of trust

A person working with children and vulnerable adults is in a position of trust if:

- they are carrying out regulated activity
- they do not meet the frequency or intensity thresholds for regulated activity but are working regularly
- they are in a position where they might form a relationship of trust

All those who are eligible under these provisions will need Safer recruitment and enhanced CRB checks.

The Diocese makes the following expectations for those in a position of trust:

- all church workers must conduct themselves at all times in accordance with the reasonable expectations of someone who represents the Church; this includes both while on duty and also when off duty
- they must possess a personal copy of the *Good Practice Guide* for their work and comply with it
- they will be seen as role models by the children or vulnerable adults with whom they are in contact at all times, including when they are off duty
- they must not in their private life engage in activities which could bring the church or their role in it into disrepute
- they must take care to observe appropriate boundaries between their work and their personal life. For example, they must ensure that all communications they may have with or about children or vulnerable adults are appropriate in their tone
- they must seek advice immediately if they come across a child or vulnerable adult who may have been harmed (including self-harm) or a colleague whose conduct appears inappropriate
- they must not expose themselves or others to material which is sexually explicit, profane, obscene, harassing, fraudulent, racially offensive, politically inflammatory, defamatory, or in violation of any British, European or international law

It is contrary to the policy of the Church of England for those in a position of trust, including priests and youth workers among others, to have sexual or inappropriate personal relationships with those for whom they are responsible. A breach of this is likely to be considered as a disciplinary offence. It will be referred as appropriate to the local authority designated officer (LADO) and in some cases it may also constitute a criminal offence. Anyone found guilty of a criminal or disciplinary offence of this kind is likely to be dismissed and referred to the Disclosure and Barring Service for possible barring.

For paid workers these expectations or equivalent wording must be brought to their attention and, as appropriate, embodied in contracts. Clergy must also make reference to *Guidelines for the professional conduct of the clergy*.

Criminal Records Bureau (CRB) Disclosures

Criminal Records Bureau (CRB) Disclosures must be obtained for those who work with children or vulnerable adults and who are eligible for them. Each parish needs to register with an appropriate Registered Body which can provide this service. The Diocesan CRB administrator can recommend a Registered Body and advise on the process.

If in doubt whether a position requires a CRB, consult the *CRB eligibility checklist*.

The current policy of the House of Bishops is that CRBs should be renewed every five years. The Diocese complies with this.

The policy of the Diocese is that for all positions where a CRB Disclosure is recommended, receipt of a 'positive' or 'blemished' Disclosure, i.e. one which contains information relating to offending or other relevant matters, may lead to a risk assessment. However, a disregard will normally be applied when the offences disclosed are old and minor and where there are no other matters of concern. See *Disregards of old and minor offences*. When a risk assessment is needed, the Diocesan Safeguarding Adviser will contact the parish Recruiter and provide an *Information sheet on positive CRB Disclosures*.

If any person has a complaint about the handling of their CRB Disclosure by the Diocese or the use of the information in it they should address their complaint to the incumbent, the Diocesan Safeguarding Adviser or the Bishop. An appeal process is available for those who object to the recommendations arising from a risk assessment. See below for further advice on complaints.

The Diocesan CRB Administrator advises parishes on CRB processes and Diocesan policy in relation to CRB matters.

Those likely to be eligible for Criminal Records Bureau (CRB) Disclosures

Holders of the following church-related roles are therefore among those who will almost certainly need to obtain CRB Disclosures. Their job or role description needs to be checked for inclusion of work which qualifies as regulated activity or a regulated position.

- All clergy (stipendiary and non-stipendiary, including all chaplains and retired clergy with a licence), Readers and others with the Bishop's licence; these obtain their CRB Disclosures through the appropriate area Bishop
- Pastoral Assistants, where the role specifies relevant work
- Commissioned Lay Workers, including lay ministers, youth, children and family workers; these obtain their CRB Disclosures through the appropriate area Bishop
- Commissioned and Non-Commissioned Lay Workers, including lay ministers, youth, children and family workers; these obtain their CRB Disclosures through the parish
- Musical Directors, Organists, Choir leaders, where the activity includes children
- All Tower Captains, Ringing Masters and Adult Ringers who train or teach children (under 18); these obtain their CRB Disclosures through the parish with their home tower

- Youth Club (for those under 18) leaders and helpers
- Sunday School (for those under 18) teachers and helpers
- Children's advocates and children's officers
- Leaders and Assistant Leaders of Church Parent and Toddler Groups
- The PCC's Safeguarding Officer
- PCC-approved Home Visitors for schemes that are wholly or mainly for families with children or for vulnerable adults
- Leaders, helpers and drivers for PCC-approved luncheon clubs or other community activities that are for children or wholly or mainly for vulnerable adults

Those unlikely to be eligible for CRB Disclosures

- Helpers who work under the immediate supervision of those who have been safely recruited and do not themselves hold direct responsibility for children or vulnerable adults
- Rank and file members of mixed-age groups such as choirs, music groups or bell ringers, who are not children's officers and do not have responsibility for children in the group
- Parents who bring their own children to events and do not take responsibility for other children, except at the direct request of another parent who is present
- Those who work only very occasionally and not regularly and do not meet the frequency or intensity definitions of regulated activity
- Those who are not in a position of trust
- Recruiters and Verifiers who do not have a direct leadership role with children or vulnerable adults
- Those whose duties cover such activities as catering, cleaning or administration and who do not take responsibility for children or vulnerable adults

PCCs must not request CRB Disclosures for those for whom it is not required. To do so may be acting illegally and could lead to prosecution.

Peer exemption

A member of a group assisting the group leader in providing regulated activity to that group is not engaged in regulated activity. For this exemption to apply the group leader must be physically present and the person providing assistance is termed a helper.

Supervision, accountability and training

All those working with children or vulnerable adults on behalf of the church do so under the authority of the PCC or equivalent. Although most churches will not want to set up a formal management structure, all workers, paid or volunteer, need to have:

- Clear lines of accountability to group leaders and back to the PCC
- Clear arrangements about who to contact if they are sick or unavailable
- Contact details of the Safeguarding Officer
- Appropriate supervision arrangements; see below
- Training in safeguarding, which must be refreshed at least every three years

Those who take responsibility on behalf of the PCC but are not themselves leaders or workers with the vulnerable group are not thereby in a position of trust or eligible for a CRB disclosure.

Supervision arrangements

Paid workers

- need training appropriate to their role
- need regular meetings with a named line manager who is responsible for their targets, performance and any employment issues and the general direction of the work
- may need non-managerial supervision to discuss specialist aspects of their work, e.g. from a specialist in youth work, child care or mental health
- need a review or appraisal at least annually

Volunteers

- need training appropriate to their role
- need an appropriate form of supervision, which may include debriefing after a session, group discussion, individual supervision or mentoring
- need a review or appraisal at least annually

Insurance

Groups working within church-organized activities will be insured through a number of different companies whose policies will be subject to various terms, conditions and exceptions. However, the majority of PCCs, parish groups, etc. will be insured with Ecclesiastical Insurance, who have made the following statement in respect of those policies they have issued for:

- churches, in use for worship

- youth groups, through the Diocesan Youth Group Scheme

Under such policies Public Liability (Third Party) insurance, where in force, will operate to protect the interests of the insured where they are found to be legally liable for accidental death of or bodily injury to a third party or accidental loss of or damage to third party property, subject to the policy terms, conditions and exceptions.

The policy will provide an indemnity to the insured if they are held legally liable for an incident leading to accidental bodily injury or illness as a result of abuse.

It is not Ecclesiastical's intention to provide an indemnity to the perpetrator of an incident of abuse.

This statement clearly only applies to policies issued by the Ecclesiastical. Where parishes are insured with another company the position of that company should be clarified including confirmation of the scope of cover.

Policies of insurance require the insured to take all reasonable steps to prevent injury, loss or damage occurring. Failure to take such precautions may prejudice the insurance arrangements in force. A duty therefore exists upon the insured to research and adopt best practice based upon current and ongoing guidelines.

It is also a condition of a policy of insurance that any incident or allegation is notified to the insurer immediately. Failure to comply with this requirement may prejudice any cover provided by the policy.

Public Liability insurance indemnity limits should be kept under regular review. Guidance is available from Ecclesiastical.

from *Protecting All God's Children, 2010*

The starting point for insuring parish groups is with the PCC and their existing parish Insurance, usually the Parishguard policy. This covers work organized under the auspices and control of the PCC anywhere in the British Isles. However, for a group to be working 'under the auspices and control' of the PCC, the following applies:

- The PCC must specifically accept responsibility for the activities of the group, and minute such in its records in detail
- The PCC must have full details of any proposed new activities, so as to decide whether to accept responsibility for these activities, and this must also be minuted
- The PCC must select all leaders and maintain records of these appointments

In reality, this may mean the PCC discusses and agrees general activities for a particular group on an annual basis, and then is only required to be consulted should the group wish to go outside the agreed parameters, or should new leaders be recruited.

The nature of the cover provided is for public liability, for the PCC as the insured. Such cover will normally be sufficient for regular church activities with a standard format, e.g. choir, confirmation classes, servers, bell-ringers, bible studies.

Trips away from the parish require special care. Check the insurance of the place you are going to; most will be covered. If in doubt about a local activity, contact the parish insurance company. Usually you will be covered, but if you are planning something more exotic, e.g. a holiday, outdoor pursuits, you are almost certainly going to need extra cover.

It is important that the PCC knows what other activities their insurance covers

Further information can be obtained from Ecclesiastical

Tel: 0845 777 3322

E-mail: churches@ecclesiastical.com

Web: <http://www.ecclesiastical.com/>

Direct Faith Department, Beaufort House, Brunswick Road, Gloucester, GL1 1JZ, or from your own insurer.

Record keeping in recruitment

The parish must keep securely and make available to those authorized by the parish:

- A file for each lay member of staff and volunteer who works with children or vulnerable adults
- Parish agreement with the Diocese on obtaining CRB Disclosures (as used between 2002 and 2010)
- Churchwardens' declaration on CRB Registered Body choice (as used from November 2010)
- Letters and other correspondence pertaining to disclosures from the diocese should be kept for as long as those volunteers and employees are in the particular role for which Disclosure was obtained. After departure all that needs to be retained is a note of start and finish dates, position held and any issues which arose
- A dated register of those who have been CRB cleared, for administrative purposes, such as ensuring renewals, or to provide a quick reference. Employers' copies of CRB Disclosures are not to be kept longer than six months; neither the Diocese nor any Diocese recommended Registered Body forwards original CRB Disclosures to parishes
- Any communication from third parties, e.g. complainants on any matter, the police or Social Services and a factual record of the actions taken
- It is essential to keep accurate records of any concerns, disclosures and allegations relating to children and vulnerable adults. Facts observed or disclosed must be accurately recorded, signed and dated. If records are being kept without the knowledge of the subject, it must be clearly recorded why this is so, for instance if there is a pattern of behaviour which needs to be monitored or third party information, such as a letter of complaint. Records of allegations must be retained including when they are unfounded together with details of investigations
- These files should be kept in a locked filing cabinet by the incumbent or in the parish office

- Where files are kept on volunteers or employees they will be in principle entitled to see personal data on their file (subject to making a written request and paying a fee of up to £10) but there are various statutory exceptions and also particular rules relating to third party communications. If you have concerns about whether information should be disclosed in a particular case, advice should be sought from the Diocesan Registrar

Health and Safety

General

For guidance on all general aspects of Health and Safety including:

- premises
- fire
- access to buildings
- first aid
- accidents

follow the guidelines for churches and sample policies produced by the Ecclesiastical Insurance Group

These can be downloaded from their website, www.ecclesiastical.com, or requested in hard copy by phoning 0845 777 3322, e-mailing churches@eigmail.com, or writing to Direct Faith Department, Beaufort House, Brunswick Road, Gloucester GL1 1JZ.

A report on Health and Safety must be made to the PCC at least annually. This must include a nil return even if there have been no incidents or accidents requiring reporting.

Regular inspections

It is strongly recommended that when churchwardens and others are undertaking annual health and safety and fire inspections of the premises, these inspections should also take account of health and safety issues which relate specifically to children and vulnerable adults and relevant points including risk assessments included in their reports to the PCC. In particular:

- electric sockets must be covered in rooms where young children regularly meet
- hazardous pieces of equipment (e.g. kettles) are positioned out of reach of vulnerable people, especially small children, and with no trailing leads
- cleaning materials should be stored out of harm's way
- there are no obstructions in passageways

Activities specifically for children and vulnerable adults

- Ensure the meeting place is warm, well lit and well ventilated, and kept clean and free of clutter
- Electric sockets must be covered if young children are present
- Toilets and hand basins must be easily available with hygienic drying facilities
- There must be enough space and equipment available for the intended activity
- If food is regularly prepared on the premises, the facilities will need to be checked by the Environmental Health Officer and a Food Handling and Hygiene Certificate acquired
- Children's packed lunches must be kept refrigerated
- Drinks must always be available
- A register of attendance must be completed at every activity
- Groups must have access to a telephone in order to call for help if necessary
- Fire doors must be unlocked. Leaders should be aware of the fire procedures (see below)
- No smoking can be permitted by leaders when accompanying participants in the activities anywhere, on and off the premises
- Alcohol must not be used by those having children and vulnerable adults in their care or at a time that could affect their care
- Unaccompanied children and young people must not walk to or from the premises along dark or badly lit paths
- A first aid kit and accident book must be available on the premises. All accidents or incidents must be recorded in the accident book, as soon as possible after the accident or incident occurs, but in any case before the premises are vacated following the activity
- It is strongly recommended that at least one of the leaders in a children's or youth or vulnerable adults' group has attended a recognized First Aid course
- For large events, St John's Ambulance or the equivalent should be in attendance
- Out of sight places, e.g. toilets, must be regularly checked

First Aid

Adults working with children, young people and vulnerable adults should be aware of basic first aid techniques. It is strongly recommended that at least one of the leaders in a children's or youth group or group for vulnerable adults has attended a recognized First Aid course, such as a one-day Emergency First Aid Training, and received a certificate. These are run by the St John Ambulance, the British Red Cross, and may be offered by your local authority.

