

Mandate Now Review

Church of England Safeguarding Policies:

‘Principles of the House of Bishops policy for safeguarding children’ [[4TH EDITION 2010](#)]
and

‘Responding to, assessing and managing safeguarding concerns or allegations against
church officers’ [[OCTOBER 2017](#)]

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Mandate Now



THE CHURCH
OF ENGLAND

27th February 2018

Contents

This is a review of **‘Protecting All God’s Children’** (4th Edition 2010 is the current edition) sections 1- 6 inclusive ending at page 38 of the church’s policy document.

Chapter 7 of ‘Protecting All God’s Children’ titled ***‘Managing allegations against Church Officers’*** has been superseded by a new but separate policy document titled ***‘Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers’*** (October 2017). Nonetheless, the superseded Chapter 7 has not been removed from ‘Protecting All God’s Children’ which is still available in its original format on the Church of England safeguarding website.

The original Chapter 7 comprised 14 pages, but its replacement has 97 pages. For the sake of convenience we have incorporated the new Chapter 7 into ‘Protecting All God’s Children’.

Page 3	‘Protecting all God’s Children’ review (The church document available here)
Page 70	The new Chapter 7: ‘Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers’ review (The church document available here)

Please note, because the CofE has not incorporated the new Chapter 7 into ‘Protecting All God’s Children’ the footnote numbering restarts on page 70.

Foreword	Mandate Now comment
by the Archbishops of Canterbury and York	<i>Underscored commentary in white font out of a red background is a hyperlink</i>
<p>We are delighted to commend this fully revised and updated House of Bishops’ policy on safeguarding children. The Church of England has had a child protection policy since 1995 and this document builds on previous good work. We are pleased to note that dioceses, parishes and church officers at all levels continue to grow in commitment and confidence, seeking to continually update their good practice and to respond well to concerns when they arise.</p>	<p>This aspect of the content, though no doubt valuable as a general statement of the Church's theological stance on child protection matters, takes up a great deal of space throughout the actual document itself, which is already in dire need of being condensed into a shorter and more compact form. It would be better accommodated either as a foreword or in a separate accompanying explanatory introduction booklet. It is always very important to remember in drawing up child protection policies that they are frequently resorted to under circumstances of considerable pressure whenever a child protection incident arises, and it is most important that the reader should be able to access quickly and accurately the relevant operative parts undistracted by anything that is not strictly necessary and untrammelled by material of a general nature that cannot assist with the immediate problem confronting him or her. Quite simply, the reader needs to know what to do - accurately and quickly; and this is what the document needs to deliver.</p>
<p>Our children deserve the best care that the Church can provide. We rejoice in the time and devotion given by so many people, ordained and lay, paid and volunteers, to the exciting challenge of nurturing our children and young people within the Church.</p>	<p>C of E supported the introduction of mandatory reporting by sponsoring Amendment 43 tabled by Baroness Walmsley in the SERIOUS CRIMES BILL (2014) through the Lord Bishop of Durham who at the time was lead Bishop for Safeguarding. When his successor the Bishop of Bath and Wells was appointed, an unexplained ‘U’ turn occurred. Empirical research shows how MR positively impacts child protection in institutional settings. ‘Deserving best care’ absent of mandatory reporting, which operates in >86% of European countries, is plainly a contradiction. The ‘U’ turn remains</p>

	<p>unexplained. The absence of legislation in England and Wales that requires those working in Regulated Activities to refer known and suspected abuse to the LADO / Children's services for independent assessment ('triage') contributes to making this an absurdly long policy containing little on which safeguarding reliance can be placed.</p>
<p>Since the last edition of <i>Protecting All God's Children</i> was published in 2004, we have developed our understanding of both the importance of safeguarding adults who may be vulnerable, and careful selection of those who work with children and vulnerable adults. The Church of England published <i>Promoting a Safe Church</i>, our policy for safeguarding adults, in 2006. The House of Bishops has just approved as well the third important policy on vetting and safer recruitment, which will be published as an interim policy pending resolution of the new Government's review into these matters. These three policies reflect our growing theological and pastoral endeavour, underpinning the value of safeguarding as part of the life and ministry of the church. Together, the policies provide the basis for ensuring that we provide the safest possible environment for everyone to grow and to flourish. Nothing less will do in a community called to witness to the eternal dignity of every human being, and which seeks to embrace Jesus' teaching about the importance of children in his kingdom.</p>	<p>For this review we address protection of children, and we concentrate on the referral of suspected and known abuse. .</p>
<p>Since 2004, the Government has twice revised its foundation document <i>Working Together to Safeguard Children</i>. The most recent version (2010) affirms that churches 'have an important role in safeguarding children and supporting families'. Churches are expected to have procedures for responding properly to safeguarding concerns, appropriate codes of practice for those working directly with children, and procedures that are in accordance with safer recruitment guidance. This version of <i>Protecting All God's Children</i> is our response to this challenge.</p>	<p><i>Working Together to Safeguard Children 2015 p64 states what Faith Organisations 'should' do to fulfil their safeguarding role. Unfortunately the 'guidance' conceals the absence of law which requires those who work in Regulated Activities to report known or suspected child abuse. This unsatisfactory situation has in part contributed to the Government having to commence the INDEPENDENT INQUIRY INTO CHILD SEXUAL ABUSE.</i></p> <p>The Church of England claims that "<i>the (safeguarding) policies provide the</i></p>

	<p><i>basis for ensuring that we provide the safest possible environment for everyone to grow and to flourish.</i>” Yet this policy is grounded on government ‘guidance’ that has been superseded. Here is the current version of Working Together to Safeguard Children (2015) and here are key extracts from the publication that the Church <i>should</i> fulfil.</p> <p>This glaring error in the foreword erodes confidence at the outset. When the clock strikes thirteen it casts doubt not merely on the thirteenth strike but all those that preceded it.</p>
We thank God for all our children, and for those who nurture them in the faith, and pray that we may faithfully and joyfully fulfil our responsibilities towards them.	Best contained in a separate document
Rowan Cantuar:	
Sentamu Ebor:	
Rowan Cantuar:	
David Ebor:	
Principles of the	
House of Bishops’ Policy for Safeguarding Children	

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.	This is best contained in a separate document
Principles	Without law that requires staff in Regulated Activities to report known or suspected abuse to the Local Authority for independent assessment, little reliance can be placed on these 'principles' no matter how well intended they are. This link provides an insight into the reasons why . Reporting suspected abuse, which is a most difficult thing to do. It is entirely discretionary and far easier to say nothing.
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 disclosures and registration with the relevant vetting and barring schemes.	
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	The Church makes no voluntary written undertaking to refer all incidents of known and suspected child abuse to the Local Authority / Children's Services

police and local authority in any investigation.	for independent assessment. It could. If it did it would be a clear statement of intent by the church and could be useful in the current absence of well-designed mandatory reporting legislation.
We will seek to work with anyone who has suffered abuse, developing with him or her an appropriate ministry of informed pastoral care.	No commitment – use of passive voice
We will seek to challenge any abuse of power, especially by anyone in a position of trust.	No commitment – use of passive voice
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.	No commitment – use of passive voice
In all these principles we will follow legislation, guidance and recognized good practice.	<p>There is no law requiring known or suspected abuse to be referred to the Local Authority or the Police. Such referrals by the church are conditional on a discretionary threshold being achieved, and also on a discretionary report being made to the LADO / Childrens services.</p> <p>Perhaps the Church should say : Act promptly and report all incidents of known or suspected abuse to the Local Authority for independent assessment, and in all other respects follow statutory guidance.</p>
<h1>1. Introduction</h1>	
Aims and purpose	
1.1 The purpose of this policy document is to identify and outline the	

<p>issues and principles of safeguarding children for the Church of England.</p>	
<p>At a national level¹ it is the House of Bishops which approves the policy and provides recommended procedures where it is judged that the Church of England should have common practice across the dioceses.</p>	<p>The House of Bishops approves a policy that is open to voluntary adoption by each diocese. The document, which is nothing more than ‘guidance’ grounded on conditional and ‘discretionary reporting’ of known and suspected abuse which can largely be ignored by each dioceses if they so decide. The sum of these shortcomings results in this pretend child protection policy that contains policies and protocols that do not have to be followed. The foundation of this C of E policy is ‘statutory guidance’ that contains no law requiring known or suspected abuse to be reported by anyone in the Church, or any other ‘Regulated Activity.’</p> <p>The recent IICSA hearings into Benedictine Schools demonstrated how ineffectual child protection policies are when all that exists is ‘statutory guidance’ which is absent of law to report known or suspected abuse.</p> <p>If the House of Bishops were to approve a policy which, unlike this one, required all reasonable suspicions of child abuse to be reported promptly to the Local Authority Designated Officer “LADO” /the statutory authorities for independent assessment, far greater reliance could be placed on CofE safeguarding.</p> <p>What could the National Safeguarding Team “NST” / House of Bishops “HoB” do in the unlikely event that it was found that a parish had failed to follow these guidelines which are employed by them on a voluntary basis?</p> <p>The entire document appears to be based on the premise that everyone within the church will treat the welfare of children as paramount and will</p>

¹ ‘national level’ should be read to include those parts of the Church of England outside England with different legislation, e.g. the Diocese of Sodor and Man, the Diocese in Europe, and the Channel Islands which was attached to the Diocese of Winchester. They should implement this policy as far as they are able but may need to adapt parts of it.

	<p>always want to do the right thing. All someone might need is a bit of help to know who to get in touch with. Unfortunately history reveals this premise is invalid, and a policy that relies on such a fantasy should be treated with scepticism.</p> <p>It has been suggested to Mandate Now by a rector of four parishes in Suffolk who is a member of synod that <u>Clause 5 of Clergy Disciplinary Measures “CDM”</u> is mandatory reporting. But all clause five says is that: ‘A relevant person must have due regard to guidance issued by the House of Bishops on matters relating to the safeguarding of children and vulnerable adults. All guidance says is that a referral ‘should’ be made and ‘should’ is discretionary.</p>
Building on this, dioceses may provide additional procedures and examples of good practice to give further substance to the House of Bishops’ policy so that those authorized volunteers, employed laity and people holding the Bishop’s licence, can properly and with confidence engage with children.	These are voluntary arrangements reliant on little more than a ‘should.’ Nothing is mandatory. Church officers may choose to take little notice of anything in their respective diocesan child protection policies.
1,2 A companion policy document ² deals with the issues of safeguarding vulnerable adults.	
1,3 Note that the term ‘child’ is used throughout this document for the sake of simplicity to cover both children and young people under the age of eighteen. In direct work it will usually be more appropriate to use the term ‘young people’ for those over the age of eleven.	The Church has voluntarily adopted ‘guidance’ that exists in education, the largest Regulated Activity, which recognises a child as someone under eighteen. Page 5 KEEPING CHILDREN SAFE IN EDUCATION: “Children, includes everyone under the age of 18.”
1,4 The Church is not an arm of the state but works with statutory agencies to help safeguard children. There are therefore many references to statutory provisions in this policy. But the Church also reserves the right to take its own view of statutory schemes, and, while always remaining within the law, to argue for changes or to express disagreement.	There is no law requiring the employees or church officers working in the Church of England which is a ‘Regulated Activity’ as defined by the SAFEGUARDING VULNERABLE GROUPS ACT 2006, to report known or suspected abuse to the Local Authority Designated Officer (LADO) / Children’s Services,

² Promoting a Safe Church, House of Bishops, 2006.

	for independent assessment. By not reporting abuse the Church is not breaking the law. Unfortunately it performed a 'U' turn on its support for Mandatory Reporting as we revealed in this posting. MR legislation supports good people who look after children in their care and here is its effect.
1.5 Since its first child protection policy, and before, the Church has taken the view that matters which are the subject of statutory provisions should be brought to the relevant agencies for determination. This is particularly important if there is a possible need for statutory action to protect a child or adult, or to bring an alleged offender to justice	<p>'Should' be brought to the attention of the'</p> <p>'Should' is not 'must.'</p> <p>The church is adhering rigidly to undemanding statutory guidance and which is only guidance that does not restrict the church from doing more. It is doing the bare minimum in stark contrast to the claim that: "C of E policies provide the basis for ensuring that we provide the safest possible environment for everyone to grow and to flourish."</p>
Our theological approach	
1.6 Every human being 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 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. Christ saw children as demonstrating a full relationship with God. He gave them status, time and respect.	Best contained in a separate document
1.7 Every person is equally precious to God. Each one needs the assurance that respect for this brings. Individuals who suffer abuse often experience a loss to their identity and worth; there is often shame and a misplaced guilt. The Church is intended to be a place where men, women and children, including those who are hurt and damaged, may find healing and wholeness. It is our calling to be agents of healing and recovery in such a way that enables all who have suffered from abuse to lead lives with dignity in a context that is as safe as possible. It is about speaking words of peace. It is communication of	Best contained in a separate document