All premises used by children must have a First Aid kit. Its contents must be stored in a waterproof container and be clearly marked. Each group must designate one worker to check the contents at prescribed intervals.

Where First Aid is required, wherever possible, adults must ensure that another adult is aware of the action being taken. Parents must always be informed when first aid has been administered.

If the injury appears to be serious, the emergency services must be called without delay. If First Aid in an emergency needs to be administered by untrained staff, they must act reasonably and do the minimum necessary to preserve life and limit the consequences of injury until qualified assistance is obtained. There is a risk that a leader undertaking First Aid could face an allegation of negligence if an injury worsened, but this is a remote risk, provided the leader has acted reasonably in a genuine attempt to assist in an emergency.

Parents or carers must be contacted promptly in the event of an accident to a child or young person or vulnerable adult. In the case of a slight injury, the parent or carer should be told when the child or vulnerable adult is collected, or informed soon after the activity. All accidents must be recorded in the accident book; more serious incidents will also need separate fuller reports by those involved and the group leader.

Leaders must have available contact details for the Accident and Emergency Departments of the local hospital, and any other out of hours emergency services.

The Health and Safety Executive issues free guidance on a range of topics connected with First Aid, at <http://books.hse.gov.uk/hse/public/home.jsf>

Accident book

Use an accident book which is supplied as such and meets the standards of the Health and Safety Executive. Guidance is available at: <http://books.hse.gov.uk/hse/public/saleproduct.jsf?catalogueCode=9780717626038>

Medication

No medicines may be given to children without the prior permission of the parents or carers. In circumstances where children or vulnerable adults need medication regularly, a health care plan must be established as soon as possible, in order to ensure the safety and protection both of the child or adult who may be vulnerable, and of the adults who are working with them. Details of this should be included in the registration form and, for children, on the parental consent form.

Depending upon the age and understanding of the child or vulnerable adult, they should, where appropriate, be encouraged to self administer medication or treatment, including for example any ointment, or use of inhalers.

Fire safety

All concerned must know

- what the sound of the fire alarm is

- where exits and emergency exits are located
- how to use any fire fighting equipment
- to take the register of people present with them
- where the assembly area is situated
- where the nearest telephone is
- the name and address of the premises
- who will meet the fire brigade when it arrives

A fire practice requiring evacuating the premises with children, young people and vulnerable adults must take place twice every year.

Evacuating premises

When evacuating premises in the event of a fire, or for a practice, when both children and their parents or carers are present but in different parts of the building, e.g. during Sunday worship with Sunday School, it is the responsibility of leaders with the children to ensure that they evacuate the premises safely. Parents must evacuate the premises directly, and not collect their children on their way.

Risk assessments

Identifying and assessing risk

There is no such thing as a risk-free environment. But if we set up our activities so that the dangers and hazards that we are aware of can be avoided, we will be minimising the risk for vulnerable people. In doing so we are also protecting our workers (paid and volunteers), and protecting the reputation of the church.

Risk assessments of new and existing activities must be made, in order to identify hazards and take action to minimize risk. The same approach must be taken if buildings are hired or let for church activities involving children or vulnerable adults.

Risk assessments must be made covering outside activities including travel arrangements. If specialized activities are to be undertaken, appropriate instructors must be engaged and their credentials confirmed. However, even when specialized instructors are involved, the parish or other church body retains the duty to supervise children.

Risk assessments for individual workers are covered as part of Recruitment.

A **risk assessment** is a documented process of considering what could be dangerous and possibly cause harm to children and vulnerable adults, and how this risk could be minimized. By identifying the danger those responsible can look at what is already in place to prevent anyone coming to harm, and also look at what else could be done or put in place.

A **hazard** is anything or anyone that could cause harm e.g. high stacks of chairs, uneven floors, unsafe electrical equipment, blocked fire exits, lack of fire escape signs, missing

light bulbs, overfilled cupboards, high shelves, loose carpets, toxic paints, chemicals, horseplay, unknown workers (paid or volunteers), working in unsupervised situations, exposure to sun or cold weather conditions, lifts in cars, challenging behaviour, smoking and drinking.

A **risk** is the chance great or small, that someone will be harmed by the hazard.

When to do a risk assessment

It is recommended that for all new and existing parish activities, whether single events or regular activities, where children and vulnerable adults may be included, risk assessments are carried out before the event starts or happens, and then reviewed at regular intervals and at least annually.

Risk assessments must be reported to the PCC at least annually.

The following guidance is based on that issued by the Health and Safety Executive.

Five Steps to Risk Assessment

There are five things you need to do to carry out the risk assessment:

Step 1 – Identify the hazards and dangers

- Walk round the building or venue looking out for things or situations that could be reasonably expected to cause harm
- Ask other people – including vulnerable people - about what they think could cause harm

Step 2 - Identify who might be vulnerable and might be harmed

- Children and young people
- Those with special needs
- Adults who may be vulnerable, including people in wheelchairs; partially sighted and blind people; people who are hearing impaired; people who walk with a stick or a frame; learning disabled people; mentally ill people
- Visitors, parents, carers
- Leaders, organizers, paid and volunteer workers
- Members of the public

Step 3 - Identify the risks and what can be done to remove or reduce them

- How likely is it that the hazard could cause harm - scale of 1 (low) to 3 (high)?
- How severe is the potential harm - scale of 1 (low) to 3 (high)?

- Use the risk assessment tool on the following page to assess whether existing precautions in place are sufficient
- What else can be done to reduce the risk, control or remove the hazard or danger?
- Use the risk assessment tool to work out the risk level - high, medium or low both before and after you have taken action to reduce the risk

Step 4 – What are your findings? What do you need to do?

- Use the *Risk Assessment Form* to record your findings
- Each hazard should be recorded, including an assessment of the risk, recorded as either high, medium or low
- Any action taken should be recorded (next to the hazard), showing the date and the name of the person carrying out the remedial action
- Once action has been taken, the level of risk that the hazard presents should be as low as possible, and no higher than medium
- Date and sign your record

Step 5 - Revise and evaluate your risk assessment regularly – at least annually, and before new or one-off activities begin.

For further advice consult the Health and Safety Executive at:
<http://www.hse.gov.uk/risk/>

Transport

Transport, travel or escort arrangements to or from church activities are the responsibility of parents if they make informal arrangements among themselves. They are the responsibility of the PCC if church workers organize them. It must be clearly understood by all concerned at which point responsibility for the child is passed from parent to church worker and at which point it is returned to the parent.

Drivers need to have appropriate insurance and to comply with the law in relation to seat belts, child seats and booster cushions. Children must travel in the back seats of cars. Appropriate arrangements, for example regarding insurance and driving qualifications, must be made by those driving minibuses on behalf of the church. Transporting children or vulnerable adults on behalf of a church is a regulated activity and those undertaking it need to be recruited according to the safer recruitment principles if this has not already been done. See the *Good practice guide*.

Responsibility of organizers

Those organizing outings requiring the use of private cars or minibuses are responsible for ensuring that drivers are aware of this procedure. Approved drivers must be recruited according to the Safer Recruitment procedure. This will include the requirement for a satisfactory Criminal Records Bureau (CRB) disclosure if the driver is carrying children or vulnerable adults regularly.

To ensure that this procedure is adhered to, you are advised to obtain from those people who are recruited to transport children or vulnerable adults in their cars or drive minibuses:

- a signed undertaking, covering the issues below
- sight of their driving licence and their insurance certificate

All transport

Consent

Children and young people may not be taken out in transport without the prior consent of their parents or carers.

Vulnerable adults should give permission to being transported themselves, and discretion used in consulting first with their carers.

Care must be taken when assisting children or vulnerable adults to board and alight vehicles, both to ensure the road is safe to do so, and in following the guidelines on physical contact.

The driver

All those who drive children or vulnerable adults on church organized activities should normally be over 25 and should have held a full current driving licence for over two years.

Any driver who has an endorsement of 6 points or more on their licence must inform the Parish Safeguarding Officer.

Any driver who has an “unspent” conviction for a drink driving offence or for Dangerous Driving or Racing on the Highway may not transport children or vulnerable adults.

Transport in private cars

Seat belts in cars

Only cars fitted with seat belts (both front and rear) can be used, and the numbers of people transported must not exceed the number of seat belts available.

All car passengers are required to wear safety belts in the front and rear seats.

All children up to 3 years old must be carried in a child restraint.

Rear-facing baby seats must not be used in a seat protected by a front air-bag unless the air-bag has been deactivated manually or automatically.

Children from aged 3 up to 135cm in height (approx 4'5”) or their 12th birthday (whichever they reach first) must use baby or child seats, or booster cushions for older children.

All passengers aged 13 years or older must wear an adult seat belt if available.

The vehicle and insurance

All cars that carry children or adults who may be vulnerable must be comprehensively insured. The insured person must make sure that their insurance covers the giving of lifts during church activities. It is the responsibility of car owners to check that their vehicle is insured for the transportation of children or vulnerable adults. While the transportation of passengers without reward (i.e. for petrol money only) would normally be covered under “social/domestic use”, vehicle owners must check with their insurers. Additional cover can very often be included for a small extra charge.

All cars that carry children or adults who may be vulnerable must be clean and in a road worthy condition.

At no time may the number of people in a car exceed the number of seatbelts in the car.

Escorts

A children’s officer or other responsible adult should accompany the driver, to assist with any emergencies.

If a driver has to transport one child or vulnerable adult on his or her own, best practice is for the child or vulnerable adult to sit in the back of the car.

Minibuses, buses and coaches

Full guidance is available from the Department of Transport at http://www.direct.gov.uk/en/Motoring/DriverLicensing/WhatCanYouDriveAndYourObligations/DG_4022498. What follows is a summary.

Seat belts in minibuses, buses and coaches

It is compulsory for passengers aged over 13 years to wear a safety belt if provided when travelling in a minibus, bus or coach.

The legislation that requires baby/child seats and booster cushions to be used in cars does not apply to minibuses, buses and coaches – i.e. commercial companies do not have to provide this equipment.

However, a school or local authority (and therefore assume a church) contracting vehicles to carry children in their care should ensure that the children are provided with a safe journey.

It is therefore recommended that only mini-buses with fitted seat belts (both front and rear) should be used, and all children and adults must use the seat belts.

Permit to drive

When using a minibus, whether owned, hired or borrowed, all drivers must hold the correct permit on their driving licence or take the appropriate driving test. Drivers with entitlement to drive cars prior to 1 January 1997 (shown as group A, B for automatics on

an old style licence or as category B and D1 not for hire or reward on a new style licence) can drive a minibus provided they are over 21 and under 70, the minibus has a maximum of 17 seats including the driver's, and is not being used for hire or reward.

This minibus entitlement remains valid in the UK and on temporary visits abroad until the licence is next renewed. When this happens, the minibus entitlement can only be issued by making a special application which involves meeting higher medical standards. Minibus entitlement is normally renewed for 3 years.

If minibus entitlement is not renewed, or the car licence was obtained after 1 January 1997, the driver may drive a minibus with a maximum of 16 passenger seats provided:

- it is driven on behalf of a non commercial body for social purposes but not for hire or reward
- the driver is aged over 21 and under 70 years
- the driver has held a car licence (category B) for at least 2 years
- the driver is providing his/her service on a voluntary basis; and the minibus maximum weight is not more than 3.5 tonnes excluding any specialist equipment for the carriage of disabled passengers

When driving a minibus under these conditions, no payment must be received other than out of pocket expenses; no trailer can be towed; and minibuses may only be driven in the UK. If payment is needed, for example to cover the costs of the trip as a whole, then the driver will need a permit. This can be obtained from the Community Transport Association (see below).

Drivers aged 70 or over will need to make a special application which involves meeting higher medical standards.

Regular drivers of minibuses should be encouraged to take a MiDAS (Minibus Driver Awareness Scheme) test, organized by the Community Transport Association U.K. (CTA) which promotes a nationally recognized standard for the assessment and training of minibus drivers. It is a membership based scheme that has been designed to enhance minibus driving standards and promote the safer operation of minibuses. Further information is obtainable from www.ctauk.org/training/midas.aspx.

Escorts

There must be a children's officer or other responsible adult travelling as escort in the rear of the vehicle, in most cases sitting next to the door.

The adult should be responsible for ensuring a reasonable standard of behaviour, and particularly that children's or vulnerable adults' seat belts remain fastened.

The adult should also supervise boarding and alighting.