<p>‘shalom’; that is, of justice, healing and peace for the whole of the individual, as well as for the community.</p>	
<p>1.8 God is present and at work in the world in many ways. A Church empowered by the Holy Spirit is especially a place where the wonderful character of God is manifested. The Church is called to witness to that truth. As individual Christians and as part of the Church, our vocation is to reflect the character of God. We are called to welcome and care for the oppressed, the marginalized, and the victims of injustice. Safeguarding good practice concerns the development of safer expressions of care to all and underpins the love and welcome of God for all people.</p>	<p>Best contained in a separate document</p>
<p>1.9 Justice is part of the outworking of love. The Church must hold in tension concerns for both justice and compassion. Nevertheless, those who have suffered child abuse have sometimes found an unsympathetic hearing. They may be disbelieved, discouraged and damaged further. Some people may side with the alleged perpetrator. This occurs in all parts of society, but it is particularly hurtful when it occurs within the Church. Such actions compound the sense of injustice that many feel. In answer to the question ‘What does God require of us?’ the need to act justly is set alongside the need to love mercy and to walk humbly with God (Micah 6.8).</p>	<p>Best contained in a separate document</p> <p>Best contained in a separate document</p>
<p>1.10 Many who have endured child abuse consider that mercy towards those who have sinned is set above the need for the victims to be enabled to find justice. Both are essential. In creating humankind God made us to be together, to live in community. When one suffers we all suffer. We are all made poorer by every incidence of child or adult abuse as by all sin. In finding the grace to act righteously towards those who suffer, we also experience transformation through grace. We become better people and our churches become safer places for all.</p>	<p>But is the latter more important than the former? If so, then say so.</p>
<p>1.11 In similar ways, offenders may also be assured that they are precious to God, and find healing and wholeness. Because redemption and the</p>	<p>Best contained in a separate document</p>

<p>possibility of forgiveness are so central to the gospel, the Church is not only well equipped to assist in the rehabilitation of offenders but is also challenged by the issues their presence raises for us. The Church is part of a society where collusion with violence in families, emotional abuse or certain taboos on sexual abuse often holds sway. It is our calling to hold on to both justice and grace and to build safer church communities, often in challenging circumstances. Church people have sometimes required those who have suffered abuse to forgive. We need to understand forgiving and receiving forgiveness as lifelong processes.</p>	
<p>1.12 Our congregations can be a refuge for those who have perpetrated abuse but are seeking help in maintaining a non-abusive way of life. We have also to be aware that some who abuse may see church membership as an opportunity to be close to children or vulnerable parents in order to continue their abusive patterns of behaviour. Experience shows that whether penitent or not, those who abuse need support in taking responsibility for their own actions and in stopping their abusive behaviour: in addition, of course, the vulnerable need protection from them. The genuine penitent will accept the need for careful arrangements, including some restrictions, for his or her return to church fellowship. This is in line with the Church's realistic understanding of sin and its effects, and the Church's responsibility to love all God's people.</p>	<p>Best contained in a separate document</p> <p>Best contained in a separate document</p>
<p>1.13 The Gospel accounts remind us of Jesus' humanity and vulnerability throughout his life. He gave up all but the power of love. He gave up wealth, security and status. He listened to and ministered to those who were powerless and vulnerable; he appointed fallible and weak disciples who needed to discover their limitations and find strength by living in God's grace with each other. Those who are humble and vulnerable themselves are often gifted with a ministry with those who are most in need, including with children and adults who have suffered. There is therefore a challenge for the Church to encourage ministry, service and leadership in ways that promote discernment of one's</p>	<p>Best contained in a separate document</p>

boundaries and limitations, reliance on God and our brothers and sisters in Christ, thus developing compassionate, collaborative and enabling ministries which value careful listening to all.	
1.14 Child abuse is a scourge on individuals, on our Church and in our society and we must name it as such, doing everything we can to prevent it. We are to nurture children as fully as we can in Christ's name.	Best contained in a separate document
1.15 A Christian approach to safeguarding children will therefore expect both individuals and communities to:	Best contained in a separate document
create a safe environment for children and their families;	Not possible with this policy combined with the existing statutory framework.
act promptly on any complaints made;	There is no law that requires known or suspected abuse to be reported by the Church to the Local Authority for independent assessment. Discretionary reporting led to underreporting <u>as empirical research from Australia reveals</u> . Perhaps the Church should say : Act promptly and report all incidents of known or suspected abuse to the Local Authority for independent assessment, and in all other respects comply with statutory guidance
care for those who have been abused in the past; minister appropriately to those who have abused;	
provide opportunities for healing and flourishing.	
1.16 God's mission is a message of good news to love and welcome the poor and marginalized. The Church must take seriously both human propensities to evil but also the God-given resources of goodness, peace, healing and justice: in short, God's love, God's life.	Best contained in a separate document
Societal context	
1.17 The abuse of children is often dominated by sensational and misleading press and media coverage. Safeguarding is about the welfare and the protection of children. This is something the whole Church should be	The first line is unnecessary – a great deal of media coverage has exposed the extent of child abuse in this country.

<p>concerned about and engaged in through developing and supporting good practice and responding appropriately when harm occurs. The Government, local authorities, schools and the wider statutory sector have in recent years sought to promote safeguarding within a holistic, multi-agency approach to children and families, for example through the Every Child Matters programme and the Children Act 2004. The Government's foundation policy document, <i>Working Together to Safeguard Children</i>, which addresses interagency and multi-agency working for the welfare and protection of children, has been revised twice since 2004 when the previous edition of <i>Protecting All God's Children</i> was issued.</p>	<p>'Every Child Matters' gradually disappeared from 2010. An absence of attention to detail by the National Safeguarding Team.</p> <p>This seems to be an attempt to convince the reader that safeguarding 'is all different now.' It isn't. In 1950 the safety critical function of child protection in institutional settings was grounded on 'discretionary reporting' (whistleblowing). It still is. The Church of England's record of reporting known and suspected abuse perpetrated by its Clergy to the statutory authorities is abysmal. Culture change needs a catalyst as empirical evidence shows.</p> <p>No reliance can be placed on pejoratively termed 'whistleblowing.' The ineffectiveness of whistleblowing has contributed to Child Abuse Inquiries in England, Wales, Scotland, Northern Ireland, Canada, and Australia.</p> <p>Of these Northern Ireland, Canada and Australia have become Mandatory Reporting jurisdictions, each with their own design of legislation.</p> <p>The opening sentence of 1.17 gives the misleading impression that a large part of the problem is misleading press coverage. It isn't, it is unreported abuse, which the press never gets anywhere near. This is what the policy ought to be addressing</p>
<p>1.18 The Bichard Inquiry report and work on the Safeguarding Vulnerable Groups Act 2006 has applied safer recruitment principles across both the voluntary and statutory sectors. Among a good deal of additional guidance, particular mention should be made of <i>Safeguarding Children and Safer Recruitment in Education</i> 2007 and the Children's Workforce Development Council guidance <i>Recruiting Safely</i> 2009 for the voluntary sector.</p>	
<p>1.19 In addition, Local Safeguarding Children's Boards (LSCBs) have been</p>	

established to ensure that faith groups, among others, respond adequately to the demands of safeguarding, and Local Authority Designated Officers (LADOs) have been appointed; their duties include advising faith groups on the management of children's workers who are alleged to have harmed children. A Children's Commissioner has also been appointed.	
1.20 Recent years have therefore seen many changes, with an extension of statutory requirements and tightened procedures across the children's workforce in all sectors.	A significant overstatement of what has happened in the world of Child Protection in Regulated Activities. At its foundation one still has to be a whistleblower without legal immunity in order 'to do the right thing' and report known or suspected child abuse to the Local Authority for independent assessment. It's not 'all different now' as 1.20 seems to be attempting to suggest.
1.21 There can be an unhelpful emphasis on sexual abuse in society when physical abuse, emotional abuse and neglect, sometimes alongside domestic violence, are more common. All abuse is more likely to occur in families or to be perpetrated by extended family relatives or friends. This presents a challenge to the church and to society, to engage with safeguarding children as a whole.	<p>This part of the policy fails to mention that abuse can be perpetrated by clerics. Why is this omitted from this document?</p> <p>All forms of abuse are defined in Working Together 2015 (Appendix A p92). There is now increased knowledge about crimes committed against children through organised crime such as within institutions, sexual exploitation, illegal adoption and online abuse.</p>
Ecumenical context	
1.22 In the Churches there is a continuing growth in ecumenical agreement and co-operation on safeguarding, especially between the Methodist Church and the Church of England, as part of the outworking of the Covenant. Our continued participation in Churches' Agency for Safeguarding and the Christian Forum for Safeguarding is of great benefit in building and maintaining relations with all Churches, especially the Baptist Union of Great	Padding

Britain and the United Reformed Church; the Society of Friends; the Catholic Church of England and Wales (and particularly CSAS ³); the Salvation Army; the Church of Scotland; the Assemblies of God and the independent charity Churches Child Protection Advisory Service. Furthermore, these bodies enable and enhance our participation in discussions with government departments and agencies.	Padding
1.23 We have learned from each other and especially from those who have had thorough scrutiny of practice and procedures. The following key values or approaches ⁴ are regarded as important underpinning for our safeguarding practice:	<p>These are areas in which the Church of England has a poor record.</p> <p>Omitted from the paragraph are perhaps:</p> <ul style="list-style-type: none"> • compliance with safeguarding and child protection legislation and statutory guidance • The importance of listening to children and hearing their views • The importance of listening to those who raise suspicion or concern about the safety of children and vulnerable adults and responding in compliance with statutory guidance • A commitment to reporting to outside bodies and the acknowledgement that children are entitled to be given consideration of a person outside of and not part of the church setting
the child's welfare is paramount;	
prevention is vital;	
transparency;	
accountability;	
partnership with statutory authorities;	
use of independent specialist advice;	

³ The Catholic Safeguarding Advisory Service.

⁴ Adapted from the Nolan principles in The Nolan Commission Report 2001 as presented by Eileen Shearer at the National Organization for the Treatment of Abusers (NOTA) conference 2006.

the active management of risk;	
a ‘One Church’ approach;	
a culture of informed vigilance.	
Descriptions and definitions	
1.24 A child is defined as anyone who has not yet reached their 18th birthday . ‘Children’ therefore means ‘children and young people’ throughout this document.	Repeat of 1.3 and the definition from Working Together 2015
<i>Working Together to Safeguard Children</i> 2010 states:	
The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or in a Young Offenders’ Institution, does not change his or her status or entitlement to services or protection under the Children Act 1989.	
<i>Working Together</i> , 1.19	
1.25 The term safeguarding covers vetting and safer recruitment, safer working practices, responding to concerns, working with partner agencies, dealing with allegations against those responsible for children and other matters that may be relevant. The term child protection is used for responding to concerns where it appears that a child may have been harmed.	
1.26 Effective child protection is essential as part of wider work to safeguard and promote the welfare of children. However, all agencies and individuals should aim proactively to safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced.	‘Should’ when a ‘must’ would be better. Church must introduce a duty to be proactive rather than the woolly suggestion in this clause
1.27 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.	

Each local authority is required to provide social care services for children. Locally there are a wide variety of terms, and each parish should identify the relevant department and contact details locally. This policy uses the terminology from <i>Working Together to Safeguard Children 2010 – children’s social care</i> .	<p>‘Should’ when a ‘must’ would be better.</p> <p>There is a confusing mix of definitions and recommendations here. If the CofE wants a clear document, it must put the definitions in one place and its assembled procedures elsewhere.</p> <p>Working Together 2010 has been superseded by the 2013 and 2015 versions; you’re basing your policy on a document that has been out of date for 5 years. See Forward of this document where this error first occurred.</p>
Children in need	
1.28 A child is a child in need if:	
he or she is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him or her of services by a local authority;	
his or her health or development is likely to be significantly impaired, or further impaired, without the provision for him or her of such services;	
he or she is disabled. ⁵	
1.29 The critical factors to be taken into account in deciding whether a child is in need under the Children Act 1989 are:	
what will happen to a child’s health or development without services being provided;	
the likely effect of services on the child’s standard of health and development.	
Harm and significant harm	

⁵ Children Act 1989 Section 17 (10).

<p>1.30 Harm means ill-treatment or the impairment of health or development, including, for example, impairment suffered from seeing or hearing the ill-treatment of another.</p>	
<p>1.31 The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm. It is the threshold used by the courts in deciding whether compulsory intervention into family life might be in the best interests of the child. Significant harm has no precise definition. It can be caused by a single traumatic event or a cluster of smaller incidents over time. Any concern about significant harm requires careful investigation and assessment.</p>	<p>This is not the wording in s.47 which should be cited with accuracy</p> <p>Local authorities are required to make enquiries to decide if action is needed to safeguard or promote the welfare of children.... (when the Local Authority receives a referral)</p> <p><i>Any concern about significant harm requires careful investigation and assessment</i></p> <p>Suspicion or knowledge of actual or likely significant harm should be referred to the LADO and to the appropriate statutory agencies who have a 'duty to investigate' (S47 CA 1989) and should comply with Working Together statutory guidance</p> <p>There are two common types of reports from Regulated Settings. Abuse perpetrated within the organisation or a 'sentinel' report when the abuse is perpetrated outside the organisation and reporting is by a member of the institution who suspects the abuse.</p> <p>The threshold for informing the LADO and children's services necessarily needs to be lower than that which children's services would use for intervening, otherwise there is a risk (through lack of training) of failing to inform LA children's services of concerns which they would consider justified an intervention. The church is using the same threshold as</p>
<p>1.32 There are a range of orders that a local authority may apply for and some of these grant them a share in the parental responsibility for the child.</p>	<p>Why is this in the document? What purpose is served by its inclusion?</p>

<p>The most far-reaching of these are a Care Order, which commits the child to the care of the local authority, or a Supervision Order, which puts the child under the supervision of a local authority or probation service.</p>	
<p>1.33 The court may also make private law orders if there are disputes between parents about the care of a child, or where the child needs to live with extended family or friends under the protection of the family court, but does not require the additional protection of a care order.</p>	<p>Why is this in the document? What purpose is served by its inclusion?</p>
<h2>Safeguarding Policy of the Church of England</h2>	
<p>2.1 The Law and guidance cited is that for England and Wales and is up to date as at August 2010. The Church of England, in all aspects of its life, is committed to and will champion the safeguarding of children, both in society as a whole and in its own community. It fully accepts, endorses and will implement the principle first enshrined in the Children Act 1989: the welfare of the child should be paramount. The Church of England will foster and encourage best practice within its community by setting standards for working with children and young people and by supporting parents in the care of their children. It will work with statutory bodies, voluntary agencies and other faith communities to promote the safety and well-being of children. It is committed to acting promptly whenever a concern is raised about a child or about the behaviour of an adult or someone under the age of eighteen in a position of trust, and will work with the appropriate statutory bodies when an investigation into child abuse is necessary. It is also committed to the support of those who have been abused and to listening to the voices of survivors, who</p>	<p>The non-existence of law requiring Regulated Activities to report known or suspected abuse means that safeguarding consists almost entirely of 'statutory guidance'. This guidance, without foundation of law to report known and suspected abuse, is rendered largely meaningless. All that Regulated Activities are required to do is 'have regard to' statutory guidance. Having had regard to it, the Church and any other Regulated Activity, can then do something else.</p>

can help the Church learn lessons from the past.	
Discussion of the principles	
2.2 The statement of principles is common for children and for vulnerable adults. However, this section and the rest of this document consider only the implications for children.	
2.3 We are committed to:	Best contained in a separate document
the care, nurture of, and respectful pastoral ministry with, all children and adults;	
the safeguarding and protection of all children and adults;	
the establishment of safe, caring communities which provide a loving environment where there is a culture of informed vigilance regarding the dangers of abuse.	
2.4 The safeguarding and protection of children is everyone's responsibility, not just parents or those who have formal responsibilities for children. Procedures and formal processes alone, though essential, will not protect children. The community, including all its members, needs to be aware of the dangers and be prepared to report concerns and take action if necessary.	Procedures are essential. When they are good they can introduce responsibility and accountability, but 'statutory guidance' doesn't. The Church is perfectly at liberty to exceed 'statutory guidance' to produce a credible policy. It hasn't.
2.5 The child's welfare is the paramount consideration in matters of private or public law affecting children which come before the family courts. The Church accepts and extends this principle to all areas of its work with children. Where conflicts of interest arise between the welfare of children and that of adults, it is the welfare of children that will be given priority.	Except the Church does not commit to report known or suspected or abuse.
Safeguarding Policy of the Church of England	
2.6 We will carefully select and train all those with any responsibility	No accreditation scheme for safeguarding training exists in the UK. We

for children within the Church in line with safer recruitment principles, including the use of criminal records disclosures and registration with the relevant vetting and barring schemes.	raised this at a meeting with the NSPCC in 2015 and made viable proposals to address this serious shortcoming. We received an acknowledgement from the NGO but no meaningful reply to our letter.
2.7 Vetting procedures and safer recruitment guidance for the Church of England are set out in detail in companion guidance document <i>Safeguarding Guidance for Safer Recruitment</i> . The relevant vetting and barring scheme for the Church of England is that provided by the Independent Safeguarding Authority (ISA) (See 5.7 for further details). The suitability of an applicant or nominated volunteer for work with children should not be solely dependent upon vetting checks and CRB disclosures. Someone whose CRB disclosure is clear may still be unsuitable and the other safer recruitment processes must always also be used.	<p>This statement is misleading. <u>Not everyone with child-facing contact needs a DBS.</u></p> <p><u>The Football Association was similarly confused about who does and does not require a DBS as was the NSPCC who endorsed the FA's policy</u></p> <p>CRB + ISA merged to become DBS in December 2012. Why is this out of date?</p> <p>No attention to detail.</p>
2.8 In England, registration with the ISA is a statutory requirement for a number of people who work with children. Advice about how this new requirement will be phased in will be made available to each diocese via the bishop or the diocesan safeguarding adviser. (See 5.7 for further detail about the current arrangements.)	CRB + ISA merged to become DBS in December 2012. Why is this out of date?
2.9 It is the policy of the Church that:	
all those who regularly work with children, including those who work on a rota, should have enhanced CRB checks and ISA registration;	Note the Discretionary 'should' – it's not compulsory to have an enhanced DBS (CRB <i>sic</i>) – reading of the DBS requirements make this clear.
those who work only occasionally will be asked to apply for CRB checks and ISA registration if they fulfil the ISA threshold requirements;	In 2012 the PROTECTION OF FREEDOMS ACT introduced significant changes to DBS arrangements. There are now four different categories of DBS check. Which are required and by whom in the church? Who does not need a DBS check who works with children and under what circumstances are they permitted to work with children in CofE settings? Does CofE subscribe to the DBS update service for all those who require DBS checks in CofE? How

	often does the church request updates from the DBS for DBS'd staff? None of these matters are addressed in this policy.
those who manage or supervise people who work with vulnerable groups will also be required to be ISA registered and obtain CRB checks.	ISA has long been DBS.
2.10 We will respond without delay to every complaint made which suggests that an adult or child may have been harmed, co-operating with the police and local authority in any investigation.	To cooperate 'with the police and local authority in any investigation' either a referral by a Regulated Activity has to be made, or a report is made by someone outside the Regulated Activity about someone in the Regulated Activity. The Church does not commit to reporting suspected or known abuse to the statutory authorities. Using the collective noun "we" leaves it unspecified as to who in the Church has the responsibility to respond.
2.11 The Church accepts that, through its workers, it is responsible for children who are entrusted to churches by their parents: in the church building, on church property and other premises being used, and during church activities. Responsibility extends to travel between places, when it is organized by the church. However, a church is not responsible for private arrangements made by parents.	
2.12 The term 'complaint' can cover an allegation, disclosure or statement; something seen or something heard. The complaint need not be made in writing but, once received, it must be recorded and acted upon.	This is not a commitment to seek advice from the LADO or Children's Services. Interestingly 2.12 seems to indicate an 'if you think it report it' mindset – but the inclusion of 1.31 into this policy states a 'significant harm' threshold has to be achieved before reporting occurs. There appear to be many options whether to make a referral where none should exist. The paragraph doesn't say to whom the complaint will be reported, by when or by whom. Suggested amendment: The complaint need not be made in writing but, once received; it must be recorded in writing and acted upon without delay.
2.13 We will seek to offer informed pastoral care with anyone who has	The church will 'seek to offer'?

<p>suffered abuse, developing, with him or her, an appropriate ministry.</p>	<p>Developing an ‘appropriate ministry’?</p> <p>First, this is a long way from any specific commitment, second if a person has been abused within the church, it is likely the last thing they will want or need is pastoral care from that organisation within which the abuse occurred, no matter how well informed the pastoral care might be.</p> <p>There’s also a severe danger of misuse of pastoral care to justify failing to report the abuse to the statutory authorities or even to discourage the complainant from wanting such a report made through the ‘appropriate ministry.’</p>
<p>2.14 The Church does not investigate allegations of abuse or neglect of children itself but refers them to the appropriate statutory agencies. The Church may need to make preliminary enquiries to establish the accuracy of information being passed to the statutory body.</p>	<p>Preliminary inquiries should only be undertaken having taken advice from the Local Authority Designated Officer.</p> <p>To establish ‘significant harm’ an investigation has to be undertaken as this policy makes clear in Para 1.31 and which is contrary to this clause (2.14) in which the Church quite correctly states, it does not undertake.</p> <p>Does anyone understand the protocols operating in the Church of England? They need to be clear – this is not.</p> <p>The Church only needs to ‘have regard’ to statutory guidance and this policy leaves us having to guess the protocols. Several protocols for referral are mentioned yet there is no commitment to even consult with the LADO on each concerns raised with DSA’s.</p> <p>The investigation of child abuse allegations is the duty of the statutory authorities for which they need a referral. It’s very unclear that the referrals will be achieved by CofE because the process seems so dysfunctional.</p>

2.15 If a child comes to notice as having suffered abuse in the past, church officers will notify the appropriate authorities to ensure that the matter is on record.	<p>Passive voice.</p> <p>'Will' is not a commitment. <i>Accidents 'will' happen</i> – but on the other hand they may not.</p> <p>Which church officers does this apply to?</p>
2.16 Support will be offered to adult survivors of child abuse, who will also be encouraged to make a statement to the police if they have not done so before. The Church has issued separate guidance on work with survivors ⁶ .	<p>The most recent publication about working with survivors is here</p> <p>'Working with Survivors' features on pp 13. The case study however features an adult suffering domestic abuse and is about the Church being supportive.</p> <p>It does not deal with those abused within the institution by clergy or offer any independent support.</p>
2.17 We will seek to challenge any abuse of power, especially by anyone in a position of trust.	<p>"Seek to challenge" is not a commitment to challenge.</p>
2.18 We are aware that those in positions of trust and responsibility, in the Church as elsewhere, may be subject to temptation to abuse their power and exploit or harm others. We seek to take action to deal with any abuse.	<p>A non-commitment</p> <p>What action does the church seek to take?</p>
2.19 Allegations of abuse or misconduct in relation to children by church officers will be referred to the Local Authority Designated Officer (LADO) and investigated in accordance with his or her advice.	<p>Passive voice and there is no commitment to refer all to LADO / Children's Services for independent assessment. And in what circumstances is the referral made – 'significant harm' (para 1.31) which requires an investigation to establish the threshold has been achieved or a 'suspicion' on reasonable grounds?</p> <p>Policy does not say who will make the referral or by when – obvious scope for cases to fall through the cracks, deliberately or otherwise.</p>
2.20 We will seek to offer pastoral care and support, including supervision and referral to proper authorities, of any member of our church community known to have offended against a child or vulnerable	<p>"Known" to have offended? That's a very high threshold. Civil actions for abuse are decided on "balance of probabilities". This would allow the church to not impose restrictions on someone against whom there had been a successful civil action, because the abuse isn't actually "known".</p>

⁶ *Responding Well to Those Who Have Experienced Sexual Abuse*, House of Bishops, 2011.

adult.	
2.21 If a member of a church community comes to notice as having a conviction, caution, reprimand or warning for offences against children, or has been barred from working with children, or is considered to present a risk to children, we will seek to draw up a written agreement, where it is safe to do so. The agreement will contain safeguards as explained in detail later on. Breach of this agreement, or other concerns, may lead to a referral to the statutory agencies.	This paragraph should include working with the Multi Agency Public Protection Arrangements “MAPPA” and complying with their protection plan. Any written agreement within the church should be part of the MAPPA plan for that person who is defined as a risk to the community. Non compliance with the plan is the responsibility of the MAPPA and local statutory agencies who have the skills to assess risk.
2.22 In all these principles we will follow legislation, guidance and recognized good practice.	Guidance is only that, and having ‘had regard’ to guidance the church can ignore it. Guidance is frequently ignored by Regulated Activities.
2.23 This will involve, in particular, openness among those with a legitimate need to know, confidentiality for those not directly involved, and the sharing of information with the statutory authorities.	
Definitions of forms of harm	
Introduction	
3.1 Children can be harmed in many ways. Where their health, physical, emotional, intellectual, spiritual or social development is damaged by other people, this is an abuse of relationships, a misuse of power and a betrayal of trust. Someone 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. They may be abused by an adult or adults, or by another child or children.	Do these clauses add anything to the statutory definitions below? It appears not, in which case they are unnecessary. The definitions in Working Together To Safeguard Children are best employed.
3.2 The fact that a child has reached the age of 16, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or a young offenders’ institution, does not change his or her entitlement to protection.	

3.3	Child abuse is not new, although it has been increasingly recognized, named and condemned during the course of the twentieth and into the twenty-first century. Abuse of children is much broader than sexual abuse. All abuse is a betrayal of trust and a misuse of authority and power. Church communities must be particularly vigilant to identify the inappropriate use of any religious belief or practice which may harm somebody spiritually, emotionally or physically.	
3.4	Child abuse affects girls and boys, babies and young people of all ages up to 18, including children with learning difficulties, children with physical disabilities and children from all kinds of family background. It occurs in all cultures, religions and classes.	
3.5	Most child abuse is perpetrated by an adult, male or female, who is well known to the child, often a family member. Such trusted adults may be in the child's community; they may be trusted professionals, leaders or members of a child's church. Abuse can be an act of commission, such as physical abuse, or omission, such as neglect or failure to protect.	
3.6	Children may suffer both directly and indirectly if they live in households where there is domestic violence. Domestic violence includes any incident of threatening behaviour, violence or abuse between adults or young people, who are or who have been intimate partners, family members or extended family members, regardless of gender and sexuality. If there is domestic violence it is now accepted that there will always be at least emotional abuse of any children in the household, and there may also be direct abuse of them.	
3.7	Child abuse can also be perpetrated by children against other children. This is referred to as 'peer abuse'. These child perpetrators will have greater power than their victims, perhaps due to age, gender, physique or ability. There is no clear dividing line between this form of abuse and bullying.	