Information sharing, confidentiality and consent

This is a general discussion about information sharing where there may be a safeguarding issue. If you are uncertain about whether certain information should be shared or not, or whether the person's consent to share information is required, then in the first instance consult the Diocesan Safeguarding Adviser in confidence.

For referrals of possible abuse see either **Reporting concerns about children** or **Reporting concerns about vulnerable adults**.

Need to know

The guiding principle is: transparency among those who need to know; confidentiality outside this group.

No hard and fast guidance can be given but the following people should normally be considered as having a legitimate need to know:

- Incumbent
- Church wardens
- Parish Safeguarding Officer
- Others with a specific role

The Diocesan Safeguarding Adviser should also be informed.

The PCC will need to approve activities carried out in the church's name and must be informed of situations of possible risk though without naming individuals.

Information sharing

- Explain openly and honestly at the outset what information will or could be shared, and why, and seek agreement – except where doing so could put the child, vulnerable adult or others at risk of significant harm
- In the case of a child, the child's safety and welfare must be the overriding consideration when making decisions on whether to share information about them
- Respect the wishes of children or families and vulnerable adults who do not consent to share confidential information – unless in your judgement there is sufficient need to override that lack of consent. It will normally not be appropriate to inform alleged perpetrators of abuse at the time when an allegation is made about them
- Seek advice when in doubt
- Ensure information is accurate, up-to-date, necessary for the purpose for which you are sharing it, shared only with those who need to see it, and shared securely
- Always record the reasons for your decision, whether it is to share or not

Principles of information sharing

You need to consider:

- Is there a legitimate purpose for you or your agency to share the information?
- Does the information enable a person to be identified? Information given anonymously may be shared, provided there is a legitimate reason for doing so
- Is the information confidential?
- If so, do you have consent to share it?
- Is there a statutory duty or court order to share the information?
- If consent is refused, or there are good reasons not to seek consent, is there sufficient public interest to share the information?
- If the decision is to share, are you sharing the right information in the right way?
- Have you properly recorded your decision?

Confidentiality

Not all information is confidential. Confidential information is information which is not already lawfully in the public domain; the information must not be useless or trivial; and the information must have been given in circumstances where the confidant would reasonably have understood that what was said was confidential.

Confidentiality is only breached where the sharing of confidential information is not authorized by the person who provided it, or by the person to whom it relates.

The first option before sharing information should therefore be to seek consent, if appropriate.

Where you do not, for whatever reason, have consent to share confidential information, you may still lawfully share it provided that this can be justified in the public interest (see below).

The key factor in deciding whether or not to share confidential information without consent is 'proportionality' – i.e. is the proposed sharing a proportionate response to the need to protect the public interest in question? You must weigh up what might happen if the information is shared against what might happen if it is not, and make a decision based on a reasonable judgement.

In sharing information the aim should be transparency and openness among those who need to know and confidentiality outside it. Identifying information should not be shared with spouses or partners.

Consent

There are some circumstances where it is not appropriate to seek consent to share information, for example where to do so would:

- place a child or young person at increased risk of significant harm; or
- place an adult at risk of serious harm; or
- prejudice the prevention, detection and prosecution of serious crime; or
- lead to unjustified delay in making enquiries about allegations of significant harm

Consent must be 'informed'. This means that the person giving consent must be able to understand why information needs to be shared, who will see the information, the purpose to which it will be put and the purpose of sharing it.

Competence to give consent is always a matter of judgement. If you are in any doubt about whether a young person or vulnerable adult is competent to give consent, then seek advice from the Diocesan Safeguarding Adviser.

It is good practice always to obtain explicit consent, preferably in writing.

Sharing information in the right way

If your decision is to share information, then:

- disclose only that information which is necessary for the purpose for which it is being shared
- share the information only with those who need to know
- check that the information is accurate and up-to-date
- share it in a secure way
- establish with the recipient whether they intend to pass it on to other people, and ensure that they understand the limits of any consent which has been given
- if it is safe to do so, inform the person to whom the information relates (and if different, the person who provided it) that you have shared the information

For further advice see HM Government: *Information sharing: guidance for practitioners and managers*, 2008.

Complaints and whistle blowing

Organizations which work with children or vulnerable adults, like others, are nowadays expected to have a complaints policy. Parishes count as voluntary organizations and may find it useful to have such a policy.

Parishes count as employers not only in respect of paid clergy or lay staff but also in respect of volunteers. Organizations are also nowadays expected to have a whistleblowing policy, i.e. one which allows those with a genuine concern to bypass formal structures to share their concern with an appropriate person without fear of retribution.

The following model policy is suggested to cover both these areas:

Complaints about how a church discharges its safeguarding responsibilities should be addressed to the parish safeguarding officer or equivalent, or to the incumbent.

Complaints about the incumbent or the parish safeguarding officer should be addressed to the area Bishop or Archdeacon.

Concerns which an individual considers cannot be raised through these channels can be directed to the diocesan Bishop or, for safeguarding issues, to the Diocesan Safeguarding Adviser with a request that the individual's identity is withheld from those in the parish. However, it needs to be understood that the church cannot act on anonymous allegations or take formal action in the absence of reasonably substantiated concerns.

Those who raise issues under this provision must have a reasonable belief that it is well founded. However, appropriate action will be taken if a malicious allegation is made.

If an investigation is required, confidentiality will be maintained to the extent that this is appropriate and practical in the circumstances.

The person raising complaints or concerns will be informed of the outcome subject to the normal rules on confidentiality of personal information.

Trustees of children's charities

Some parishes and other church bodies will be registered charities. Guidance from the Charity Commission emphasizes the duty of care that charities have towards those who use their services and the importance of adopting and implementing appropriate policies on safeguarding. The PCC will be responsible for compliance with the Charity Commission's requirements but the diocese may be asked for technical advice on legal or practice issues.

This includes a duty to report serious cases where reputational or financial risk may occur to the Charity Commission. Guidance on this is on the Charity Commission website. However, it is important to ensure that reporting to the Charity Commission does not prejudice any criminal investigation, which must always be undertaken first. In such circumstances advice should be sought from the registrar and the Diocesan Safeguarding Adviser. It will usually be appropriate to anonymise the report to the Charity Commission, initially. The Charity Commission may then request further details.

Trustees may be eligible for Criminal Records Bureau (CRB) Disclosures depending on whether they are in eligible positions. See *CRB eligibility checklist*.

Hire of church premises

This section applies to all activities and events which take place in church buildings or grounds which are not run directly by the PCC, and where the PCC has a formal or informal hiring agreement with the organizers. Regular bookings and one-off bookings are included, as are all kinds of lease, and all kinds of arrangements for payment - commercial rents, subsidized rents, or those who pay no rent at all. Examples of activities included are children's parties, Scouts and Guides, wedding receptions, and sharing agreements with independent churches. Examples of activities not included are Sunday Schools, church-run youth clubs and parish social events.

It applies to all events and activities which may include children and vulnerable adults (for instance parties), as well as those which are specifically set up for children and vulnerable adults.

For alcohol see under drug and alcohol policies.

Insurance requirements: 'reasonable steps' and best practice

For all bookings

The parish needs to ensure that it is complying with the requirements of its insurance company. Ecclesiastical Insurance's Public Liability (Third Party) insurance protects policy holders, as long as they use 'best practice' procedures in the management of child and adult protection and care. The observance of 'reasonable care' is a standard insurance condition. The hiring body is required to ensure that children and vulnerable are protected at all times, by taking all reasonable steps to prevent injury, illness, loss or damage occurring, and carries full liability insurance for this. The parish has a duty to adopt 'best practice' based upon current guidelines.

In any booking of church premises for which the PCC is responsible - both one-off bookings and regular bookings - include a clause which says words to the effect of:

- *You are required to ensure that children and adults who may be vulnerable are protected at all times, by taking all reasonable steps to prevent injury, illness, loss or damage occurring*
- *You carry full liability insurance for this*

If a private hirer has no insurance cover

Ecclesiastical has added an extension to its Parishguard policy on page 53 'Indemnity to private hirers' (downloadable from Ecclesiastical's website, www.ecclesiastical.com). This provides a contingency insurance, should a private hirer not have their own insurance, when organizing a private social event at the church or hall. Parishes should check equivalent provisions with their own insurers if other than EIG.

Normally this public liability insurance would be provided by an individual's own home insurance. With the rise of budget policies, this is not always provided automatically, and in some cases the policies cannot be extended to include it. It is still a good idea for the safeguarding officer to ask if liability insurance is in force. If not, then the church can

make the decision, for one off events, as to whether they would be happy for this to be provided by their own Parishguard policy.

The extension has a number of exclusions, and if the activity is part of a regular group activity then it is advisable for the group to have cover in their own right.

Accidents and incidents

In addition to the provision for making good any loss or damage to the building and contents, the agreement must draw the attention of hirers to the fact that they are primarily liable for any accident or injury which arises out of their activities whilst using the premises. An accident book must be located on the premises, and hirers are required to complete details of any accident or incident occurring during their occupation of the premises which did or could give rise to injury. Details must be completed as soon as possible after the accident or incident, but in any case before the premises are vacated by the hirers after the event.

Use of alcohol

Establish whether or not alcohol is to be sold at the event. If it is, the hirer is responsible for applying for a temporary event notice, which must be seen by a PCC representative before the event. The safeguarding officer must consider whether conditions need to be imposed on the involvement of young people in the event, and must incorporate appropriate conditions in hire agreements. See drug and alcohol policies.

One-off bookings

You must give the responsible person booking the premises sight of the *Parish Safeguarding Policy* and the appropriate *Good practice guide*, and ask them to sign a statement which confirms that they have seen these and agree to abide by them.

For one-off bookings, there is no need for the hirers to obtain Criminal Records Bureau (CRB) disclosures for leaders.

If it should come to the parish's notice that they have contravened the policy, then the parish has the right to cancel the booking and/or refuse future bookings by that person.

For regular bookings

The responsibility for implementing safeguarding policies and procedures rests with the hiring organization and not with the parish. However, the parish safeguarding officer needs to take reasonable steps to ensure that this is being done.

Before making the booking

Check whether this group intends to care for children under 8 years for 2 hours or more without their parents or carers present. If so, they may need to register under the Children Act 1989 with Ofsted. No booking with such a group should be formalized until a church officer has seen evidence of its Ofsted registration, if required. It is the hirer's responsibility to register with Ofsted, but they may need to work with the PCC in order to address any premises requirements raised by Ofsted.

Give them a copy of the parish's Safeguarding policy and the procedures relevant to their event or activity, and ensure that they can comply with the Good practice guide for running activities for children or vulnerable adults.

The parish can only apply for Criminal Records Bureau (CRB) disclosures for voluntary workers or paid workers deployed directly by the PCC for church-run activities. If potential hirers of the premises do not have access to an umbrella body themselves, they should be recommended to consult the CRB website to find a suitable umbrella Registered Body.

As part of the hiring agreement

Ensure the hirer completes the *Hire of Church Premises* form, which can be incorporated into the parish's standard lease or agreement. This gives parish officers the right to ask for evidence from the organization or individual of their implementation of your procedures.

Monitoring the hiring agreement

Ensure that groups are updating their information at least annually, for instance when they renew the letting, or the parish invoices them for rent. For groups or individuals who are not part of national organizations (such as Scouts, Guides, Playgroups, who have very well developed procedures of their own, consistent with Diocesan procedures) we recommend that church officers check from time to time that they are abiding by the parish's policies and procedures in the way they are carrying out their activities.

If church officers are informed of allegations or concerns in the context of groups or individuals who hire their premises, they must follow the Diocesan procedures for responding, working in partnership with the group's own procedures.

For health and safety advice regarding church premises, please consult with the Ecclesiastical Insurance Group.

Equal opportunities

As a matter of good practice, and as a requirement if the parish is in receipt of public money, it will be expected to have an equal opportunities policy and to abide by it. A model *equal opportunities policy* is available.

Press enquiries

Press enquiries about safeguarding issues should be referred to the Diocesan Director of Communications who will consult as necessary with the Diocesan Safeguarding Adviser and the Registrar as well as with the parish affected.

For electronic communications and making images of children see below.

Monitoring by Archdeacons

Archdeacons carry out an annual survey of parishes' compliance with these policies. The results are used to inform future work.

Activities specifically with children and young people

These recommendations apply to all churches' activities with children or young people where parents or carers have entrusted their children to church workers. These include Sunday Schools, crèches, holiday clubs, youth clubs, mixed age groups and other activities.

They apply as much to Sunday morning 'in house' activities as to activities which are run in and for the local community.

They are designed to protect the children in the church's care, leaders and the good name of the church.

Where parents or carers are present they are responsible for their own children. This will apply, for example, at all-age worship, parent and toddler groups, Harvest Festival Suppers, fairs and similar activities. Parents and carers can supervise, transport or care directly for other children as a private arrangement with the parents or carers of those children. However, any arrangements made by the church need to be carried according to these principles.

Good practice guide

All children's workers must be given a copy of the *Good practice guide for church workers with children and young people* and be advised to read it. Ask them to sign a receipt for it.

Good behaviour guide for children

It may be useful to set clear expectations for children. An example is available in the *Good behaviour guide for children*.