3.8	Child abuse can result in a child suffering significant harm ⁷ and the need for court proceedings to safeguard their welfare. Abuse prevents children from achieving their full potential and undermines their dignity and rights. The harm it causes will affect children while it is happening and in later life. The consequences and the pain of child abuse are almost always long-lasting and likely to affect the children when they become adults. The damage may be apparent in many aspects of their lives, including their relationships and the care of their own children. When abuse occurs within the context of the Church or by a Christian, it may affect the person's faith and spiritual development.	
3.9	Recent developments in the use of computers, the internet, mobile phones and digital cameras present new challenges in educating and safeguarding children.	
Statutory definitions		
3.10	Child abuse has many forms. There are four identified categories of abuse described in <i>Working Together to Safeguard Children 2010</i> , from which the following definitions are taken.	<p>The last Working Together is 2015.</p> <p>This policy is assembled with a cut and paste mindset and an absence of attention to detail.</p>
3.11	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 via the internet. They may be abused by another adult or adults, or another child or children.	
3.12	Physical abuse may involve hitting, shaking, throwing, poisoning,	

⁷ See section 1.5 for a discussion of significant harm.

burning or scalding, drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in, a child.	
3.13 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.	
3.14 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 or carer failing to:	
Definitions of forms of harm	
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);	
ensure access to appropriate medical care or treatment.	
It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.	

<p>3.15 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.</p>	
<p>Some special topics</p>	
<p>3.16 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:</p>	
<p>Stranger abuse</p>	
<p>3.17 The majority of abuse is carried out by people known to the child, but abuse can also be carried out by strangers.</p>	
<p>Internet-related abuse</p>	

3.18 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. ⁸ Children themselves can also misuse these facilities, sometimes inadvertently and sometimes with malicious intent.	
3.19 The downloading, keeping or distributing of indecent images of children are all offences which are widely committed by adults, including by church members.	
3.20 For detailed advice about protecting children from internet abuse, consult the Child Exploitation and On-line Protection Centre (CEOP), which also produces material suitable for children.	
Bullying (abuse by other children)	
3.21 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.	<p>Suggested amendment to this paragraph:</p> <p>Such cases 'must' always be referred to the local authority children's social care service and to the LADO.</p>
Children affected by gang activity	
3.22 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	

⁸ See Nicola David, *Staying Safe Online*, Grove Books, 2007.

violence and substance misuse.	
Fabricated or induced illness	
3.23 Parents and carers can induce or pretend to observe symptoms in a child which lead to unnecessary investigations or treatment.	
Abuse of disabled children	
3.24 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)	
3.25 Local Safeguarding Children Boards vary in their approach to deliberate self-harm. 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.	
Domestic violence or abuse⁹	
3.26 The terms 'violence' or 'abuse' are used interchangeably and carry the same meaning. Domestic violence is the abuse of adults within a household.	
Definitions of forms of harm	
It need not involve physical assault to count as violence, and the adults	

⁹ See *Responding to Domestic Abuse: Guidelines for Those with Pastoral Responsibilities*, Archbishops' Council, 2006.

concerned need not be married or of opposite sexes. If there are children in the household they are witnesses to the abuse and are considered to be emotionally abused at least, whether or not they are in the same room. They may also be directly affected by abuse.	
Parents who are themselves vulnerable adults	
3.27 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.	
Allegations of possession by evil spirits	
3.28 See Ministry of Deliverance, section 6.21. ¹⁰	
Female genital mutilation	
3.29 This is an 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.	Here is an anomaly which we include to highlight the fractured nature of child protection. There is mandatory reporting of FGM but only for social and healthcare professionals as well as teachers. It is mandated for these Regulated Activities if the victim is under the age of 18yrs. So the policy is correct that it ' should ' be reported by the church, but like all other forms of child abuse it is not compulsory.
Child trafficking	
3.30 Child trafficking is the bringing of children into the country,	

¹⁰ There is also statutory guidance on Safeguarding Children from Abuse Linked to a Belief in Spirit Possession, May 2007, DCSF. www.dsf.gov.uk/everychildmatters/resources-and-practice/IG00220/.

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	
3.31 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	
3.32 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 the police should be contacted.	
Complex (organized or multiple) abuse	
3.33 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.	
Spiritual abuse	
3.34 Spiritual abuse is not covered by the statutory definitions but is of concern both within and outside faith communities including the Church.	
3.35 Within faith communities, harm can also be caused by the	

<p>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.</p>	
<p>3.36 If anyone in the Church is uncertain whether or not abuse has taken place, he or she can contact the diocesan safeguarding children adviser or the local authority children's social care team.</p>	
<h2>Responsibilities of church organizations</h2>	
<h3>Introduction</h3>	
<p>4.1 The Church of England, within its national institutions and within dioceses, has an obligation to support parishes and those working with children in exercising their primary responsibility for those entrusted to them. The Church is therefore committed to encouraging partnership with all statutory and voluntary agencies, other faith groups and ecumenical partnerships wherever possible. In particular, the Church recognizes the need to:</p>	
<p>keep abreast of research and policy developments in good safeguarding practice;</p>	<p>This policy quotes lapsed guidance; it also seems uninformed of numerous changes of name to what is now called the Disclosure and Barring Service. It makes the CofE NST appear disordered and out of touch with safeguarding</p>

	contrary to the claim “Our children deserve the best care that the Church can provide.” These errors undermine any confidence in the NST and its ability to deliver effective safeguarding in the church.
listen and learn from victims of abuse, in order to provide the most effective support for them;	Is there any real evidence of this happening? Many we speak to state otherwise.
regularly review and update Church policy and practice, taking account of the latest safeguarding information available;	This seems not to be happening as this document reveals.
ensure that there are appropriate systems of accountability and supervision at all levels of the church’s life, and that disciplinary and employment procedures are robust enough to manage risk;	From this document can one tell where any responsibility and/or accountability lies?
listen to those who have been abused, so that we can learn how to improve our support and care for survivors of abuse;	Where are the examples of this happening?
ensure that all licensed ministers and lay workers are carefully selected and trained, and that their training equips them for their safeguarding responsibilities in work with children;	See previous comments on training
provide training and support for workers who have responsibilities for children’s work, so that they can undertake their tasks with confidence and without being unduly fearful of unfounded allegations being made against them.	See previous comments on training
4.2 Clear, robust procedures are essential to safeguarding. However, it is important to remember that above all it is people who protect, not procedures. The aim should be to create a culture of informed vigilance in the Church by:	Clear, robust procedures are precisely what this policy does not contain.
raising awareness of the issues involved in safeguarding children in the Church;	
addressing the needs of our children in all their cultural, spiritual, intellectual, racial and physical diversity;	

responding to the needs of children and adults who have been abused;	
supporting and training those who work with children, encouraging them to work together to follow good practice;	See previous comment about training in 2.6
caring appropriately for those in the church community who have abused children;	
4.3 The Church seeks to minister to those who have been abused and also to those who have perpetrated abuse in the past. Inevitably, there will be tensions between the two commitments, highlighting the need for clear and comprehensive policy, procedure and good practice. The Church seeks to go beyond the minimal requirements of statute in safeguarding and to foster and promote best practice as part of its working witness to God's kingdom.	In all yellow highlighted aspects the Church does not deliver – many abusees have told us the Church fails. This highlighted section is absurd. Just look at the errors and absurdities we have discovered in this review
The House of Bishops	
4.4 The House of Bishops will:	
be responsible for this policy, for the safeguarding of children in the Church of England and for future revisions;	Responsible for a policy that does not voluntarily state, as the church could do, that all known and suspected abuse MUST be reported to the LADO or children's services for independent assessment
approve appropriate procedures to ensure consistency in best practice;	What is best practice in a voluntary reporting protocol?
appoint a bishop with lead responsibility for safeguarding children;	
ensure that a national safeguarding adviser is appointed with a clear line of accountability and a right to submit reports to the House of Bishops on safeguarding matters;	For all the good this has achieved. Who at Church House has influence over this policy?
establish minimum standards for safeguarding training for clergy, including requirements for continual ministerial training, refresher training and maintenance of records;	Child protection training for persons employed in /regulated activities including the Church, is variable and often poor because there is no training accreditation scheme for those who provide safeguarding training See 2.6
ensure training is provided for senior clergy (bishops, archdeacons, cathedral deans, senior spiritual directors) in safeguarding, case recording, risk	

management and similar issues so that they are suitably equipped to handle allegations of abuse or misconduct by clergy, licensed lay people and other church workers;	
set minimum standards for those who are approved to conduct individual risk assessments and hold a national register of people approved to do so.	
The diocese¹¹	
4.5 Each diocese should:	‘Should.’ is discretionary.
adopt this House of Bishops’ safeguarding children policy, together with any additional diocesan procedures and good practice guidelines which should be endorsed by the diocesan synod;	‘Should’ is discretionary. Adoption of the Bishops’ policy is discretionary and therefore presumably no action can or will be taken against any diocese which fails to implement this policy.
provide a structure to manage safeguarding in the diocese;	
appoint a suitably qualified diocesan safeguarding children adviser, directly accountable to the diocesan bishop, and provide	
Responsibilities of church organizations	
appropriate financial, organizational 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 behalf of vulnerable adults or other matters at the discretion of the diocese;	
ensure that the diocesan safeguarding children adviser is informed of any serious safeguarding situation, including any allegations made against a	Suggested amendment to this paragraph:

¹¹ The term ‘diocese’ is used to cover various legal and authority structures within its geographical area. The diocesan bishop will be responsible for ensuring that the appropriate people in the diocese take responsibility for the various safeguarding children tasks.

member of the clergy, or anyone else holding the bishop's licence, concerning misconduct in respect to children;	'....ensure that the diocesan safeguarding children adviser <i>and the LADO</i> is informed of any serious safeguarding situation'
include the monitoring of safeguarding in parishes as part of the archdeacons' responsibilities;	
provide access to the Criminal Records Bureau and Independent Safeguarding Authority for parishes, the cathedral, the bishop's office and the diocesan office for those beneficed and licensed clergy, paid workers and volunteers who need to obtain disclosures or to have their registration with the Independent Safeguarding Authority confirmed. ¹² This should normally be by way of registering with the Criminal Records Bureau as a registered or umbrella body (see 5.7 for further details);	Terminology is five years out of date. The DBS was formed in 2012 'Should.' is discretionary
keep a record of clergy and church officers that will enable a prompt response to <i>bona fide</i> 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;	'Should.' is discretionary
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, the cathedral, other clergy, diocesan organizations, including religious communities and those who hold the bishop's licence;	

¹² If an unregistered body wishes to use the diocese as their registered body for CRB checks and ISA registration care should be taken to check the credentials of the organization and the nature of their link with the Church. See section 3.8.

provide a complaints procedure which can be used for those who wish to complain about the handling of safeguarding issues;	
share relevant information about individuals with other dioceses, other denominations and organizations or the national Church as appropriate.	
The parish¹³	
4.6 Each parish should:	‘Should.’ is discretionary , therefore presumably no action can or will be taken against any parish which fails to implement this policy, even if the parish is within a diocese which does implement the policy in full or part.
adopt and implement a safeguarding children policy and procedures, accepting as a minimum the House of Bishops’ Policy on Safeguarding Children or the Joint Safeguarding Principles (see page vii) but informed by additional diocesan procedures and recommended good practice, while being responsive to local parish requirements;	
appoint at least one co-ordinator to work with the incumbent and the parochial church council (PCC) to implement policy and procedures. The co-ordinator must ensure that any concerns about a child or the behaviour of an adult are appropriately reported both to the statutory agencies and to the diocesan safeguarding children adviser. It may be appropriate for this co-ordinator to be someone without other pastoral responsibility for children in the parish. The co-ordinator 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;	<p>Parochial Church Councils and their responsibilities include the points in the following link at page 9 of the safeguarding policy of the diocese of London</p> <p>This includes : <i>‘formally adopt and implement the Diocesan policy for safeguarding children, young people and vulnerable adults ‘Safeguarding in the Diocese of London’ and the associated procedures and guidance provided by the Diocese’</i></p> <p>But we have no way of knowing whether there is a good or poor understanding about the complex subject of safeguarding in this institutional setting which has such a poor record on this safety critical discipline</p>

¹³ The term ‘parish’ is used to denote the PCC and incumbent who are together responsible for ensuring that the child protection policy is implemented. Particular parishes may wish to use the benefice, group or team as the relevant body for practical reasons. This section should be deemed to include the cathedral of the diocese and other diocesan organizations, including religious communities.

consider appointing a person, who may be different from the coordinator, 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 co-ordinator is not someone whom children know personally;	'Should.' is discretionary
display in church premises where children's activities take place, the contact details of the co-ordinator or children's advocate, along with the 'Childline' and 'Parentline Plus' telephone numbers;	Despite its excessive and unnecessary length, a copy of this policy should be available in full for anyone to read at children's settings in the diocese and on diocesan websites.
ensure that all those authorized to work with children are appropriately recruited according to safer recruitment practice, and are trained and supported;	
ensure that there is appropriate insurance cover for all activities involving children undertaken in the name of the parish;	Are these insurance policies taken out exclusively with EIG whose practices towards complainants of child abuse have come under such scrutiny in recent months?
review the implementation of the safeguarding children policy, procedures and good practice, at least annually;	
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;	Parishes are at the safeguarding coalface and responsible for the delivery of child safeguarding.
if working within Local Ecumenical Partnerships (LEPs), agree which denomination or organization's safeguarding children policy to follow, including where to seek advice in urgent situations. This	Infinite variability of policy for all regulated activities is a huge weakness and another opportunity for costly failure. Fault does not lie exclusively with the Regulated Activity but also the inability of successive Governments to understand and address the dysfunctional statutory framework as applied to Regulated Activities.
Responsibilities of church organizations	
decision should be ratified both by the bishop and other appropriate church	'Should.' is discretionary

leaders in the partnership; ¹⁴	
In the event of a specific safeguarding concern, ensure that all the LEP partners are notified.	
Church schools	
4.7 Church schools are not covered by the provisions of this policy.	
There are statutory provisions which apply to all schools, whatever sector they belong to.	
The safeguarding responsibilities of controlled and aided church schools come under the relevant local authority and Local Safeguarding Children Board.	
The safeguarding responsibilities of academies and independent schools with a church foundation come under the Local Safeguarding Children Board.	
Employees, governors and volunteers appointed by a church school should be recruited through the procedures of the relevant local authority or other suitable body, which should also process their CRB checks and ISA registration.	'Should.' is discretionary
Volunteers who go into a church school from their parish should normally be recruited and checked via the CRB and ISA recruitment arrangements in the diocese. ¹⁵ The school will need to confirm with the parish that these have been completed.	'Should.' is discretionary
Even when there is a strong link between a church school and a parish, where particular individuals hold roles in both care should be taken to distinguish and	'Should.' is discretionary

¹⁴ Separate guidance for managing safeguarding is available in Local Ecumenical Partnerships and Ecumenical Projects – in the form of a checklist – from County Ecumenical Officers and is on the Churches Together in England website.

¹⁵ See more information at 5.7-8.

fulfil the different legal responsibilities of schools and parishes and to share information where appropriate.	
Where there is any confusion about whose responsibility it is to undertake a safeguarding action arising from a situation in the school, it is the school's responsibility to clarify this with the local authority and the diocese.	
<h1>Promoting safer practice</h1>	
Introduction	
5.1 There are some key features of effective arrangements to safeguard and promote the welfare of children. These arrangements will help agencies to create and maintain an organizational culture that reflects the importance of safeguarding and promoting the welfare of children. At an organizational or strategic level, these key features ¹⁶ are:	
senior management commitment to the importance of safeguarding and promoting children's welfare;	This policy does not evidence any such commitment
a clear policy stating the organization's responsibilities towards children available for all staff and volunteers;	Can this be found on all diocesan websites?
a clear line of accountability within the organization for work on safeguarding and promoting the welfare of children;	
clear roles for staff and volunteers;	
service development that takes account of the need to safeguard and promote welfare and that is informed, where appropriate, by the views of children and	

¹⁶ These are based on Safe from Harm Home Office, 1993, and the Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004 Department for Education and Skills, 2007, section 11, Guidance'

families;	
safer recruitment procedures in place;	
clear arrangements for supervision;	
clear lines of accountability;	
training for staff and volunteers on safeguarding and promoting the welfare of children for all staff working with or in contact with children and families;	
effective working with statutory and voluntary sector partners to safeguard and promote the welfare of children;	
publicly advertised arrangements for children to be able to speak to an independent person privately;	
effective information sharing.	
5.2 Safer recruitment guidance is not dealt with here as it is covered in the companion volume, <i>Safeguarding Guidance for Recruitment</i> . ¹⁷ The aim of safer practice is to create a safe place for children in their involvement with a church. Church members should bear in mind that sometimes church, like school, can be a safer place for a child than their own home.	'Should.' is discretionary
5.3 The statutory basis for work with children is the following:	
A person who does not have parental responsibility for a particular child but who has care of the child may (subject to the provisions of this Act [Children Act 1989]) do what is reasonable in all the circumstances of the case for the purpose of safeguarding or promoting the child's welfare. ¹⁸	
Code of Safer Working Practice	
5.4 Every diocese should prepare, and every parish working with children	'Should.' is discretionary

¹⁷ See also *Recruiting Safely*, Children's Workforce Development Council, November 2009.

¹⁸ Children Act 1989, section 3(5).

<p>should adopt, a code of safer working practice for church workers with children which covers the issues most likely to arise. This should have regard to the government guidance document <i>Guidance for Safer Working Practice for Adults who Work with Children and Young People</i> (Department for Children, Schools and Families for Allegations Management Advisers, 2007). This guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts. It aims to:</p>	<p>What is done about a diocese which doesn't prepare, or a parish which doesn't adopt?</p>
<p>support safer recruitment practice;¹⁹</p>	<p>There is no government document with this title. There is a document with the title : "Safer Working Practices for Adults Working with Children in Education Settings". It is dated 2015. Furthermore the Department for Children Schools and Families changed to the Department for Education on 12 May 2007. Here is yet further evidence, if it were needed, that this policy is a slapdash offering. Clearly this is not appreciated by the Bishop of Bath and Wells, the lead Bishop for safeguarding.</p>
<p>keep children safe by clarifying which behaviours constitute safe practice and which should be avoided;</p>	
<p>assist adults working with children to do so safely and responsibly, and to monitor their own standards and practice;</p>	
<p>support managers and employers²⁰ in setting clear expectations of behaviour and codes of practice;</p>	
<p>encourage the provision of supervision and training;</p>	
<p>reduce the incidence of positions of trust being abused or misused;</p>	
<p>support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken;</p>	
<p>minimize the risk of misplaced or malicious allegations made against adults</p>	

¹⁹ This is contained in a separate document *Safeguarding Guidance for Safer Recruitment*, House of

Bishops (forthcoming 2010) and in *Recruiting Safely*, Children's Workforce Development Council November, 2009.

²⁰ The employer will usually be the Parochial Church Council. It should be noted that the employer has the same duties to both paid staff and volunteers in respect of children for whom it is responsible.

who work with children.	
5.5 Most church organizations will not need the full range of detail provided and should prepare a code of safer working practice which covers the majority of situations they are likely to encounter. A model code of safer working practice is given in Appendix 4.	<p>'Should.' is discretionary</p> <p>Detail is a description one would not use for this policy document</p>
Safer recruitment policy on vetting	
5.6 This policy applies to all those who are working with children. It includes, but is not restricted to, those involved in teaching, training or instruction, care or supervision, and transport. See section 5.34 for mixed-age activities. It also includes those who work regularly but infrequently, for example for a few days every summer. It is the policy of the Church that all those who regularly work with children, including those who work on a rota, should have enhanced CRB checks and ISA registration. Those who work only occasionally, or who manage or supervise those who work with children, will be asked to apply for CRB checks and ISA registration if they fulfil the ISA threshold requirements.	
5.7 At the time of printing, the Government has suspended full implementation of the new system for Independent Safeguarding Authority (ISA) registration, pending further review. The present arrangements for CRB initial and renewal checks and for referring matters of concern to ISA (see 7.35) continue unchanged. See Church of England safeguarding website page for up-to-date information.	Out of date
5.8 Please refer to the companion document, <i>Safeguarding guidance for Safer Recruitment</i> (House of Bishops, forthcoming in 2010), for other aspects of vetting and barring policy and safer recruitment good practice. The Children's Workforce Development Council document, <i>Recruiting Safely</i>	<p>We cannot find - <i>Safeguarding guidance for Safer Recruitment</i> (House of Bishops, forthcoming in 2010), but we did find – CHURCH OF ENGLAND: PRACTICE GUIDANCE SAFER RECRUITMENT, This was apparently reviewed in May 2017. Once more it appears the NST does not stretch to quoting the correct safety critical documentation it uses to assemble this policy.</p>

(November 2009), also gives an outline of safer recruitment.	The Childrens Workforce Development Council closed in March 2012								
Registration with OFSTED (the Office for Standards in Education, Children's Services and Skills)									
5.9 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 5.36.) 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. ²¹									
Staff-child ratios									
5.10 OFSTED prescribes minimum staff-child ratios for those groups which are required to register with it. For those groups not subject to registration these ratios are advisory and should be seen as minimum standards.	'Should.' is discretionary								
<table border="0"> <tr> <td>0-2 years</td><td>1 person for every 3 children</td></tr> <tr> <td>2-3 years</td><td>1 person for every 4 children</td></tr> <tr> <td>3-8 years</td><td>1 person for every 8 children</td></tr> <tr> <td>over 8 years</td><td>1 person for the first 8 children and then 1 extra person for every extra 12 children</td></tr> </table> <p>5.11 Each group should have a minimum of two adults and it is recommended that a gender balance be maintained if possible.</p>	0-2 years	1 person for every 3 children	2-3 years	1 person for every 4 children	3-8 years	1 person for every 8 children	over 8 years	1 person for the first 8 children and then 1 extra person for every extra 12 children	'Should.' is discretionary
0-2 years	1 person for every 3 children								
2-3 years	1 person for every 4 children								
3-8 years	1 person for every 8 children								
over 8 years	1 person for the first 8 children and then 1 extra person for every extra 12 children								

²¹ The legal basis is *Statutory Framework for the Early Years Foundation Stage*, Department for Education and Skills, 2007.

5.12 If a person who has been assigned to help staff a group is prevented from attending at short notice, there is no automatic obligation to cancel the group. It may be possible to secure the services of another suitable person or to make other appropriate temporary arrangements so that the group can still run as scheduled.	
5.13 If it is proposed that a student in an appropriate discipline be included on a rota, the diocesan safeguarding children adviser should be consulted.	'Should.' is discretionary
Staff, volunteers and helpers	
5.14 Paid staff appointed to work with children should be recruited according to the principles of safer recruitment set out in the companion volume, <i>Safeguarding Guidance for Safer Recruitment</i> (forthcoming, 2010). Church organizations should consult the diocesan children's adviser, youth adviser or safeguarding children adviser before embarking on the recruitment process.	'Should.' is discretionary 'Should.' is discretionary
5.15 Volunteers should also be recruited according to safer recruitment principles, although it will not be necessary to consult the diocesan advisers before recruitment. Only volunteers who have been formally appointed to an appropriate role may take responsibility for children.	'Should.' is discretionary
5.16 Other adults may help with children's groups on an occasional basis but must be accountable to an appointed worker. If they are to join the team on a regular basis they must be properly recruited as above. They will all also be asked to complete a confidential declaration.	
5.17 Young people aged 16 or 17 may help with groups but must be	

supervised by an adult worker and cannot be counted as part of the staffing. They will also need CRB checks and ISA registration ²² if they fulfil the ISA threshold requirements. Young people aged under 16 may act as helpers but should not have responsibility for children and must be supervised. If they are on work experience a reference should be obtained from their school, with a specific question as to whether there have been any safeguarding issues. See also the next section.	'Should.' is discretionary
Youth work	
5.18 The guidance in this section is a response to the statutory duties and codes of practice now in place for youth workers in the statutory sector. These do not technically apply to the voluntary sector. However, the Church is committed, in its own guidance and codes of practice, to reflecting the good practice required in the statutory sector.	
5.19 All work with those under 16 must be adequately supervised according to at least the minimum OFSTED standards as noted above. Those aged 16 and 17 do not require the same level of supervision, but should still have	'Should.' is discretionary
an adult in charge. 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 the young adult youth worker and the ages of the children he or she supervises.	

²² CRB checks are available in theory from age 10, the age of criminal responsibility, and ISA registration from age 16. See section 5.7 for current information on CRB and ISA registration.

5.20 Youth workers should be trained. ²³ Activities and outside trips should be carefully planned, and detailed guidance sought. See section 5.31 for risk assessments.	'Should.' is discretionary
Positions of trust	
5.21 All those who work with children or who have significant contact with them and their families on behalf of the Church are in positions of trust. Staff handbooks, codes of safer working practice and contracts should make clear the importance of accepting the expectations of such work and the possible grounds for disciplinary action if they are not met:	'Should.' is discretionary
they will be seen as role models by the children with whom they are in contact at all times, including when they are off duty;	
all church workers should, therefore, conduct themselves in accordance with the reasonable expectations of someone who represents the Church;	
they should take care to observe appropriate boundaries between their work and their personal life. For example, they should ensure that all communications they may have with or about children are appropriate in their tone;	'Should.' is discretionary
they should seek advice immediately if they come across a child who may have been harmed (including self-harm) or a colleague whose conduct appears inappropriate;	'Should.' is discretionary
they should 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	'Should.' is discretionary

²³ An appropriate curriculum is offered in *Equipping: Core Competencies, Learning Outcomes, Evidence of Assessment for those Working with Young People on Behalf of the Church of England*, Archbishops' Council, 2006. This includes training in safeguarding.

international law.	
<p>5.22 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 aged 16 or 17 for whom they are responsible. A breach of this is likely to be considered as a disciplinary offence. It will be referred 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 Independent Safeguarding Authority for possible barring.</p>	<p>This statement demonstrates the Church of England's culturally weak approach to child protection. A potential abuser is unlikely to be concerned that a breach of CofE safeguarding is "likely to be considered as a disciplinary offence," or the clear implication it also might not be a disciplinary offence despite 1.3 of the House of Bishops' Policy for Safeguarding Children document that states clearly that a 16/17 year old is deemed a child.</p> <p>By whom will the breach "be referred"? The policy is silent on this important point.</p>
Cell groups or home groups	
<p>5.23 These are groups of people who meet in private houses but who have a connection with the church through the cell group. 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 diocesan code of safer working practice. Mixed-age cell or home groups should include members named and recruited as responsible for safeguarding young people in the group. The diocesan safeguarding children adviser should be asked to check and confirm the arrangements.</p>	<p>'Should.' is discretionary</p>
Affiliated youth groups	
<p>5.24 Sometimes a church or group of churches may set up a youth group as an independent organization. The diocesan safeguarding children adviser should be consulted and should check where the legal responsibility for such a group lies. Unless it has been set up as an independent charity it will usually be with the parent PCC. Dioceses should not make arrangements to process CRB checks or ISA registration except for groups which have a clear and demonstrable connection with the church and where they are either involved</p>	<p>'Should.' is discretionary</p>

with, or satisfied by, the arrangements made for risk assessments in the event of ‘positive’ or ‘blemished’ CRB disclosure certificates.	
Charity Commission	
5.25 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.	
5.26 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. ²⁴ However, it is important to ensure that reporting to the Charity Commission does not prejudice any criminal investigation, which should always be undertaken first. In such circumstances advice should be sought from the registrar and the diocesan safeguarding children adviser. It will usually be appropriate to anonymize the report to the Charity Commission, initially. The Charity Commission may then request further details.	‘Should.’ is discretionary
Transport	
5.27 Transport, travel or escort arrangements to or from church activities are the responsibility of parents if they make informal arrangements among	