Leadership and staffing

- Always have at least two leaders, no matter how small the group. Small groups with single leaders may meet in adjoining rooms with an open door between. If a child or young person is being interviewed alone, have another adult nearby. If one leader is unable to attend at short notice, and a substitute cannot be obtained, it may nevertheless be safer to continue with the group rather than cancel it
- Try to ensure the leaders' genders reflect the group, i.e. endeavour to have at least one male leader if there are boys present, and at least one female leader if there are girls present
- At least two leaders (preferably unrelated) need to be present from before the first child arrives until after the last child leaves. See **Staffing ratios**
- No person under the age of 18 years should be left in charge of a group of children under 16, nor can they be counted in staffing ratios

- Young people aged 16 and 17 years may help with groups but should be supervised by an adult leader, who is responsible for ensuring that good practice and the safeguarding children procedures are followed. If they are on work experience a reference should be obtained from their school or college, with a specific question as to whether there have been any safeguarding issues
- Recruit all regular leaders of activities with children according to the recruitment procedures - including obtaining a *Confidential Declaration*, taking up references and obtaining a Criminal Records Bureau (CRB) enhanced disclosure
- Parents, carers and helpers who are not regular leaders in the church can assist with occasional activities such as holiday workshops, but should always work under the supervision of two nominated and known leaders, and be responsible to an appointed leader
- Ensure all leaders are aware of the health and safety issues relating to the activity, including procedures for fire and first aid and any special needs of any of the children
- Give regular leaders a copy of the Good practice guide, and provide them supervision and training in their role

Staffing ratios

OFSTED prescribes minimum staff–child ratios for those groups which are required to register with it. For those groups not subject to registration the following ratios are advisory. There must always be a minimum of two leaders.

Child's age	Number of adults	Number of children
0 – 2	1	3
2 – 3	1	4
4 – 8	1	6
Over 8	1	12

Do not include parents or carers in ratios unless they have been formally recruited but they can work as helpers under the immediate supervision of a leader.

Although the age of 18 marks the legal division between adulthood and childhood, it may be appropriate to require a minimum three-year difference between the age of a young adult youth worker and the ages of the children he or she supervises.

These ratios are for guidance only, and it may be necessary to increase staffing, for example if children have special needs, a risk assessment has shown additional hazards or for other reasons.

For staffing ratios for offsite activities see under **Holidays and residential trips**.

Helpers aged under 18

Young people increasingly help with groups such as worship bands, holiday clubs, group activities, weekends away and crèches. They cannot be counted as part of the staffing. The activity leader should be safely recruited to work with children, but in addition there should be a children's officer who has been properly recruited to work with children and who is not the activity leader. It may be more convenient to have a team of children's officers taking responsibility on a rota. Adults in the group who are not leading the activity and who are not children's officers do not need safer recruitment and are not eligible for CRB checks.

Those aged 16 or 17

Young people aged 16 or 17 may help with groups but must be supervised by an adult leader and cannot be counted as part of the staffing. For work experience see below.

If there are no children under 16 present, then young people of 16 and 17 can be members of adult groups without the need to appoint a children's officer. They must report any problems to the adult in charge.

Those aged under 16

Young people aged under 16 may act as helpers but must not have responsibility for children and must be supervised by a children's officer. For work experience see below.

Work experience and community service

Young people are increasingly expected to complete some kind of community service. Churches as well as other voluntary organizations sometimes provide these opportunities and they can involve work with younger children or with vulnerable adults. We are not here concerned with activities for which the church is merely providing or hiring out premises for activities wholly run by the school or college but with those where young people take part in a church-led activity with children or vulnerable adults.

The length of service could be fifty hours, as this qualifies for accreditation, but could be less or more. Some young people might wish to go on to further roles in the church. Obviously we want to encourage them but need to do so safely.

The young people could be (i) under 16, (ii) 16 or 17, or (iii) 18 or over. Those over 18 are technically adults. All would be regarded as being on placement. In this section they are all referred to as students. The placing school or college will have its own policies, and the appropriate person from the church will need to liaise with the school or college to ensure that their requirements as well as ours were complied with.

The leaders in charge in the church need to be safely recruited. They should be given a clear written statement of their responsibilities which should include details of who in the church is taking overall responsibility for the activity on behalf of the PCC. There should always be at least one such person on site and preferably two when the activity is running and it should be clear that they are in charge. It may be appropriate to draw up a rota and post it on the wall. They will need to do a written risk assessment of the activity and carry out and record a Health and Safety check of the premises to be used.

The school or college must be asked for a written reference for each student. A list of points to ask about in the reference is set out below:

- Your relationship to student
- Suitability for position
- Suitability to work with children and young people
- Confirmation of applicant's responsibilities
- Ability to manage time
- Ability to work on own initiative
- Any disciplinary issues
- Any special needs, health or sickness issues
- Any safeguarding issues which have arisen for the student
- Any concerns about the student working with children and young people

Parents must be asked for a consent to their child's involvement with the church-led activity which should include acceptance of responsibility for their child's health and safety; the school or college should be asked to arrange this.

The students should be seen as helpers and must be given a clear written description of their role and, if appropriate, a personal copy of the relevant *Good practice guide*. (This could be customized to suit the nature of the activity.) They must be advised what procedure to follow if they have an issue or a complaint. They must be asked to sign that they have received these.

They must not be given formal responsibility for those under 16 or be left alone with them. See **Young helpers**. They must not be counted in staffing ratios. Records must be kept of their attendance. The placing school or college might want a written report on their performance at the end of the placement. This should be supplied.

The PCC should be notified of these arrangements.

Record keeping in children's activities

- The Safeguarding Officer must make and update annually a list of all paid staff and voluntary workers in the church who have regular, direct contact with children, and ensure that full recruitment procedures have been followed for each of them
- Leaders must register every child or young person attending each specific activity with a form which includes their name, address, date of birth, contact number for their parent or carer and parental consent to the activity. Store the forms together in a confidential place, and always have them available for leaders of the activity throughout each session
- Leaders must keep an attendance register for each activity of every child and leader in attendance at each session

- There must always be a phone available throughout each activity in case of emergencies; this may be a mobile phone
- All confidential records about leaders, and confidential records relating to allegations of abuse, and specific concerns about children or young people, must be stored in a locked filing cabinet, with access limited to the Safeguarding Officer, churchwardens and the Incumbent
- Record all accidents in the Accident Book, which should always be accessible on the premises
- Records must normally be retained for five years, but there may be special circumstances requiring longer retention

For further guidance see Church of England Records Management Guide *Keep or Bin...? The Care of your Parish Records*, available at <http://www.churchofengland.org/media/51609/careofparishrecords.pdf>

Parental consents

Parental or carer consent is needed for any activity for their children at which they are not present. Often this will be implicit, for example through attendance at Sunday School or a youth club. Written parental consents must be obtained for all activities off the premises. These must include contact details of the parent or carer, details of any special needs of the child, and permission as necessary for taking photographs of children. A model *parental consent* form is available which can be customized as needed.

There is further discussion under **Parental consents for holidays and residential trips**.

Consents by children

It is good practice to obtain consent from children to any activity in which they are involved, though often this will be implicit and need not be formally sought.

Allegations or evidence of abuse or neglect must be reported to statutory agencies, usually the local authority's children's social care service, and this must be explained to children before they offer confidential information.

Those aged 16 and 17 can give their own consents to medical treatment. Those under 16 may also do so if they are deemed to be 'Gillick competent'¹ by medical staff. Those under 12 are normally considered not capable of giving informed consent so their parents will be asked to consent to treatment on their behalf.

¹ A child who is Gillick competent is one who is deemed to have sufficient understanding and intelligence to understand what is proposed. For further information see *Protecting All God's Children*, 2010, 6.13-14.

Holidays and residential trips

Permission for the holiday or trip, and insurance

A detailed description of the holiday or trip must be presented to the Parochial Church Council so that permission may be given by the PCC, and the holiday covered by the parish insurance. If there are to be any potentially hazardous activities undertaken this description must include an assessment of the risks involved, with adequate insurance; or alternatively, a written assurance from the activity centre that it has carried out its own risk assessment and has adequate insurance.

Recruitment of leaders to take children and young people away

- Any trip must have a group leader. The group leader will have overall responsibility for supervision of the visit whilst also paying great attention to health and safety guidelines
- All leaders must be recruited according to the safer recruitment procedure
- Occasional helpers who have not been safely recruited can be used on day trips but must work under the direct supervision of a named leader. Helpers cannot work on trips involving overnight stays
- All leaders must be clear about their specific responsibilities. The group leader should hold a face to face briefing session for leaders before the trip begins. It may also be appropriate to hold such a session for parents
- All leaders must know who to go to if they have a concern about a child or have any other worries

Staffing ratios for offsite activities

The Department for Education suggests the following:

- 1:15** for all visits where the element of risk is similar to the risks encountered in daily life;
- 1:10** for all trips abroad;
- 1:6** for children under eight and/or where the children have special needs
- 1:5** or fewer for high risk activities.

There must always be a minimum of two leaders from the church.

Communication

- All leaders must carry a mobile phone, and have the phone numbers of other leaders saved on their phone
- All leaders must carry a list of details of all children, including emergency contact details for parents at all times

- A copy of this list must be held by a designated person at home, who will act as the intermediary in the event of emergency between the group and the church, and with parents
- Leaders must report all serious incidents to the designated person at home, who will in turn pass on appropriate information. Written records must be made as soon as possible after the incident and submitted

Premises

- Insurance, Food and Hygiene, First Aid kit and Fire precautions must be checked in advance of the event; written confirmation must be obtained, before the trip, of Employers and Public Liability insurances held by the operators of the premises
- There must be a qualified first-aider on site

Risk assessment

- If the residential trip is to a recognized, established venue, leaders must check in advance that the organization has carried out a risk assessment for the premises and the activities which will be undertaken, and is itself carrying the risk. Use the *risk assessment* form
- A risk assessment identifying risks in relation to specific needs of service users and actual risks for the holiday must be carried out by the church, and evaluated in advance of the holiday, and action taken to minimize these risks
- On arrival, leaders must carry out a further risk assessment of the accommodation to ensure the environment is safe for all parties present
- Staff must familiarize themselves with the Fire Exits and appliances where they are staying and ensure that they are working. Any health and safety hazards should be reported and dealt with immediately

Transport for holidays and trips

See general guidance on **Transport**.

Parental consents for holidays and residential trips

No child under the age of 8 can be taken away on residential activities without his or her parent or guardian.

Each child or young person under the age of 18 (unless they are over 16 and living away from home or married) must have the written consent of parent or guardian, which gives authority to the person named as responsible for the activity to take the young person away and to act “as a careful parent would”.

The model *parental consent* form can be customized to suit local needs. It should include, as necessary:

- details of any child’s special needs or medical requirements

- explicit consent to taking photographs or making videos
- consent to the child smoking, if they are known to smoke, on holidays and residential trips

Information to parents

It is important that parents have full information before giving consent. This must include as a minimum:

- aims and objectives of the trip and activities
- date of the trip and its duration
- details of venue including arrangements for accommodation and supervision
- travel arrangements
- name of group leader and contact numbers
- information about financial, medical and insurance arrangements

Accommodation

For all residential trips:

- Boys and girls must have separate sleeping and washing facilities which are private to them
- Mixed groups must have adults of both genders involved
- Adults should have separate accommodation but in close proximity to the young people
- Young people under the age of 18 must not be left alone overnight
- There should be a rota of adults awake during the night at least until all the young people have settled down

Any other arrangements e.g. Sleepovers, Lock-ins, All-night events must be carefully explained to parents beforehand and their consent sought to the arrangements.

Supervision

- Ratios of helpers to young people should be strictly followed
- Every group must be led by at least two adults, however small the group
- When physical activities are planned, staffing levels should be increased accordingly
- Individual adults must never be alone with children or young people
- Children will be told to act responsibly whilst not taking any unnecessary risks and must also follow the instructions of any adults in a supervisory position

- If a child is seen to cause any potential risk to themselves or others they must be withdrawn from the trip
- For trips to established premises, clarification of responsibility for leadership and supervision of children between the organization and the church leaders should be clearly established. Normally the organization's staff lead the activity but the church leaders remain responsible for the welfare of the children
- Leaders must not consume alcohol on the trip, even when off duty
- Parents must be informed beforehand if it is intended to allow groups of young people to go off unsupervised, e.g. for shopping

Sleepovers on church premises

Churches sometimes arrange sleepovers for children, or church premises may be used, for example, during pilgrimages or missions. The guidance for holidays and residential trips should be followed as far as possible.

- When part of the activity is for young people to remain together as a group, separate sleeping areas must be organized for girls and boys
- If possible separate washing and toileting should be provided, or different times for washing arranged, to ensure privacy
- The required ratio of adult leaders should be followed, including a gender balance
- Young people under the age of 18 must not be left alone overnight
- Ensure a rota of awake adults during the night or at least until all the youngsters have settled down

Risks of fire when on church premises:

Great care must be taken to ensure the safety of the young people from the risk of fire:

- There should be two separate routes out from the sleeping accommodation
- It must be possible to open all external doors. They should not be locked
- All exit routes should be clearly marked
- All internal doors should be kept closed at night to prevent the spread of smoke or fire
- Portable fires should be placed in safe positions and turned off at night
- All adults should have access to a torch and a telephone
- There should be no smoking anywhere on the premises
- A list of those present should be hung up near the main exit door. Everyone should know where outside to assemble and a roll call completed
- Anyone discovering a fire should raise the alarm by shouting FIRE
- The fire service should be called to all fires. Use the 999 facility

- Make sure that cars do not block the exits or access for emergency vehicles
- Adults should know where to locate fire fighting equipment and how it is operated
- This equipment should only be used if safe to do so

OFSTED registration

Some parishes provide and manage groups for children under the age of six who attend regularly for more than two hours at a time or for more than fourteen days in any period of twelve months. These will need registration with OFSTED unless an exemption applies. (If the parish only lets out a building to such a provider see **Hire of church premises**.) Many children's groups provided by parishes will be exempt from OFSTED registration, but will still be required to inform OFSTED of the activity. For further details consult OFSTED (through their website or information line at 08456 40404) or the children's information service of the relevant local authority

Cell groups or home groups

Cell groups or home groups for young people or for mixed-age groups need a degree of adult supervision if these groups are to be recognized by the church. The leaders must observe good practice and the *Good practice guide for church workers with children and young people*. Mixed-age cell or home groups must include members named and recruited as responsible for safeguarding young people in the group. The Diocesan Safeguarding Adviser should be asked to check and confirm the arrangements.