²⁴ *Reporting Serious Incidents: Guidance for Trustees*, Charity Commission, May 2009. (In the CofE document this is incorrectly numbered as endnote ²²)

themselves. They are the responsibility of the PCC if the PCC formally organizes them. It should be clearly understood by all concerned at which point responsibility for the child is passed from parent to church officer and at which point it is returned to the parent.	'Should.' is discretionary
5.28 Diocesan safeguarding children handbooks should set clear policies for transporting children on behalf of the church. Drivers need to have appropriate insurance and to comply with the law in relation to seat belts, child seats and booster cushions. Children should travel in the back seats of cars. Appropriate arrangements, for example regarding insurance and driving qualifications, should be made by those driving minibuses on behalf of the church. Transporting children on behalf of a church is a regulated activity and CRB checks and ISA registration are required (see 5.7 for further information).	'Should.' is discretionary
Registration and consent forms	
5.29 Registration and consent forms are not required for attendance at worship, although if young children regularly attend without their parents, contact should normally be made with a parent. Contact details and special requirements should be noted for all who regularly attend other church activities, such as Sunday schools, youth groups and mixedage activities such as choirs, and registers taken. Consent should be obtained for all activities and should include, as appropriate, consent for making and using appropriate images of children.	'Should.' is discretionary
Health and safety	
5.30 Health and safety should be managed as part of all activities. A First Aid box should be obtained and maintained on site. An accident book should be maintained at all places where children's activities take place. Buildings	

should be checked for health and safety regularly, at least once a year, and the results noted and reported in writing to the PCC or other appropriate church organization.	
Risk assessments	
5.31 Risk assessments of new and existing activities should be made, in order to identify hazards and take action to minimize risk. The same approach should be taken if buildings are hired or let for church activities involving children.	
5.32 Risk assessments should be made covering outside activities including travel arrangements. If specialized activities are to be undertaken, appropriate instructors should be engaged and their credentials confirmed. However, even when specialized instructors are involved, the parish or other church body retains the duty to supervise the children	
5.33 Risk assessments for individual workers are covered by the document, <i>Safeguarding Guidance for Recruitment</i> .	
Mixed-age activities	
5.34 Care should be taken to ensure that children in mixed-age activities such as choirs, bell ringing and serving are appropriately supervised. It is not possible to request CRB checks or ISA registration for adults in those groups unless they have specific responsibilities for children. In such groups, at least one person as well as the person leading the activity needs to be recruited safely, including a CRB check and ISA registration, and to be designated to supervise the welfare of children involved. It may be more convenient to have a team of such people taking responsibility on a rota.	'Should.' is discretionary
Insurance	

5.35 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, who have made the following statement in respect of those policies they have issued for:	Assurance is needed that there has been no input by the <u>Ecclesiastical Insurance Group</u> to the formulation of church child protection policies.
churches, in use for worship;	
Youth groups, through the Diocesan Youth Group Scheme.	
<i>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.</i>	
<i>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.</i>	
<i>It is not Ecclesiastical's intention to provide an indemnity to the perpetrator of an incident of abuse.</i>	
<i>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.</i>	
<i>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 practice²⁵ based upon current and ongoing guidelines.</i>	

²⁵ The insurance industry uses the term 'best practice' in a sense equivalent to that of 'good practice', which is the normal term in child welfare.

<i>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.</i>	
<i>Public Liability insurance indemnity limits should be kept under regular review. Guidance is available from Ecclesiastical.</i>	
Hire of premises	
5.36 Many churches possess buildings which they hire out to community groups and others. Some of these may undertake work with children. Note that:	
the observance of ‘reasonable care’ is a standard insurance condition;	
the hiring body is 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, and that they carry full liability insurance for this;	
the owner of the building (normally the PCC) has a duty to adopt best practice ²⁶ based upon current and developing guidance.	
5.37 For both one-off and regular hirings it is recommended that a written hiring agreement be used. A model form is available on the Church of England website. ²⁷	
5.38 The hiring body should abide by their own child protection or safeguarding policy if they have one, otherwise by that of the church with whom they have a hiring agreement.	<p>Passive voice.</p> <p>The hirer’s child protection policy may be inadequate, but who ensures one even exists and advises the hirer that the church’s applies if the hirer does not have one? Is there a copy of the church’s policy on display at the venue – and</p>

²⁶ See previous note.

²⁷ www.churchcare.co.uk

	who is responsible for ensuring one is?
5.39 If the hiring body is required to register with OFSTED then the safeguarding children co-ordinator should ask to see the registration certificate and record that it has been seen.	
Record-keeping and data protection	
5.40 The Data Protection Act 1998 contains principles governing the use of personal data. These are reproduced below for convenience. Personal data should be:	
processed fairly and lawfully;	
obtained and used for specific purposes;	
adequate, relevant and not excessive;	
accurate;	
not kept for longer than is necessary;	
processed in line with a person's rights;	
secure;	
not transferred to non-UK countries without adequate protection.	
5.41 The 'blue file' for clergy moves with the individual between dioceses. The original diocese should retain a separate record of clergy and church officers sufficient to be able to respond to <i>bona fide</i> enquiries at any time in the future. This should include start and finish dates, dates of CRB checks and ISA registration, all posts held and next post when known,	"CRB checks and ISA registration" – out of date
together with a flag on any database if a safeguarding problem occurred, linked with a paper record providing details of the concern and a record of what action was taken. Records should be kept secure and retained even after the people concerned have left the post or the area.	
5.42 The parish should also maintain records relating to parish appointments, including a note of when a CRB check and ISA registration	"CRB checks and ISA registration" – out of date

<p>were obtained or checked. Records should be kept secure and retained after the people concerned have left the diocese. The national Church issues a series of records management guides to assist bishops, dioceses and parishes in good record-keeping.²⁸</p>	
<p>5.43 Records of child protection matters should be kept, together with a note of the outcome. These should be retained even if the information received was judged to be malicious, unsubstantiated or unfounded. See section 7.28.</p>	
<p>5.44 Records of known offenders against children should be retained indefinitely, together with a copy of any agreement and reviews.</p>	
<p>5.45 Nothing in data protection legislation seeks to limit appropriate disclosure in order to protect an individual who either is, or may be, at risk. What matters is that the process of information sharing is reasonable and proportionate.</p>	
<p>5.46 Further advice if necessary is available from the data controller in the diocese, from the diocesan safeguarding children adviser and from the website of the Information Commissioner.</p>	
<h2>Responding to concerns</h2>	
<h3>Making referrals</h3>	
<p>If somebody believes that a child may be suffering, or is at risk of suffering, significant harm, that person should always refer the concerns to local authority children's social care services. In addition to social care, the police and the NSPCC have powers to intervene in these circumstances. Those</p>	<p>The church says : if there is suspicion, concern or knowledge that a child is suffering actual or likely significant harm then a (conditional and discretionary) referral should be made (discretionary) to the local authority children's services. If the situation is urgent the referral may be made directly</p>

²⁸ *Cherish or Chuck? The Care of Episcopal Records*, December 2009; *Save or Delete? Care of Diocesan Records*, revised December 2008; *Keep or Bin? The Care of Your Parish Records*, revised April 2009; *Guidance Notes on Clergy Files*, revised March 2009.

making referrals should seek, in general, to discuss any concerns with the family and, where possible, seek their agreement to make referrals. However, this should only be done if and when such discussion and agreement-seeking does not increase the risk of significant harm, or compromise an investigation by the statutory authorities. It will often be better to wait for a strategy discussion, which will include on its agenda how and when parents should be informed. In urgent cases telephone the police.	to the police. The statutory agencies which have responsibility for investigation will advise the church on when and by whom parents/carers are to be informed of the referral in order to ensure that the risk of significant harm is not increased by doing so. <i>(Our italicisation)</i>
A referral should also be made if domestic abuse comes to notice and it is known that there are children in the household. Care should be taken not to intervene directly with someone who is alleged to have committed domestic abuse as this may trigger further abuse. Seek advice from the diocesan safeguarding children adviser or telephone the specialist police unit which deals with child abuse.	Passive voice rendering clause meaningless. Doesn't define who has the responsibility to make the referral.
Children's social care and others have been advised that personal information from referrers who are members of the public should only be disclosed to third parties (including subject families and other agencies) with the consent of the referrer. ²⁹ Church volunteers referring children count as members of the public for this purpose.	
Local Safeguarding Children Boards (LSCBs) publish procedures for use by anyone in their area who may find themselves dealing with possible abuse of a child. These procedures are usually available online and on open access. The area each LSCB covers is normally the same as that for each local authority.	This almost suggests that the entire church policy should be scrapped and individual parishes simply look up the LSCB policy instead.
The diocesan safeguarding children adviser should always be informed when a referral is made to children's social care. Records should be made and retained confidentially, even when a concern turned out to be unfounded.	'Should' is discretionary
The matter may proceed to a strategy discussion, or a case conference, and	Describes what is probably in Local Authority procedures, which the church

²⁹ Working Together to Safeguard Children, HM Government 2010, 5.35

<p>services may be offered or legal proceedings begun. Clergy and other church members may on occasion be asked to attend meetings, provide statements or give evidence in care proceedings or associated criminal proceedings. They should seek advice from the diocesan registrar (or the diocesan safeguarding children adviser if the registrar is not available) before doing so. They also need to be clear whether they are attending meetings simply to support someone or to contribute to assessment and planning. They should confine their contribution to what they know or reasonably believe at first hand. They should ensure, as far as they can, that their actions cannot be interpreted as support for one side or another in a legal dispute. They should not provide character references except in exceptional circumstances which should be discussed with the registrar or diocesan safeguarding children adviser.</p>	<p>has no control over.</p>
<p>Children in need</p>	
<p>A child who is not at risk of abuse under one of the formal categories above may nevertheless qualify as a child in need. See section 1.28 for the definition.</p>	
<p>A child in need may be referred to local authority children's social care, where possible with the consent of a parent. The referrer may be asked to contribute using the Common Assessment Framework (CAF), which is a standardized approach to the assessment of children's additional needs and decisions about how these should be met. Help with this should be sought from the diocesan safeguarding children adviser. In urgent cases, referral can be made to the child protection services even if it has not been possible to complete a CAF form.</p>	<p>The Common Assessment Framework has not been in existence for sometime</p>
<p>The CAF aims to provide a simple process for a holistic assessment of children's needs and strengths, taking account of the roles of parents, carers and environmental factors on their development. Practitioners are then better placed to find appropriate support that can be agreed with children and their</p>	

families. The CAF also tries to get all the appropriate services working together in an integrated way, focused on the needs of the child.	
Confidentiality, information sharing and consent	
6.10 Where a child or an adult is judged to be at risk of significant harm and in need of protection, it will normally be necessary to share all relevant information with the statutory agencies.	All passive voice. Who does the adjudging? If the judgement has been made why it is it only “normally” necessary to share relevant information? Who decides what is “relevant”? What abnormal conditions allow for exceptions? If these are not defined then they essentially come down to “because I don’t want to” . It’s not good enough.
6.11 Government guidance on sharing information about the possible abuse of child is as follows:	
<i>You should explain to children, young people and families at the outset, openly and honestly, what and how information will, or could be shared and why, and seek their agreement. The exception to this is where to do so would put that child, young person or others at increased risk of significant harm or an adult at risk of serious harm, or if it would undermine the prevention, detection or prosecution of a serious crime . . . including where seeking consent might lead to interference with any potential investigation.</i> (our emphasis)	Quoting Government guidance is no use. Guidance is guidance on how to write a safeguarding policy. This <u>is</u> a safeguarding policy apparently, so guidance on how to write one shouldn’t be in the policy itself.
<i>You must always consider the safety and welfare of a child or young person when making decisions on whether to share information about them. Where there is concern that the child may be suffering or is at risk of suffering significant harm, the child’s safety and welfare must be the overriding consideration.</i>	
<i>You should, where possible, respect the wishes of children, young people or families who do not consent to share confidential information. You may still share information, if in your judgment on the facts of the case, there is</i>	

<i>sufficient need in the public interest to override that lack of consent.</i>	
<i>You should seek advice where you are in doubt, especially where your doubt relates to a concern about possible significant harm to a child or serious harm to others.</i>	
<i>You should ensure that the information you share is accurate and up-to-date, necessary for the purpose for which you are sharing it, shared only with those people who need to see it, and shared securely.³⁰</i>	
6.12 There are situations where safeguarding children advisers or coordinators are bound to share information with the authorities or other organizations who ‘need to know’ according to statutory guidance and their professional standards. For guidance on individual cases the diocesan safeguarding children adviser should be consulted.	
6.13 In relation to consent for medical treatment, as distinct from investigations into possible abuse or neglect, the general consensus is that children under the age of 12 cannot give informed consent, so consents will be needed for them from their parents. For older children, the Gillick decision and the Fraser guidelines become relevant. The Gillick decision was made by Scarman LJ in a House of Lords case ³¹ on the legality of a doctor prescribing contraception to a girl under 16 whose parent had not given consent for the treatment. It is:	
<i>As a matter of Law the parental right to determine whether or not their minor child below the age of sixteen will have medical treatment terminates if and when the child achieves sufficient understanding and intelligence to understand fully what is proposed.</i>	
A child who is deemed ‘Gillick competent’ is able to prevent their parents	

³⁰ *What to do if you're worried a child is being abused*, HM Government, 2006, Appendix 3, section 2. ³¹ *Gillick v West Norfolk and Wisbech Area Health Authority* [1985] 3 All ER 402 (HL).

³¹ *Gillick v West Norfolk and Wisbech Area Health Authority* [1985] 3 All ER 402 (HL)

viewing their medical records. Medical staff will therefore not make a disclosure of medical records of a child who is deemed 'Gillick competent' unless consent is manifest.	
Fraser Guidelines	
6.14 It is lawful for doctors to provide contraceptive advice and treatment without parental consent providing certain criteria are met. These criteria, known as the Fraser Guidelines, were laid down by Lord Fraser in the	
House of Lord's case and require the professionals to be satisfied that:	
the young person will understand the professional's advice;	
the young person cannot be persuaded to inform their parents;	
the young person is likely to begin, or to continue having, sexual intercourse with or without contraceptive treatment;	
unless the young person receives contraceptive treatment, their physical or mental health, or both, are likely to suffer;	
the young person's best interests require them to receive contraceptive advice or treatment with or without parental consent.	
Although these criteria refer specifically to contraception, the principles are deemed to apply to other treatments, including abortion. The judgement in the House of Lords referred specifically to doctors, but it is commonly interpreted as additionally covering other health workers and youth workers who may be giving contraceptive advice and condoms to young people under 16. However, the application of the principle to youth workers has not been tested in court.	
Serious case reviews	
6.15 Local safeguarding children boards by law undertake a serious case review whenever a child dies or is seriously injured and abuse or neglect is	Padding – LSCB procedures

known or suspected to be a factor. Serious case reviews are not inquiries into how a child died or who is culpable. That is a matter for coroners and criminal courts.	
6.16 Clergy and other church officers could find themselves invited to contribute to a serious case review if they had sufficient individual knowledge of the child. They should consult the diocesan safeguarding children adviser who can advise on the process.	
Confession	
6.17 It is possible that relevant information may be disclosed in the particular context of confession.	
6.18 It is in everyone's interest to recognize the distinction between what is heard in formal confession, however this might take place, which is made for the quieting of conscience and intended to lead to absolution, and disclosures made in pastoral situations. For this reason, it is helpful if confessions are normally heard at advertised times or by other arrangement or in some way differentiated from a general pastoral conversation or a meeting for spiritual direction. A stole might be worn and a liturgy should be used.	
6.19 Canon Law constrains a priest from disclosing details of any crime or offence which is revealed in the course of formal confession; however, there is some doubt as to whether this absolute privilege is consistent with the civil law. Where a penitent's own behaviour is at issue, the priest should not only urge the person to report it to the police or the local authority children's social care, if that is appropriate, but may judge it necessary to withhold absolution. In such a case the priest may consider it necessary to alert the bishop to his or her decision in order to safeguard himself or herself and seek advice on the issues, though the penitent's details would not be shared without their permission. The priest might also judge it appropriate to encourage the	<p>The recent recommendations published by the Child Abuse Royal Commission will help contribute to this debate.</p> <p>The paragraph is a masterpiece of obfuscation as to whether and under what circumstances crimes disclosed during confession can be reported. It also remains silent on whether a child confessing (believing that he or she is complicit in abuse) is something which can be reported in order to stop the abuser. This latter issue should certainly be a separate item in this section, making it clear that a confession by a child which gives information about child abuse by an adult is not to be treated as absolutely confidential.</p>

penitent to speak personally to the bishop.	
Spiritual direction	
6.20 As with any other pastoral relationship, care should be taken to set parameters to the spiritual direction or spiritual accompanier	
relationship. It should therefore be made clear at the beginning of the relationship that disclosures of abuse will be reported and a reminder will be appropriate if it appears that such material may arise. Someone may speak of his or her own behaviour in harming a child, or the person may be an adult speaking of historical abuse from his or her own childhood. This latter is more difficult as the directee may be unwilling to reveal, or even know, names. The possibility that an abuser who is still alive may still be abusing children will likely be an imperative to encourage an adult survivor of abuse to approach the police. At the right time this may prove to be part of the healing process as well as serve to protect current children. Where children are at risk every encouragement should be given to take action to prevent further harm and the spiritual director should seek supervision in deciding how to proceed. ³²	
Ministry of deliverance	
6.21 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 or carers. Parents may seek the assistance of clergy or other church members. Parish priests and others should consult the bishop and should note that most parish insurance policies do not cover deliverance ministry.	Only “should” consult the bishop? In such cases, referral to the bishop should be mandatory.
6.22 This is an area of ministry where particular caution needs to be	

³² The Stop It Now helpline provides a free confidential advice service to potential perpetrators and those concerned for them. Phone 0808 1000 900 or go to their website.

exercised, especially when ministering to someone who is in a disturbed state. The House of Bishops' guidelines on both healing and deliverance ministry ³³ should be followed and cases referred to the diocesan advisers when necessary; the advisers' special expertise should be used in order to help as effectively as possible those who think they need this ministry.	
6.23 The House of Bishops' guidelines on the deliverance ministry (1975) state:	
<i>The following factors should be borne in mind:</i>	
<i>It should be done in collaboration with the resources of medicine.</i>	
<i>It should be done in the context of prayer and sacrament.</i>	
<i>It should be done with the minimum of publicity.</i>	
<i>It should be done by experienced persons authorized by the diocesan bishop.</i>	
<i>It should be followed up by continuing pastoral care.</i>	
The House of Bishops' guidelines for good practice in the healing ministry (2000) state:	
<i>Deliverance. The House of Bishops' guidelines (1975) should be followed and diocesan advisers consulted when necessary.</i>	
<i>A Time to Heal, 327</i>	
6.24 The ministry of exorcism and deliverance should only be exercised by priests authorized by the bishop, who normally requires that permission be obtained from him for each specific exercise of such a ministry.	Is this a "should" or a "must" in terms of obtaining episcopal permission in each case, or is it left to individual dioceses? If so, where are the policies of individual dioceses published so that their clergy can know what the local rules are?
6.25 On occasions when exorcism and deliverance are administered, it is for the bishop to determine the nature of the rite and what form of words	

³³ See guidelines for good practice in both the healing ministry and the deliverance ministry in *A Time to Heal: A Contribution towards the Ministry of Healing*, Archbishops' Council 2000, and the associated handbook *A Time to Heal: The Development of Good Practice in the Healing Ministry: A Handbook*, Church House Publishing 2000.

should be used.	
6.26 If this ministry is sought in connection with a child the diocesan safeguarding children adviser must be involved and may need to ensure that a referral to the statutory authorities is made.	
6.27 It is advisable for diocesan safeguarding children advisers to make themselves known to the diocesan ministry of deliverance team in advance of any specific case to ensure that any cases arising are appropriately brought to notice. See also the government guidance, <i>Safeguarding Children from Abuse Linked to a Belief in Spirit Possession</i> , Department for Education and Skills, 2007.	
Children who have experienced abuse or trauma	
6.28 Many children experience a range of disturbing and possibly frightening or uncomfortable experiences. They often struggle to understand why it has happened, want to ask questions, not always needing answers, and at times want something to be done about the situation they find themselves in. These young people will turn to someone they trust – not always, in the eyes of adults, the most obvious person – and initially test them out as to their ability to accept and hear. Guidance is available to help adults to support young people who have experienced trauma. In some situations, referral to statutory authorities or additional specialist support will be necessary.	
Survivors of past abuse³⁴	
6.29 In the course of their work, many priests and those offering pastoral support in the Church will find themselves hearing disclosures from adults of	

³⁴ See also the chapter about ‘Care for Adult Survivors in the Church’, *Promoting a Safe Church: Policy for Safeguarding Adults in the Church of England*, House of Bishops, 2006.

abuse that happened to them when they were children.	
<p>6.30 There is no single, correct procedure for dealing with a disclosure of previous abuse by an adult. The wishes of the person disclosing abuse will be very important. For some adults, just being able to talk to a trusted person about the experiences can be a powerful healing event. The pastoral care of the person who has been abused should be a priority. The Church is to issue separate guidance on work with survivors.³⁵</p>	<p>Yet another sign that this document has been given scant attention by NST. 'Responding well', according to the footnote ³², was due to be published in 2011. It was, <u>and here it is</u>. There are telltale signs in many locations that this is a cut and paste production.</p>
<p>6.31 People who have committed sexual abuse against someone years ago could well be abusing children today. The individual survivor should be encouraged and supported to report the matter to the police if this has not already been done. A prosecution may or may not be possible.</p>	
<p>6.32 The survivor does also need to be made aware that if, the alleged abuser is known to be still working with children either in an employed or a voluntary capacity, a referral to the Local Authority Designated Officer (LADO) must be made. This can be either by the person hearing the complaint or disclosure or by the diocesan safeguarding children adviser – who must in any case be informed. If the alleged abuser is not working with children but caring for them, then either the person hearing the complaint or disclosure or the diocesan safeguarding children adviser should make a referral to children's social care. The timing of any such communication needs to be carefully judged in order to support the survivor on their journey of disclosure while if at all possible not creating a sense that all initiative has been removed from him or her completely. Professional support and consultation should always be obtained.</p>	<p>'Must report' makes a very rare appearance. Why here and nowhere else? It's a statement of intent unsupported by law, but failing to make a report in these circumstances might result in accountability being tested in the civil courts.</p> <p>If this partial commitment to refer is not complied with, there is a possibility that the church could be held to account failure to refer if civil action were taken.</p>
<p>6.33 In some cases the subject of the allegation may have died or proved untraceable. If the Church was involved in any way, the diocese will still need to examine its actions at the time and consider whether they were appropriate</p>	

³⁵ *Responding Well to Those Who Have Experienced Sexual Abuse* (working title), House of Bishops, forthcoming in 2011.

in the light of what was known and good practice. The police should be consulted in case there are links with potential abusers still living or other matters of concern. In all disclosures of past abuse, a record should be made and filed in an appropriate place.	
6.34 If a child comes to notice as having suffered abuse when younger, a referral will need to be made to the local authority children's social care service.	Passive voice. This is not a commitment to refer, unlike 6.32 above
Whistle-blowing	
6.35 To fulfil their commitment to safeguard and promote the welfare of children, all organizations that provide services for, or work with, children should have appropriate whistle-blowing procedures, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed. There should be particular awareness of the increased vulnerability of children in residential care, hospital settings or custodial establishments, but whistle-blowing applies in all contexts.	The Church seems not to understand that without law which requires and supports a member of the church to report known or suspected abuse, anyone who does is a whistleblower by default. Whistleblower protection offered by the Public Interest Disclosure Act 1998 is risible.
6.36 In addition to situations where there is a perceived risk, whistle-blowing may be necessary to highlight more general problems with unacceptable practice, performance or behaviour.	
6.37 The Public Interest Disclosure Act 1998 gives workers legal protection against being dismissed or penalized as a result of publicly disclosing certain serious concerns. While the Act does not provide the same protection for volunteers, churches should endeavour to adopt the same practice of protecting the whistle-blower that is outlined in the legislation.	Clergy and employees who report are all whistleblowers (see 6.35). The Public Interest Disclosure Act 1998 has little value as many who have blown the whistle can attest. There are so many ways to steer around PIDA. The point is also missed that mandatory reporting requires a report to be made and in so doing supports and protects and provides legal immunity to the reporter. This leads to culture change. To whistleblow – one has to go 'rogue.'
6.38 Volunteers and members of a congregation should be encouraged to acknowledge their individual responsibility to bring matters of unacceptable practice, performance or behaviour to the attention of the incumbent,	Passive voice. The Church expects reporters and staff to be hero's and report suspicions of abuse. Empirical research clearly reveals the significant

churchwarden, parish safeguarding children co-ordinator, or a member of the PCC. Alternatively, the diocesan safeguarding children adviser or the bishop can be contacted.	underreporting when one places reliance on whistleblowing.
Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers (Replaces previous Chapter 7) <i>Footnote numbering restarts.</i>	<p>CofE child protection seems to be driven by a conviction that the bigger the policy the more credible it is. It's the opposite in reality.</p> <p>Here is a policy example from the financial world which is given to all front line practitioners from a very large company. It could not be clearer. This is mandatory reporting in action. It saves thousands of meaningless words used in safeguarding which seem designed to conceal the absence of a functioning protocols.</p>
The guidance is underpinned by the Children Act 2004 (section 11); the Care Act 2014, the Church of England's safeguarding policy statement, ' <i>Promoting a Safer Church</i> ' and ecclesiastical law. This includes the Safeguarding and Clergy Discipline Measure 2016, Safeguarding (Clergy Risk Assessment) Regulations 2016, the Diocesan Safeguarding	Once again this is an attempt to convince the reader this policy, and the many accompanying pages of supplementary documents and protocols, are credible despite the absence of any statutory obligation on any church officer to report even the witnessed rape of a child.
Advisors Regulations 2016 and the Diocesan Safeguarding Advisors (Amendment)	
Regulations 2017. It offers the Church's procedure for dealing with safeguarding concerns or allegations against church officers who have a role with children, young people and/or vulnerable adults. As part of this it aims to use and adapt for the Church context established models of risk assessment from statutory and specialist agencies. It also includes the risk assessment and management of those that may pose a known risk to children, young people or vulnerable adults within a Christian congregation or community.	
It updates and replaces ' <i>Responding to Serious Safeguarding Situations relating to Church Officers Practice Guidance May 2015</i> ' and ' <i>Risk Assessment Practice Guidance May 2015</i> '.	