Affiliated youth groups

Sometimes a church or group of churches may set up a youth group as a semi-independent organization. The Diocesan Safeguarding Children adviser should be consulted. Unless the group has been set up as an independent charity, legal responsibility will usually be with the parent PCC.

Mixed age activities

Adult members of mixed age activities such as choirs, music groups or bell ringing are not eligible for Criminal Records Bureau (CRB) Disclosures unless they have responsibility for training, care, supervision, advice, treatment or transport of young people under 16.

For choirs, music groups, bell ringing and other mixed age activities, the parish should appoint one or more children's officers, who are CRB cleared, and who are not leading or organizing the activity. They take responsibility for the welfare of young people under 16 during the activity. This responsibility involves being available to the young people if they wish to report a concern, and reporting both such concerns and any apparent inappropriate conduct by adults affecting young people. One such children's officer must be present while the activity takes place as well as the leader. These children's officers can work on a rota.

Groups for adults or young adults where there is the occasional 16 or 17 year old do not need Disclosures. If under 16s are going to attend regularly then appoint a children's officer as noted above.

Servers and acolytes under 16 will be the responsibility of the incumbent or the celebrant on the day unless someone else is specifically designated to take responsibility for them. Such a person should be recruited in the normal way and apply for a Criminal Records Bureau (CRB) Disclosure as part of this process.

Bellringing

The Diocese encourages bell ringers to affiliate to the Oxford Diocesan Guild of Church Bell Ringers and to follow their policies. The tower captain and anyone who trains or teaches children under 16 will need Criminal Records Bureau Disclosures (CRB). See *CRB eligibility checklist*.

- Always have two adults present when children under 16 are being taught
- Invite the parents of any trainee to come and watch a training session before allowing their child to start to learn. Require a parent to attend the first training session and ensure that the parent fully understands what is involved in learning to ring
- Make sure that a parent is responsible for delivering and collecting the child to and from the tower
- Ask parents to sign a form giving permission for the child to be taught to ring. There is a model *Permission to ring* form
- Keep an attendance register
- Be aware of the insurance position for children
- Never allow children up amongst the bells apart from an initial demonstration visit (if it is safe to do so)
- Get parents to sign a detailed parental consent form for tower outings. Organizers should be aware of Health and Safety and other issues: for example, it is inadvisable to allow a child to travel alone in a vehicle with an adult. See the *Good practice guide for church workers with children and young people*

Points to check:

- Church insurance: does the policy have a lower age limit? In some churches this is 12 years of age
- Is it possible to prevent inquisitive children from wandering up amongst bells which are 'up'?
- Is there a tower Health and Safety policy? Is it reviewed regularly? Is there a First Aid kit? Is there an accident book?
- Are you aware of any relevant medical conditions affecting the children being taught? For example: epilepsy or diabetes
- Is there an attendance register?

Find out the name of the person to be contacted and the procedure to be followed in the event of a child making a disclosure about possible abuse. Always follow up such allegations, avoid detailed questioning of the child, and never promise confidentiality.

Organ lessons in church

Music lessons are normally arranged through a school or as a private arrangement between parent and teacher. However, if the church organ is going to be used, the PCC retains a general responsibility for health and safety in activities carried out on its premises and needs insurance cover.

The organist should complete a *confidential declaration* and have a CRB Disclosure if this has not already been done.

The organist should be given a copy of the *Good practice guide for church workers with children and young people* and agree to abide by it.

An agreement should be drawn up on church headed paper, which at least one parent of the child should sign, in which the parent gives their agreement to the teacher teaching their child the organ at the church and accepting that this will not be supervised. This should include the provision that the parent understands that from time to time it may be necessary for some physical contact between teacher and student as is appropriate in the context of the particular lesson being taught.

This should be signed also by the organist and by someone appropriate in the church (incumbent or church warden). The signed agreement should be retained by the church.

Unaccompanied children

Sometimes children may attend worship or children's groups apparently without the knowledge of their parents. No hard and fast guidelines can be given, but the following points may assist.

- Establish whether the child attends with their parents' knowledge, or at least without their parents' objections. (The child may be of a different denomination or religion.)
- Establish their address and contact details. Include these on the register. Provide information about the group to the child to take to their parent
- Seek to secure parental consent to the child's involvement, preferably by direct contact with the parent rather than by using the child as an intermediary
- Check that the child's route or travel arrangements to church are safe and appropriate
- Bear in mind that the child may have some personal or family difficulty, which they may not be willing to disclose, and which needs sensitive handling. The child may also have some special educational or health need
- Do not include the child on trips away from the normal place of meeting without explicit parental consent

- If the child does not attend after having attended frequently, it may be appropriate to undertake some outreach, but this should be done with care
- For young people of 16 or 17, formal parental consent is technically not needed, but it is good practice to obtain it

Special needs

For detailed advice see *Children in Church? Welcome, teaching and worship with children with special needs*.

Drug and alcohol policies

The PCC should set policies appropriate to the kind of event or activity which is being organized. Different arrangements will be needed according to the type of event; for example, a Harvest Supper, where there are many adults and most young people are with their parents, needs different arrangements from a residential stay, where a group of young people is supervised by youth leaders.

Alcohol: legal requirements

If alcohol is to be sold, a licence is required. For the majority of events in churches and church halls which are likely to be considered, a temporary event notice may be appropriate. These are available from licensing authorities (district councils and unitary authorities). Where a licence is granted, alcohol may not be sold to people under the age of 18, nor may they be supplied with it or consume it. There is an exception where the consumption is to be on the premises, where the young person is aged 16 or 17, and is accompanied by an adult and is having a table meal. The only alcohol they are allowed to consume is wine, beer or cider. A person under 18 can work as a waiter or waitress and deliver drinks to the table. People under 16 may attend, though conditions may be imposed if desirable or necessary. For further details consult the local authority Licensing Officer, or your insurance company, or see the Licensing Act 2003 and its associated guidance.

Alcohol: good practice

If alcohol is provided but not sold, no licence is needed. However, it would be sensible to consider following the same restrictions as in the guidance, namely no alcohol for people under 18, with the same relaxation for 16 and 17 year olds having meals with an adult. This has the advantage of being consistent with what young people expect elsewhere. It is in order to ask for proof of identity if a person appears to be under 18.

At youth groups and activity events with young people neither youth leaders nor young people should consume alcohol. This also applies on residential trips when youth leaders are not on duty. Youth leaders are reminded that they are role models for young people at all times.

Drugs: good practice

Any necessary medication, whether prescribed or off the shelf from a pharmacy, should be noted on the parental consent form.

If a young person is suspected of carrying illegal drugs, they may be asked to turn out their pockets, but personal searches are not appropriate. Instead, the police should be contacted.

Illegal drugs must be confiscated and either disposed of immediately or passed to the police. Two staff members should be involved. Details should be recorded in the incident book.

Anyone whose behaviour is disruptive due to alcohol or drugs must be challenged and may be asked to leave. Consideration should be given to contacting parents.

Smoking: legal requirements

Smoking is illegal in any enclosed public premises.

There is no minimum age limit for smoking, although those under 18 are not permitted to buy tobacco products.

Smoking: good practice

It is never appropriate for adults to smoke in the presence of young people.

Young people who are smokers should be advised of a designated area away from others. On residential trips it is appropriate to include a question on smoking on the parental consent form to establish parental knowledge of the young person's habit.

Passive smoking (being in the presence of smokers) is a health hazard.

Hire of premises

See main discussion under **hire of church premises**.

Establish whether or not alcohol is to be sold at the event. If it is, the hirer is responsible for applying for a temporary event notice, which should be seen by a PCC representative before the event.

Consider whether conditions need to be imposed on the involvement of young people in the event.

Appropriate conditions should be incorporated as necessary in hire agreements.

Electronic communications

This concerns the use of mobile phones, email, SMS (text) messages, MSN Messenger and other electronic communication methods.

Electronic communication, in particular through mobile phone, email and social networking sites such as Facebook, is the norm for most children and young people. It is therefore necessary for children's workers to communicate electronically with them.

The issues involved in communicating electronically are not basically different from those in face to face communication, except that the person is not with the sender so neither can use facial expressions or body language to clarify their meaning. It is also normally private, so others are not there to provide a context and background. Also, it does in principle create a record which could in some circumstances be printed out and used in evidence.

Those who wish to abuse young people often start with electronic communications and then attempt to lure young people into an unprotected face to face meeting.

Good practice is to communicate in such a way that achieves its purpose without unintentionally encouraging habits in young people which could be dangerous.

Equipment

- Appoint a suitable person as administrator of all parish computers and digital devices, who alone has access to the settings
- Ensure all users have a different password
- Monitor and supervise the use of your equipment by young people
- Set parental control limits
- Consider carefully whether and to what extent you will permit computer games on your machines
- If possible, provide workers with a mobile phone specifically for work
- If you suspect illegal downloads or inappropriate use of your computers, involve an IT expert to scan and remove them
- Any illegal material found should be reported to the police. It is an offence to make, retain or distribute indecent images of children (under 18). This includes indecent images children may make of themselves or one another
- Do not use legal but inappropriate material on parish machines or in premises used by children and young people. This includes but is not restricted to: adult pornography, violent material, and politically inflammatory or defamatory material. Breach of this could be a disciplinary offence

Social networking sites

- Consider carefully whether to use such sites for youth work at all. It might be better to create a separate page for this purpose
- Use of such sites makes it harder to maintain an appropriate boundary between work and private life
- It also creates risks of inappropriate material appearing on the worker's or young person's profile
- All those using social networking sites should set their privacy settings carefully and check them periodically

A few Do's and Don'ts:

- If young people want you to hold their mobile phone numbers, email addresses or similar, make sure that their parents know and have agreed
- Only give personal contact details that are within the public domain of the church, including your mobile phone number
- Keep communications short. If you need a discussion, fix a time to do so face to face during or following the group, and follow the guidelines on counselling
- Use an appropriate tone: friendly, but not over-familiar or personal
- While communications should be warm and friendly, they should not suggest or offer a special relationship
- Respect the young person's confidentiality unless abuse including self-harm, actual or threatened, is suspected or disclosed. If in doubt consult Group Leader, Parish Safeguarding Officer or Diocesan Safeguarding Adviser
- Make sure that your communication is such that, in principle, it would not embarrass you for it to be seen by the young person's parents or church officials

Making and distributing images of children

Making and publishing images of children is usually enjoyed by children and parents and can bring useful publicity, but there are some important issues to note.

The issues are the same for still photographs, digital images or films, and regardless of the particular technology used. For convenience they are all referred to as images.

Images count as personal data under the Data Protection Act 1998, and therefore the eight principles of the Act apply. These are as follows:

Personal data should be:

- fairly and lawfully processed
- processed for limited purposes
- adequate, relevant and not excessive
- accurate
- not kept for longer than is necessary
- processed in line with your rights
- secure; and
- not transferred to countries without adequate protection

Legitimate journalism is a 'special purpose' under the Data Protection Act, which exempts it from the requirement of security.

It is important that the consent of the children and their parents is obtained for the making and use of images of children. Consent is not needed if children are in a public place such as in the open air or at a fair or similar event. A church is not a public place in this sense.

Those taking photographs need to bear in mind that parents may have good reasons for refusing consent, for example:

- some children may have been involved in legal disputes, local authority care, or adoption, and their whereabouts should not be too widely known; parents of the affected children will know this and will appropriately withhold consent without necessarily giving the reason
- if individual children are identified, it would be possible for potential abusers to use them to target prospective victims
- images made using digital cameras can be manipulated for child pornography, which is a growing problem on the internet; this is particularly relevant if children are scantily dressed

Good practice is therefore as follows:

- Obtain consent from parents and children before making images. Consent need not be in writing if it is not proposed to publish the pictures in any way, but if they are going to be distributed, used in a newspaper including the diocesan newspaper *The Door*, or put on a website, then a specific consent should be obtained. Images are usually made in the context of a specific activity. If the event is a church service, nativity play or similar, then an oral notice can be given out at the beginning for the leader of the service or event, asking that any parent who objects to images being made of their child should either remove their child from view of the camera or approach the leader afterwards to ensure that any image they object to is not used. Alternatively, if the event is one for which specific parental consent is sought, add a suitable wording to the parental consent form, such as

I consent to images and video recordings being made of my child and for these to be used in printed publications and on websites (adapt and delete as necessary).

- Where possible, each child should be part of a group
- If the photograph is to be distributed, avoid naming the child. If a name needs to be used, it should be only a first name. However, there may be circumstances where, with the explicit consent of the child and his parent, it would be permissible to use the child's full name, for example when celebrating a specific performance or achievement
- If the child is named in full, avoid using their image
- If children are scantily dressed, e.g. for swimming, then
 - Focus on the activity rather than a particular child
 - Avoid full face and body shots
 - Consider the age of the children involved

- Be clear about whether the image is to be retained for further use
- Store the image securely and dispose of it when it is no longer required

Schools, including church schools, will have their own policies, which apply to children on school premises or engaged in school-sponsored activities.

Newspapers and other print media are currently bound by the Press Complaints Commission¹ Code of Practice. There are numerous restrictions on photographing children. These are not likely to be relevant to church use, but advice is available from Diocesan Safeguarding Adviser or Director of Communications if needed.

Disruptive children

A guidance note on *disruptive children* is available.

Child abuse and neglect

Background

From the mid 1970s onwards the issue of child abuse has received increased public attention, in the light of a number of high profile investigations and public inquiries following deaths of children. Over the years the accepted concept of child abuse has widened to include sexual and emotional abuse, along with the recognized issues of physical abuse and neglect.

The following facts about abuse are based on research findings and highlight issues relating to the different categories of abuse.

- Most children are abused by adults they know and trust
- The reported cases of child abuse are a small proportion of the cruelty, exploitation and neglect to which children in our society are subjected
- Disabled children are more vulnerable to abuse; they are more dependent on intimate care and sometimes less able to tell anyone or escape from abusive situations
- Children very seldom make false accusations of abuse, and will often deny the abuse or take back an accusation after they have made it
- Children who talk about the abuse fear the consequences of telling – if things are bad, perhaps they may get worse
- Children and young people who are abused can be very good at hiding their pain and distress
- Abuse has serious long-term harmful effects on children and young people. If untreated, the effects of abuse on children can be devastating and continue into adulthood

¹ This body is due to be wound up but any successor body is likely to adopt a similar code.

- Social care services will only remove children from their home where there is actual, or risk of, significant harm and if the child is in real danger of further abuse
- Child sexual abuse is equally common among all social classes, professions, cultures and ethnic groups

Forms of child abuse

Child abuse has many forms. There are four identified categories of abuse described in *Working Together to Safeguard Children 2010*¹, from which the following definitions are taken.

Abuse and neglect are forms 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 a stranger, for example by the internet. They may be abused by another adult or adults, or another child or children.

Physical abuse is the intentional use of physical force against a child that results in – or has a high likelihood of resulting in – harm for the child’s health, survival, development or dignity.²

It may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent fabricates the symptoms of, or deliberately induces illness in, a child.

Sexual abuse involves forcing or enticing a child to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse (including via the internet). Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children.

Neglect is the persistent failure to meet a child’s basic physical and/or psychological needs, likely to result in the serious impairment of the child’s health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger
- ensure adequate supervision (including the use of inadequate care-givers)

¹ This is due for revision in 2012. However, there are unlikely to be significant changes to these definitions.

² This definition is from the WHO and ISPCAN Guide 2006.

- ensure access to appropriate medical care or treatment

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only in so far as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or ridiculing what they say or how they communicate. Emotional abuse may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may also involve: seeing or hearing the ill treatment of another, for example in domestic violence situations; serious bullying (including cyber-bullying); causing children frequently to feel frightened or in danger; exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child but it may occur as the sole or main form of abuse.

Some special topics

Church members should be aware that, within these categories, a wide range of abuse can occur. The Government issues guidance documents or advice for several of these special topics. Among those which have been the subject of attention are:

Stranger abuse

The majority of abuse is carried out by people known to the child, but abuse can also be carried out by strangers.

Internet-related abuse

Adults may target chat rooms, social networking sites, messaging services, digital cameras, mobile phones and the internet generally in order to groom and abuse children. Children are particularly vulnerable to abuse by adults who pretend to be children of comparable ages in social networking sites and who try to obtain images or engineer meetings. Children themselves can also misuse these facilities.

Bullying (abuse by other children)

There is no clear boundary between bullying and abuse, and a significant number of sex offenders are themselves minors. Young perpetrators of abuse are still children and are entitled to have their needs considered though steps may need to be taken to protect other children. Such cases should always be referred to the local authority children's social care service.

Children affected by gang activity

Such children are at risk of violent crime and are therefore considered vulnerable. Risks include access to weapons (including firearms), retaliatory violence and territorial violence

with other gangs. Other risks include increased likelihood of involvement in knife crime, dangerous dogs, sexual violence and substance misuse.

Fabricated or induced illness

Parents can induce or pretend to observe symptoms in a child which lead to unnecessary investigations or treatment.

Abuse of disabled children

Research has shown that disabled children are more likely than able-bodied children to be subjected to abuse. Disability covers not only physical disabilities of various kinds but also mental illness and learning disability.

Deliberate self-harm e.g. overdoses, cutting, misuse of drugs or alcohol

This is a form of physical abuse, albeit by the child in question. It will always be appropriate to discuss such a case with the local authority children's social care. Help can also be obtained from child and adolescent mental health services (CAMHS), through the general practitioner (GP) and, sometimes, from direct access counselling services.

Children exposed to domestic abuse

The terms 'violence' or 'abuse' are used interchangeably and carry the same meaning. Domestic abuse is defined as any incident of threatening behaviour, violence or abuse (psychological, physical, sexual financial or emotional) between adults who are or have been in a relationship, or between family members, regardless of their gender or sexuality. If there are children in the household they are witnesses to the abuse and are considered to be at least emotionally abused, whether or not they are in the same room. They may also be directly affected by abuse. See the main discussion on **Domestic abuse** in the vulnerable adult section. If there are children involved in a situation of domestic abuse the matter will need to be referred to children's social care or the police.

Parents who are themselves vulnerable adults

It is not uncommon for the parents of children who are abused or neglected to be themselves vulnerable adults. Particularly common are problems of mental ill-health, domestic abuse and substance abuse (i.e. drugs and alcohol), often in combination. Where someone with such a difficulty is known to be a parent with a child living with them, a referral to the local authority children's social care service may be required.

Female genital mutilation

This is a criminal offence and any suggestion that it is being sought or has been carried out should be referred to the local authority children's social care service or the police.

Child trafficking

Child trafficking is the bringing of children into the country, sometimes without proper immigration arrangements, for a variety of illegal purposes which can include domestic

service, illegal adoption, organ harvesting, benefit claims or prostitution. Such children may have little English. The police or local authority children's social care service should be contacted immediately if a church member comes across such a child.

Sexual exploitation and involvement in prostitution

Children can be exploited by being given rewards in return for sexual activities. Internet and other media technology may be used in the abuse. Violence, coercion and intimidation are common. Regardless of the challenging behaviours they may display, exploited children should be viewed as victims of child sexual abuse, not as criminals.

Forced marriage and honour-based violence

Disclosures of actual or possible forced marriage should not be treated as a family matter or be disclosed to family members. Local authority children's social care or police should be contacted.

Complex (organized or multiple) abuse

This is abuse which involves one or more abusers and a number of children. The abusers may be acting in concert, or in isolation, or may be using an institutional framework or position of authority to abuse children. The internet may also be used. If this is suspected, police should be contacted.

Allegations of witchcraft or possession by evil spirits

It is sometimes suggested that a child is possessed by evil spirits and that this may account for behavioural issues in the child or be considered to justify harsh treatment by the parents. Parents may seek the assistance of clergy or other church members for deliverance ministry (exorcism). Parish priests and others should consult the Bishop or Diocesan Safeguarding Adviser and should note that most parish insurance policies do not cover deliverance ministry.

Spiritual abuse

Spiritual abuse is not covered by the statutory definitions but is of concern both within and outside faith communities including the Church.

Within faith communities, harm can also be caused by the inappropriate use of religious belief or practice. This can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, or intrusive healing and deliverance ministries. Any of these could result in children experiencing physical, emotional or sexual harm. If such inappropriate behaviour becomes harmful, it should be referred for investigation in co-operation with the appropriate statutory agencies. Careful teaching, supervision and mentoring of those entrusted with the pastoral care of children should help to prevent harm occurring in this way. Other forms of spiritual harm include the denial to children of the right to faith or the opportunity to grow in the knowledge and love of God.

Reporting concerns about children

If anyone in the Church is uncertain whether or not abuse has taken place, he or she can contact the Diocesan Safeguarding Adviser or the local authority children's social care team.

- Safeguarding action is the responsibility of the local authority, working in partnership with other agencies and the parents
- Don't delay in making referrals
- Other responsibilities continue
- The paramount priority is the safety of the child

The person receiving the disclosure or observing the signs of abuse should:

- act swiftly: inform either the incumbent or the Parish Safeguarding Officer within 24 hours of the disclosure being made
- never speak directly to the person against whom allegations have been made, or whom they may suspect
- if the alleged perpetrator is under the age of 18, seek advice before speaking to his or her parents
- never attempt to investigate the situation themselves; if it is necessary to ask question to clarify what is alleged, avoid leading questions, i.e. ones which imply an answer
- record what has happened or been said

Making records

- Write the child's actual words, not a paraphrase
- If recording allegations make it clear that they come from a third party
- Distinguish fact from opinion
- Date and sign
- State your full name and role in the church
- Give the record to the Parish Safeguarding Officer and ensure it is kept in the secure cabinet

Responsibilities of the incumbent or Parish Safeguarding Officer

- if the allegation or observation of abuse relates to clergy or a church officer¹, inform the Diocesan Safeguarding Adviser (DSA) who will advise on the procedure to be followed; this may involve referral to the Local Authority Designated Officer (LADO) rather than the frontline service

¹ The term church officer is used for anyone appointed by or on behalf of the church to a post or role, whether they are ordained or lay, paid or unpaid. It will include all workers with children or vulnerable adults but also those who have official positions without such a role, e.g. church wardens, parish secretaries.

- if it does not relate to clergy or a church officer, with the DSA assess whether the referral may constitute significant actual or potential harm and so warrant referral
- the Diocesan Safeguarding Adviser (DSA) is available to advise on whether referrals are appropriate, and should be informed in any case if one is made
- if the decision is to make a referral to Police or Social Care Services it is usually best if the person with first-hand knowledge of the issue makes it

After the referral

- check that an appropriate referral has actually been made; it should be formally acknowledged
- make sure support is in place for the child
- seek support for those involved

Working with Police or Children's Social Care Services

- co-operate with statutory agencies and don't interfere
- provide relevant information if requested
- be guided by them before any further action is taken
- attend multi-agency strategy meetings if invited
- keep the DSA informed of progress
- inform the parish insurance company
- within the advice of statutory agencies, ensure that those who need support are offered it

Support needs

Situations are usually complex: sometimes victims and alleged perpetrators may both be part of the church community, and extended family and friends may also be affected and have views. The following people may need support:

- The victim
- The family and friends of the victim
- The alleged perpetrator
- The family and friends of the alleged perpetrator
- Other members of the congregation affected
- The person to whom the disclosure was made, or who observed the signs of abuse
- The incumbent
- The Parish Safeguarding Officer

It helps to be clear about who is supporting whom – separate out the roles. One person cannot support everyone, and some may require referral to specialist support.

And afterwards:

- Try to remain non-judgemental, and don't take sides
- Don't gossip – and try to stop others gossiping. The aim should be transparency of information among those who need to know and confidentiality outside this
- Carry out a risk assessment on your activities - review the way the parish runs things – could risks be reduced to prevent a similar situation arising?
- Once the investigation has been completed, ensure a risk assessment is carried out on the person posing risk, and appropriate safeguarding action is taken to minimize the risk

Children in need but not at risk

All agencies are encouraged to refer children who are in need but not at risk using the Common Assessment Framework (CAF). This is a standardized approach to the assessment of children's additional needs and decision about how these should be met. In the church the appropriate leader should make the referral.

- Ensure you have parental consent to making the referral
- Contact the local authority and ask to be sent the CAF form and check to whom it should be sent
- Complete it, as far as possible with the involvement of parent and child
- Submit it and check for developments. You may be asked to attend **Team around the Child (TAC)** or other multi-agency meetings

Activities with vulnerable adults

The PCC must take clear and explicit decisions to approve work carried out with vulnerable adults in the name of the church, to distinguish them from neighbourly or community activities in which church people might be engaged, but which are not formally part of the church's activity and for which the PCC has no responsibility.

As part of this the church must formally recruit those who work with vulnerable adults on its behalf.

Good practice guide

All workers with vulnerable adults must be given a copy of the *Good practice guide*.

Leadership and staffing

- Always have at least two leaders, no matter how small the group. Small groups with single leaders may meet in adjoining rooms with an open door between. If a vulnerable adult is being interviewed alone, have another adult nearby. If one leader is unable to attend at short notice, it may be safer to continue with the group rather than cancel it
- All regular leaders of activities with vulnerable adults and all those visiting individual vulnerable adults in hospitals, care homes or their own homes must be recruited through Safer Recruitment - including obtaining a *Confidential Declaration*, taking up references and obtaining a Criminal Records Bureau (CRB) enhanced disclosure
- Ensure all leaders are aware of the health and safety issues relating to the activity, including procedures for fire and first aid and any special needs of any of the vulnerable adults
- Give regular leaders a copy of the *Good practice guide* and advise them to read it. Ask them to sign a receipt for it
- Provide them with supervision and training in their role

Premises

- See above for **Health and Safety** and **Risk Assessments** for buildings and activities
- Check the building regularly for accessibility – doors, steps, toilets, sight lines, lighting, acoustics, colours of walls, doors, paintwork. Detailed advice is available from the Diocese
- Open access groups and activities, i.e. ones which any adult can attend, whether or not vulnerable, do not need a register of attendance

- For specific activities or groups targeted on vulnerable adults, register every person attending each activity with a form which includes their name, address, and contact number for their carer. Store the forms together in a confidential place, and always have them available for leaders of the activity throughout each session
- For vulnerable adults who may have erratic behaviour patterns, be clear about what behaviour is acceptable – and what is not – during activities, and discuss if appropriate with carers

Records

- The Safeguarding Officer must make and update annually a list of all leaders in the church who have regular, direct contact with vulnerable adults, and ensure that full recruitment procedures have been followed for each of them
- Attendance records are not required for open schemes such as lunch clubs
- Keep a record of home visits and other individual work with vulnerable adults
- Where possible, obtain details of carer or next of kin so they can be contacted in an emergency. This is not necessary if the vulnerable adult lives in an institution, where this information should be on file
- Always have a phone throughout each activity for emergencies; this can be a mobile phone
- All confidential records about leaders, and confidential records relating to allegations of abuse against members of the congregation, and specific concerns about adults who may be vulnerable, must be stored in a locked filing cabinet, with access limited to the Safeguarding Officer and the Incumbent
- Record all accidents in the Accident Book, which should always be accessible on the premises

Inclusion

Regular worship in church should take account of the wide range of requirements of any congregation. As well as the church building offering full accessibility for people with mobility challenges, it is also important to cater for the requirements of other disabled people. Some examples:

- Always use positive language when referring to disability, age and mental health
- Consult with individual vulnerable adults to identify their specific needs
- Use proper sign language for deaf people and those with learning disabilities, as appropriate
- Install a loop system
- Have available service books and sheets in large print (18 point sans-serif type in black on lemon yellow paper)

- Use suitable font size and colours on all printed material
- Ensure that everyone has access to presentations etc., by offering a clear sightline
- Make information on notice boards accessible – take into account height, words and images and size

Further advice is available in the Diocesan publications *Welcome, Inclusion, Respect* and *Welcoming those with Autism and Asperger Syndrome in our Churches and Communities*.

Consent

Workers should always be mindful of the need for vulnerable adults to consent to, and to be comfortable with, any proposed activity. Consent is a clear indication of a willingness to participate in an activity or to accept a service.

- The vulnerable adult may signal consent verbally, by gesture, by willing participation or in writing
- Decisions with more serious consequences will require more formal consideration of consent and appropriate steps should always be taken to ensure that consent is valid
- No one can give, or withhold, consent on behalf of another adult unless special provision for particular purposes has been made for this, usually in law
- In certain situations the need for consent may be overridden. This is generally when it is in the public interest to do so, for example, the disclosure of information to prevent a crime or risk to health or life

If you have any concerns about consent, for example, doubts about whether it has been given or whether it is valid, you should always contact your leader, who should in turn seek professional advice where necessary. Similarly, if you have any concerns about a vulnerable adult's ability to consent, especially if he or she is agreeing to an activity or relationship within or outside the organization that may be abusive, you should report your concerns.

Obtaining the consent of a vulnerable adult

Obtaining consent does not mean that a signature on a form is necessary on every occasion. Consent may be expressly given; alternatively it may be signalled by a person's conduct:

- A vulnerable adult may signal his or her consent to participate by turning up at the Tuesday luncheon club voluntarily
- In a care context a vulnerable adult may signal consent by willingly going with a staff member to get bathed or dressed

As a general rule, the method of obtaining consent is likely to be dictated by the seriousness of what is being proposed. The more serious the proposal and the greater

the consequences of agreeing to it the more it might be appropriate to ask the vulnerable adult to sign a consent.

Validity of consents

The consent of a vulnerable adult is considered valid only if:

- He or she has the capacity to consent, that is, can understand and weigh up the information needed to make the decision; and
- Sufficient information has been given to him or her, in an appropriate way, on which to base the decision; and
- Consent has been given on a voluntary basis, that is free from coercion or negative influence

If any of these three factors is absent, consent cannot be considered to be valid.

It may be possible to intervene in the life of a vulnerable adult who cannot give valid consent but only in very particular circumstances, for very specific purposes and in accordance with laws governing this kind of intervention. This includes the common law of necessity, under which Accident and Emergency staff may need to treat an individual, who is unconscious, for the purpose of saving his or her life.

Making and distributing images of vulnerable adults

Specific consent should be sought for images of adults where it is the intention to name the person in the image or in an accompanying caption or article.

All images must respect the dignity of the person being photographed.

Home visits

If home visits are going to be undertaken regularly on behalf of the church then there should be a definite scheme approved by the PCC with a group leader who takes responsibility for the scheme.

- Workers need to be recruited under the safer recruitment guidance
- They need to be issued with and follow the *Good practice guide*
- They should be prepared to refer to other agencies if the vulnerable adult agrees
- They need to report progress and any issues to their group leader

Home communion

Those who take communion to vulnerable adults at home need to be licensed by the Bishop and should follow the guidance for home visits.

Visiting people living in institutions

All people who live in institutions are considered by that fact to be vulnerable. This covers care homes, prisons and hospitals. Those who regularly visit people who live in institutions will need safer recruitment and will need to abide by the expectations of those running the institution.

Street angels and street pastors

These are schemes for assisting people on the streets in the evening and night. There are two main models that churches tend to use:

- Street Angels. Christian Nightlife Initiatives (CNI) offer a 'Network' Franchise: they help churches and groups running similar projects to share experience and provide resources to help them. They do not attempt to "brand" local projects under a common name. For details consult CNI at <http://cninet.weebly.com/index.html>
- Street Pastors offer a Full Franchise: they provide the branding, training, materials, processes, support services and oversight to individual projects. For details consult Street Pastors at <http://www.streetpastors.co.uk/Home/tabid/255/Default.aspx>

Those involved in these schemes need safer recruitment and to be trained and organized and participation in the scheme needs to be approved by the PCC.

Lunch clubs

Lunch clubs offer a hot meal and companionship usually aimed at older people. If they are run on an open-access basis, i.e. that anyone who wishes may attend, no special safeguarding arrangements are needed. However, safer recruitment will need to be used if:

- The club is specifically intended for those with a particular condition or vulnerability
- The workers do more than provide meals and companionship and get involved in advice giving, counselling or similar activities with vulnerable adults who attend or regularly driving them to or from the lunch club

Holidays and residential trips

Consent and involvement

The vulnerable adult should be informed about:

- aims and objectives of the trip and activities
- date of the trip and its duration
- details of venue including arrangements for accommodation and supervision

- travel arrangements
- name of group leader and contact numbers
- information about financial, medical and insurance arrangements

The vulnerable adult must be fully involved in planning and decision-making for the residential trip. If the vulnerable adult is not able to voice their opinion, advocates, such as family members or friends, should be consulted as their representatives.

Leadership

There must be sufficient staff to make the holiday safe and enjoyable, and always a minimum of two leaders on the trip.

Accommodation and arrangements

Careful consideration must be given to:

- the appropriateness of the venue
- length of journey and mode of transport
- appropriateness of accommodation; a risk assessment may be needed
- whether the proposal is affordable for the vulnerable adult
- safety
- proximity to any necessary back up facilities e.g. hospitals, doctors, transport

Health and behavioural needs

- Advice must be sought and a written declaration of health needs should be obtained if a person has complex health needs, and agreements made in advance for administering medication and care plans for the duration of the holiday
- Potential areas of risk to the vulnerable adults, taking into account their specific needs, must be identified in advance and plans for action drawn up. This should include health risks (e.g. seizures) and challenging behaviour
- Consideration must be given to the location and distance to the nearest doctor or hospital in case of an emergency, or in case of the need for specialist care
- If a vulnerable adult is taken ill or has an accident, or their behaviour becomes difficult to manage on the trip, the decision may be made to return home early

Handling money for vulnerable adults

Workers must avoid putting themselves in positions where they are themselves made vulnerable or where allegations of mishandling could be made. If a worker has to handle a vulnerable adult's money it is best to involve or discuss this with at least one other person, e.g. the group leader or PCC treasurer and to record what has been agreed. In general:

- Always provide receipts and keep a copy for church records; this includes money given for collections which must be handed to the PCC treasurer with a copy of the receipt
- Never deny a vulnerable adult access to his or her money
- Never gain in any way when using the vulnerable adult's money on his or her behalf or guiding the vulnerable adult in the use of his or her own money
- Never borrow money from, or lend money to, a vulnerable adult
- Report any suspicions of financial abuse

Adult abuse and neglect

Abuse is a violation of an individual's human and civil rights by any other person or persons. It may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it.

Adult abuse has many forms. There are six identified categories of abuse described in *No secrets*, from which the following definitions are taken.

- *physical abuse*, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions
- *sexual abuse*, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent or was pressured into consenting
- *psychological abuse*, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks
- *financial or material abuse*, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits
- *neglect and acts of omission*, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating; and
- *discriminatory abuse*, including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment

To these should be added:

- *survivors of abuse*, which may have been in childhood or adulthood, and who may need specific pastoral care
- *domestic abuse*, which is usually a systematic, repeated and often escalating pattern of behaviour by which the abuser seeks to control, limit and humiliate, often behind closed doors; note that there is often an overlap between domestic abuse and child abuse. See separate discussion of **Domestic abuse**

For **Dignity at Work**, **harassment** and **bullying** see below.

Reporting concerns about vulnerable adults

Referrals of suspected abuse can be made to the local authority adult protection service, the police and other statutory bodies in the following circumstances:

- For a person over 18 with their consent
- If the person is a vulnerable adult with the capacity to make the decision, the information belongs to them unless there is a public interest concern (see below)
- If the person is a vulnerable adult who does not have the capacity to make the decision, then the church worker needs to decide on their behalf, taking good practice into account

Public interest concern

The official guidance states:

There are some circumstances in which sharing confidential information without consent will normally be justified in the public interest. These are:

- *when there is evidence or reasonable cause to believe that a child is suffering, or is at risk of suffering, significant harm; or*
- *when there is evidence or reasonable cause to believe that an adult is suffering, or is at risk of suffering, serious harm; or*
- *to prevent significant harm to a child or serious harm to an adult, including through the prevention, detection and prosecution of serious crime*

An exception to this would be where an adult with capacity to make decisions puts themselves at risk but presents no risk of significant harm to children or serious harm to other adults. In this case it may not be justifiable to share information without consent. You should seek advice if you are unsure.

*Information Sharing: Guidance for practitioners and managers,
HMSO 2010, S3.41-3 excerpted*

Good practice in sharing information about vulnerable adults

- Never make these decisions on your own. If necessary, consult without identifying the individual concerned. This can be within the church or with the statutory services such as the church or local authority adult protection services
- Whenever possible make these decisions alongside the adult most directly involved, working together rather than enforcing a solution
- The adult has the absolute right to remain silent even if you do make a referral
- Take time to help the adult to develop trust, confidence, and, ideally, a willingness to agree to the referral
- If a referral is made, the adult may need support for a considerable time
- The referrer will also need support

Challenging behaviour

People have different thresholds of what counts as unacceptable behaviour from another person. The following behaviours, however, are never acceptable and should always be challenged and addressed, whatever a person's age, ability or mental health:

- Abusive or threatening behaviour
- Violence or risk of violence
- Misuse of drugs or alcohol on premises
- Being under the influence of drugs or alcohol
- Harassment
- Racist behaviour

Some people may demonstrate extreme behaviour, which is often referred to as challenging behaviour. This is behaviour of such intensity, frequency or duration that the physical safety of the person or others is placed in serious jeopardy or behaviour which is likely to seriously limit or deny access to the use of ordinary community facilities. It may include tantrums, hitting or kicking other people, throwing things or hurting themselves. Living with challenging behaviour can be stressful and exhausting for parents, carers and workers.

The causes may be medical, psychiatric or environmental. Treatment is sometimes possible but often the behaviour simply has to be managed by those around.

A guidance note on challenging behaviour is available.

Perpetrators of abuse who are also vulnerable

Workers will need to take a view on whether the perpetrator is likely to respond to discussion and persuasion or whether stronger action is needed. This may include separating the perpetrator from the victim temporarily or permanently, involving carers or statutory agencies, or in extreme cases, of requiring the perpetrator to attend a different church. Workers should not act unilaterally: there should be an agreed and coordinated approach and the Diocesan Safeguarding Adviser can be consulted.

Domestic abuse

Background

Domestic abuse is defined as any incident of threatening behaviour, violence or abuse (psychological, physical, sexual financial or emotional) between adults who are or have been in a relationship, or between family members, regardless of their gender or sexuality.

It is also known as domestic violence. The violence can be psychological, physical, sexual or emotional. It can include honour-based violence, female genital mutilation, and forced marriage. These are all criminal offences.

Whatever form it takes, domestic violence is rarely a one-off incident. Usually it is a pattern of abusive and controlling behaviour through which an abuser seeks power over their family member or partner.

Domestic violence occurs across all of society, regardless of age, gender, race, sexuality, wealth or geography. Women are more likely than men to be victims of domestic violence, and children are also affected – they can be traumatised by what they've seen, and there is a strong connection between domestic violence and child abuse. If children are present in a household where there is known to be domestic abuse then they are also considered to be at risk of at least emotional abuse.

Signs and indicators

If you are concerned that someone you know might be a victim, you may notice that she or he:

- has unexplained bruises or injuries
- shows signs of feeling suicidal
- becomes unusually quiet or withdrawn
- has panic attacks
- has frequent or puzzling absences from work or other commitments
- wears clothes that conceal, even on warm days
- stops talking about their partner
- is anxious about being out or rushes away

Responding to concerns

If you are able to broach the subject, your offer of help could be the first step in enabling them to seek help in an abusive situation. A question like 'is anyone hurting you?' can be a good way to begin. For more detailed guidance see Church action on domestic abuse.

If there is a child (under 18) in the household then the matter must be reported to the local authority children's social care service in addition to any other action which may be needed.

Local churches are encouraged to display posters and information from the local support agencies - Domestic Violence Forum, Women's Aid, Refuge, Victim Support, Respect – and to make the phone number of the local women's refuge available in the church and hall. There are national and local helplines available.

MARACs (multi-agency risk assessment conferences) now operate across the United Kingdom. These meetings consider the most serious 10% of domestic violence cases. They receive referrals from the police, Domestic Violence workers (DV), Women's Aid and any other voluntary agency or group that wishes to make a referral. This includes the local church, usually via a DV worker or someone else working specifically in this field. The aim is to develop a safety plan in each case based on the combined knowledge and commitment of everyone working with the family and then track progress over coming months. Information is available through CAADA (Coordinated Action Against Domestic Abuse) www.caada.org.uk.

Offering support and protection involves recognising the need for work with perpetrators to be undertaken by someone with specialist skills, and where pastoral support from the church can be offered alongside.

There is a distinction between abuse where there is already a criminal investigation, or the abuser is subject to a court order, and an allegation which has not been taken to the police. It is at this point that most churches will feel the need to consult with someone with diocesan responsibility in order to make an appropriate response or liaise with a local specialist agency.

It is also important to remember that abused and abuser cannot both be supported in the same church community unless that is the express, independent wish of each, nor can they be supported pastorally by the same person.

Dignity at work and harassment

Background

One of the Safeguarding Principles of the House of Bishops states:

We will seek to challenge any abuse of power, especially by anyone in a position of trust.

Instances of bullying and harassment are rare within the Church. However, we are called to create a loving community that models Christian values, and any cases of bullying and harassment are unacceptable.

If there is no effective way of dealing with unacceptable behaviour it can lead to:

- low morale, and poor relations between people
- loss of respect for those with responsibility for oversight
- poor stewardship of ministry resources
- loss of confidence
- ill health and absence
- resignations; and
- reputational damage for the wider church, congregations and individuals

It is in all our interests to promote a safe, healthy and fair environment in which people can serve.

Harassment is defined as unwanted conduct that violates people's dignity or creates an intimidating, hostile, degrading, humiliating or offensive environment. It is a criminal offence in the context of gender, age, sexual orientation, religion or belief and race and ethnic and national origin. In relation to clergy it can give rise to action under the Clergy Discipline Measure 2003. Other formal action may be possible in relation to other church officers.

Bullying is not legally defined but is considered by ACAS as behaving in a way that is offensive, intimidating, malicious or insulting, with the result that the targeted person feels undermined, humiliated or injured. Bullying can in some circumstances count as harassment.

Responding to concerns

The Diocese has a small team of harassment advisers available to assist in individual cases. They can be contacted through Bishops, Archdeacons, and the Diocesan Safeguarding Adviser. Clergy should contact the Diocesan HR Team Leader.

They can advise on both informal and formal action and play a role in mediation if this is what the person affected wishes.

This version March 2012. Check the website for updates.

For further advice see **Dignity at work: preventing bullying and harassment in the Diocese of Oxford.**

Survivors and historic abuse

Many people who have been abused have difficulty recognizing and acknowledging this, so they may not disclose the facts until a long time after the original abuse. This period may be years or decades. The effects of abuse can also be lifelong, so it may remain a continuing issue.

If the abuse has been perpetrated by a member of the clergy or other church officer the church then has additional responsibility both to try to ensure that the perpetrator is brought to justice, if they have not already been, and to offer a constructive and compassionate approach to the survivor.

Information about historic abuse cases should be responded to in the same way as current cases. Such information should always be reported to the statutory authorities (police, adult or children's social care services, Local Authority Designated Officer as appropriate) when there is any current risk. In those cases where there is no current risk, the adult making the disclosure can insist on confidentiality – but it should be reported whenever the consent is given, even where the alleged abuser is deceased. This is so that information of help to other possible victims can be compiled.

The fact that the majority of disclosures about child sexual abuse relate to historic abuse does not provide any room for complacency about safety today. It is usual for a child to take many years before he or she feels able to disclose to friends or family and to report to the authorities, if this happens at all. We will therefore only learn about many of the children being abused today some years into the future.

Any individual's offending pattern will typically be repetitive with any victim; apply to many victims; and take a variety of forms. So the abusive activity may involve a combination of child or adult abuse, in a church or other context, and with or without use of the internet or the downloading of indecent images of children.

Grooming occurs within church communities because of the desire to be open, accepting, and to focus on the possibility of benign interpretations. This positive aspect of church life becomes a direct threat to the safety of those who are vulnerable when it prevents us from grappling with painful realities. Although it is always difficult to withstand grooming behaviours, protection can be found through application in all cases of objective processes based on policies and through the regular checking of individual impressions and responses through consultation with relevant others.

There is a need for constant vigilance and the implementation of safer recruitment procedures.

The Church cannot rely on criminal convictions alone. There is a very low conviction rate in the UK for all crimes of abuse, not just clergy abuse. The decision of the police not to pursue an investigation, or not to investigate at all, or of the CPS not to prosecute does not relieve the Diocese of the duty to assess, on the civil standard of proof, any potential risk and to act appropriately. Safeguarding assessments and the implementation of disciplinary processes should occur whenever there are credible reports of abuse in relation to clergy and other church officers, rather than only where there is a criminal conviction. Note that it is a legal requirement for the Church (along with other employing

bodies) to refer individuals for possible barring not only where there has been a criminal conviction, but whenever there are significant safeguarding concerns.

The Church faces particular challenge in responding well to information about abuse from within the church community. *Responding well to those who have been sexually abused* addresses in detail how to respond pastorally to *all* situations of abuse. When the information relates to abuse by someone in the church, then not only is there a victim who has to be responded to with compassionate support, but safety issues for the church community have to be addressed, and issues of restorative justice need to be considered.

Authorized listeners

Survivors of sexual abuse and occasionally others may wish talk to someone who can provide an attentive and attuned listening ear to help them talk about their experiences, help an individual to think about their next step and to support them in this.

The Diocese has access to a small team of both male and female authorized listeners to meet this need. For further details contact the Diocesan Safeguarding Officer.

Offenders and those who might present a risk to children or vulnerable adults

Background

Research has indicated that a higher proportion of convicted offenders against children may be found in church congregations than in the population generally. It is therefore probable that many congregations will have people who have abused children among their worshippers, some of whom will be known. Not all will have committed sexual offences; some will have been guilty of neglect, physical or emotional abuse. They may still present a risk to children. The church's duty to minister to all imposes a particular responsibility to such people. However, this must not compromise the safety of children. If a congregation is generally aware of how offenders will be treated it will be easier to deal confidentially with a specific case, should one occur.

As well as people with convictions against children there are others whose position in a congregation may need to be carefully and sensitively considered to decide whether they pose a risk to children or to vulnerable adults. This would include people convicted of violent or sexual offences against adults, including: domestic violence; people involved in drug or alcohol addiction; adults with a mental disorder or special needs which might, in rare cases, result in erratic behaviour. It would also include those who do not have convictions or cautions but where there are sound reasons for considering that they might present a risk to children. In appropriate cases the approach recommended below for managing sex offenders should be adopted.

Where a sex offender is known, befriended and helped by a group of volunteers to lead a fulfilled life without direct contact with children, the chances of reoffending are diminished and the church has thus an important role contributing to the prevention of child abuse.

Government guidance states that religious communities must put in place effective arrangements that allow them to ensure they are able to protect their community while allowing a sex offender to maintain his or her right to worship in a safe way when possible. An assessment of risk must be carried out, which should be done together with the police, probation services and children's social care, and with the Diocesan Safeguarding Adviser. The statutory agencies will provide appropriate information and guidance in this. It is important that cooperation between the church and the agencies is assured at all stages.

Written agreements

When it is known that a member of the congregation has sexually abused a child, the Diocesan Safeguarding Adviser must be consulted, so that a safe course of action can be agreed in conjunction with the relevant statutory agencies. A written agreement or contract will usually be entered into with the offender and a small group of people from the church. A model agreement with an offender is available.

This procedure reflects research evidence about the compulsive nature of child sexual abuse, which can be controlled and managed but not cured.

Where a small group is formed the membership should be chosen carefully. It will normally include the priest or a delegated representative, the churchwardens and the parish safeguarding officer as a minimum. The Diocesan Safeguarding Adviser should be consulted on the constitution of the group, and training of the group may be necessary.

If the offender's victim, or in some cases the victim's family, attends the church, it is likely to be necessary to introduce the offender to another congregation. Consideration must also be given to other people who have been abused in the past.

The offender must not accept any official role or office in the church which gives him or her status or authority; a child may deem that person to be trustworthy. Some roles, for example that of churchwarden, are statute-barred to people with convictions of this kind, including offences against the person.

A meeting should be held with the offender, explaining that the appointed small group and a few others from the congregation will need to know the facts in order to create a safe environment for him or her. The police should be invited to the meeting, and in addition to the probation service, the local authority and children's social care, if they are currently involved.

It must be made clear that no one else apart from those identified on the agreement will be informed of the facts without the offender's knowledge. This includes the spouses or partners of those who are party to the agreement, apart from the spouse or partner of the offender. The highest levels of confidentiality should be maintained unless there is a breach of the agreement and it is necessary to inform others to protect a child. The group should offer support and friendship as well as supervision. They should endeavour to keep channels of communication open.

It will be necessary to establish clear boundaries, both to protect children and to lessen the possibility of the adult being wrongly accused of abuse. The Diocesan Safeguarding Adviser should assist in drafting a written agreement which might include the following elements:

- attend designated services or meetings only
- sit apart from children
- stay away from areas of the building where children meet
- attend a house group where there are no children
- decline hospitality where there are children
- never be alone with children
- never work or be part of a mixed-age group with children
- take no official role in the church

The offender must be asked to sign the agreement. Other parties will be members of the group noted earlier. It must be made clear that as people change role, their successors will take on becoming involved.

The agreement must be monitored, and no changes made without consultation with the Diocesan Safeguarding Adviser and other parties involved. It must be made clear that a breach or other relevant information could lead to a referral to the police and probation service and advice that the offender attends a different church.

The agreement must include provision for close support and pastoral care.

The agreement must be reviewed at regular intervals, at least annually, and the Diocesan Safeguarding Adviser should be invited. A review must take the form of a face-to-face meeting with the offender and at least two members of the group. The meeting should be recorded, the record retained and a copy sent to the Diocesan Safeguarding Adviser.

An agreement must remain in place so long as the person is a part of the congregation, whether or not they are on licence or their name appears on the Sex Offenders Register.

Allegations against church workers

This section considers the situation when it is alleged that a church officer has:

- behaved in a way that has harmed, or may have harmed, a child
- possibly committed a criminal offence against, or related to, a child
- behaved in a way that indicates that he or she is unsuitable to work with children

Allegations that fall short of these criteria may nevertheless amount to inappropriate conduct, in which case the employer (usually the PCC) will need to consider whether to handle this by way of advice, supervision and training, to use disciplinary processes, or a combination of these.

There may be up to three strands in the consideration of an allegation:

- a police investigation of a possible criminal offence
- enquiries and assessment by children's social care about whether a child is in need of protection or in need of services
- consideration by an employer of disciplinary action in respect of the individual

All allegations of this kind must be reported to the Local Authority Designated Officer (LADO) and the Diocesan Safeguarding Adviser (DSA). The LADO may arrange for an investigation by the statutory authorities which may be in conjunction with a disciplinary investigation by the employer. The LADO may convene one or more strategy meetings to plan the investigation; a suitable representative of the employer and the DSA or other representative of the Diocese should attend. All relevant information should be shared with those who have a legitimate need to know in the church and with the statutory agencies. Confidentiality should be maintained outside this group.

Reporting to the LADO does not transfer responsibility from the employer to take disciplinary action if appropriate.

For the purposes of this procedure it makes no difference whether the person is paid or a volunteer. If the person holds the Bishop's licence or Permission to Officiate then the Bishop and the Diocesan Registrar should also be involved. The Clergy Discipline Measure 2003, the Clergy Discipline Rules 2005 and the associated Code of Practice have specific provisions for such cases.

If the person has to be removed from work with children or vulnerable adults, or resigns in circumstances where they would otherwise face disciplinary proceedings, a referral to the Disclosure and Barring Service must be made by the employer. The DSA can assist with this.

A model procedure on *Managing allegations* is available.

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