It also updates and replaces Chapter 7 ‘Managing Allegations against Church Officers’ ,Chapter 8 ‘Suspected abusers and known offenders’ and ‘the model agreement with offender’ of <i>Protecting All God’s Children 2010</i> .It also updates and replaces parts of <i>Promoting a Safe Church 2006</i> , that relates to concerns or allegations against church officers.	After all these Regulations, guidance and CDM’s – it’s still discretionary to report known or suspected abuse.
Who is the guidance for?	
This practice guidance is for use by diocesan and provincial advisers ¹ , members of the National Safeguarding Team, archbishops, bishops, deans and their senior staff and those fulfilling the other identified roles in this guidance (see section 1. Roles and responsibilities	
of safeguarding personnel in relation to responding to, assessing and managing safeguarding concerns or allegations).	
It applies to all Church Bodies ² and church officers ³ .This particularly relates to church officers who have a role in relation to children, young people and/or vulnerable adults.	
Under section 5 of the Safeguarding and Clergy Discipline Measure 2016 ⁴ , all authorised clergy, bishops, archdeacons, licensed readers and lay workers, churchwardens and PCCs must have ‘due regard’ to safeguarding guidance issued by the House of Bishops. A duty to have ‘due regard’ to guidance	‘Due regard’ has been failing Regulated Activities for decades. It is a hologram that misleads most into believing something credible exists. Section 5 of CDM is similar to having professional standards just like those which exist both in healthcare and teaching. Professional sanction is important, but even more

¹ The Diocesan Safeguarding Adviser (DSA) is a paid worker who is professionally qualified and experienced in safeguarding practice. They advise and support the diocese on all safeguarding matters. In this guidance the term may also apply to a Provincial Safeguarding Adviser (PSA) and members of the National Safeguarding Team (NST). In addition, other Church bodies have safeguarding officers, safeguarding leads or a designated/nominated safeguarding person. These roles may either be specialist paid roles, part of a wider paid role or unpaid, as required. This guidance reinforces that all concerns or allegations in relation to church officers need to be reported to the DSA.

² Church Bodies includes PCCs, diocesan bodies, cathedrals, religious communities, theological educational institutions and the National Church Institutions. This practice guidance will apply to the whole of the provinces of Canterbury and York (including the diocese in Europe subject to local variations/modifications). There is also an expectation that the guidance will apply to the Channel Islands and Sodor and Man unless there is specific local legislation in a jurisdiction that would prevent adoption.

³ A “church officer” is anyone appointed/elected by or on behalf of the Church to a post or role, whether they are ordained or lay, paid or unpaid.

⁴ The Safeguarding and Clergy Discipline Measure 2016 applies to the whole of the provinces of Canterbury and York (including the Diocese in Europe subject to local variations/modifications), except for the Channel Islands and Sodor and Man. To extend the 2016 Measure to the Channel Islands or Sodor and Man legislation will need to be passed by the relevant island jurisdictions in accordance with section 12 of that Measure.

means that the person under the duty is not free to disregard it but is required to follow it unless there are cogent reasons for not doing so ('Cogent' for this purpose means clear, logical and convincing). Failure by clergy to comply with the duty imposed by the 2016 Measure may result in disciplinary action.	important is a clear and properly functioning child protection policy which is grounded on statutory legislation requiring employees and staff of the Regulated Activity to report known and suspected child abuse to the statutory authorities. This law also provides legal immunity to the reporter. It is very challenging to report a suspicion – it's the 'what if I am wrong' challenge and as empirical research reveals, whistleblowing leads to significant under-reporting . Professional sanction for failing to report abuse without a clear demand to report cannot function with reliance. Furthermore, professional sanction is in the control of the Regulated Activity in question, it's often unreliable, and far is weaker than mandatory reporting.
This duty applies to this practice guidance.	
The Ecclesiastical Insurance Group has made it clear that their insurance cover is only valid where national safeguarding policy and practice guidance is being followed.	The Church could easily state that all such incidents <u>must</u> be referred to the LADO / Children's services for independent assessment. There is nothing to stop it. Instead the Church adheres to 'statutory guidance' which says referrals ' <i>should</i> ' happen. See page 76 at highlighted points.
This guidance is supported by 8 Appendices which provide good practice reference material and templates.	Eight Appendices. While Mandate Now appreciates this documentation is directed towards Diocesan Safeguarding Advisers, the thrust of the National Safeguarding Team seems to be the production of paper. Here is the recently amended CofE safeguarding website . It consists of paper, paper and yet more paper. Just look at the policy and practice guidance tab. The NST seems to believe that volume equals credibility. The reality is the opposite. Here for example is documentation given to frontline staff in a financial services company in support of their mandatory legal obligation to report suspected money laundering. It's concise and clear. Staff also receive accredited training in support of the law and their obligations. The legal requirement to report suspected money laundering is contained in the PROCEEDS OF CRIME ACT 2002 – SECTION 330 . The existence of law aids brevity.

	<p>Unless reports of suspected crime are made to people independent of the CofE, and who are in a position to stop it, nothing will change. Policies need to be simple.</p> <p>In contrast to church documents, complex Civil Aviation protocols and technical manuals concentrate on brevity, clarity, supported by accredited training which safeguarding does not have. As a result it has the best safety record of any publicly available safety critical service. None of these characteristic are present here.</p>
When this guidance should be used:	
Despite all efforts to recruit and /or appoint and /or elect safely there will be occasions when safeguarding concerns or allegations against church officers, who have a role in relation to children, young people and /or vulnerable adults, are raised.	
Where there is a concern or allegation that a church officer, has:	
<ul style="list-style-type: none"> Behaved in a way that has harmed a child, young person and/or vulnerable adult, or may have harmed a child, young person and/or vulnerable adult; 	
<ul style="list-style-type: none"> Possibly committed a criminal offence against or related to a child, young person and/or vulnerable adult; 	
<ul style="list-style-type: none"> Behaved towards a child, young person and/or vulnerable adult in a way that indicates they may pose a risk of harm to children, young people and/or vulnerable adults⁵ 	
These behaviours should be considered within the context of the main categories of abuse (see guidance on categories of abuse). These include concerns relating to:	
<ul style="list-style-type: none"> Domestic Abuse; 	

⁵ These bullet points reflect the statutory guidance in Working Together to Safeguard Children March 2015 para 4. Chapter 2. Please note that 'Keeping Children Safe in Education September 2016' has a different wording in the third bullet.

<ul style="list-style-type: none"> • 'Grooming', i.e. meeting a child or young person under 16 with intent to commit a relevant offence (see s15 Sexual Offences Act 2003,); 	
<ul style="list-style-type: none"> • Other 'grooming' behaviour giving rise to concerns of a broader child/adult protection nature e.g. inappropriate text / e-mail messages or images, gifts, socialising etc.(see s67 Serious Crime Act 2015); 	
<ul style="list-style-type: none"> • Possession of indecent photographs / pseudo-photographs of children or young people. 	
<p>This guidance should always be followed when information about a safeguarding concern or allegation against a church officer, who has a role in relation to children, young people and/or vulnerable adults is received, irrespective of how information comes to light (for instance, through review of files; media contact; information from an alleged victim/survivor; information from a statutory agency; report from a local church).</p>	<p>What kind of a commitment is “<i>should always be followed</i>”? “<i>Always</i>” suggests no discretion but “<i>should</i>” allows discretion. The phrase is an oxymoron.</p>
<p>The language used for complainants and those complained against is always a sensitive issue. This guidance will usually be needed before there have been any findings in criminal, civil or disciplinary proceedings. At this stage there will be people who have made complaints (referred to as safeguarding concerns or allegations in this guidance) and people against whom complaints have been made. Both victims/survivors and respondents will at this stage be alleged victims/survivors and alleged respondents. For ease of reference this guidance will use the terms ‘victims/survivor’ and ‘respondent’ without presupposing the accuracy of the complaint. These should be regarded as neutral terms that do not imply the innocence or guilt of either party.</p>	
<p>The language employed to describe those who have suffered abuse is always a sensitive matter. Few would want to be defined by an experience or experiences from their past. However, they have been <i>victims</i> and that fact must not be lost in concern about correct language. At the same time, many have moved on as far as they are able and would be better described as survivors. An episode or series of episodes should not be regarded as the</p>	

defining moment of their lives and of who they are, however much it has dramatically and tragically influenced and shaped their lives. As far as possible in this document we have used victim/survivor in an attempt to capture the complexity of the issue.	
The term ' respondent ' is used for the person about whom a safeguarding concern or allegation has been made. This should not be confused with the term 'respondent' that is used under the Clergy Discipline Measure to describe the person who is the subject of a complaint.	
The Diocesan Safeguarding Adviser (DSA) is a paid worker who is professionally qualified and experienced in safeguarding practice. They advise and support the diocese on all safeguarding matters. In this guidance the term may also apply to a Provincial Safeguarding	
Adviser (PSA) and members of the National Safeguarding Team (NST). In addition, other Church bodies may have safeguarding officers, safeguarding leads or a	
designated/nominated safeguarding person. These roles may either be specialist paid roles, part of a wider paid role or unpaid, as required.	
This guidance reinforces that all concerns or allegations in relation to church officers need to be reported to the DSA. There may be situations, in relation to other church bodies who have a professional safeguarding adviser, where agreement will need be reached about who is placed to lead on the Churches response ⁶ . To support this approach it is expected that Diocese's should have clear and agreed safeguarding arrangements in place with other Church bodies which operate within the diocese, including a cathedral, any religious communities and TEIs.	<p>Interesting that the policy says a concern 'must' be reported to the DSA - but the same insistence does not apply to reporting to the LADO.</p> <p>Why not reported to the independent LADO (Local Authority Designated Officer) simultaneously?</p>
Please see the glossary reference document for further details that apply to all terms in the document.	

⁶ For instance where a cathedral has a paid professional safeguarding adviser or the nominated safeguarding lead in a TEI. In these situations the DSA should be kept informed of progress and outcome.

If concerns arise about the person's behaviour to her/his own children, partner or other family members, the relevant statutory agencies must consider informing the employer / organisation to assess whether there may be implications for children, young people and/or vulnerable adults with whom the person has contact at work. This would involve those statutory agencies informing the Church, in which case this procedure will apply.	
Concern or allegation of past or non-current (historical) abuse should be responded to in the same way as contemporary ones. In such cases, it is important to find out whether the person against whom the concern or allegation is made is still working with children, young people and/or vulnerable adults and if so, to inform the person's current body for whom they work or other voluntary organisation or refer their family for assessment.	Why not use the term 'non recent' abuse. "Historic" is used without hindrance even in court; its use prejudices a complainant by time discounting the abuse of a child; it distances the institution / perpetrator from the crime; and in consequence it potentially promotes a subliminal reduction in the importance of the crime.
If staff are uncertain about whether the matter is a safeguarding concern or allegation or whether the respondent is a 'church officer' who has a role with children, young people and/or vulnerable adults, advice should be sought from the Diocesan Safeguarding Adviser (DSA); if they are in doubt, they should take advice from local Children or Adults Services, from the National Safeguarding Team and/or the registrar.	The LADO is used by most other Regulated Activities as a source of independent advice. This policy keeps the 'concern' in house and the LADO unmentioned. It reveals the cultural concern.
Anyone receiving information about or observing a safeguarding concern or allegation, where a child, young person or vulnerable adult is in immediate danger or requires immediate medical attention must call the emergency services on 999. <u>Do not delay.</u>	The church's conditional and discretionary referral to the police or ambulance (medical attention mentioned) becomes mandatory but only if a child is in immediate danger. What is the reason for having a conditional discretionary referral for suspected child abuse?
If at any point during the process, of responding to, assessing or managing a safeguarding concern or allegation, information comes to light which suggests a child, young person and/or vulnerable adult is at risk of harm, the referral to the statutory agencies should not be delayed.	Still a conditional discretionary referral to the statutory authorities in the event of 'significant harm.' 'Should' not be delayed, does not mean 'refer it.'
What does the guidance provide?	
The overarching aim of this practice guidance is to ensure that the Church has in place a fair process for responding to safeguarding concerns or allegations	

against a church officer who has a role with children, young people and/or vulnerable adults. When a safeguarding concern or allegation is raised, a system of support and monitoring for those subject to concerns or allegations or who present a risk of harm to children, young people and/or vulnerable adults (referred to from this point as the respondent) is provided.	This is 'Practice guidance ', and therefore discretionary
This guidance provides the process to be followed when information is received about a safeguarding concern or allegation, including:	
- clear roles and responsibilities of safeguarding personnel in relation to responding to safeguarding concerns or allegations;	
- initial response to the concern or allegation;	
- immediate response to ensure safety, including making sure arrangements are in place to inform the respondent, when appropriate, that an allegation has been received about them, and a procedure for deciding whether an Interim Safeguarding Agreement needs to be put in place;	
- immediate reporting and collaboration with statutory agencies;	There is no church-initiated mandated requirement to report to the statutory agencies in this document – only conditional discretionary guidance to report viz: <i>“where a child, young person or vulnerable adult is in immediate danger or requires immediate medical attention must call the emergency services on 999. <u>Do not delay.</u>”</i>
- identification of the risk assessment and management process, and the procedures for carrying them out;	
- risk assessment and management of those that may pose a known risk to children, young people and/or vulnerable adults within a Christian congregation or community;	
- management of the safeguarding situation; - action required following a statutory investigation; - review of process and learning from the situation.	

<p>This guidance recognises that there are additional approaches to be considered when responding to concerns or allegations that relate to someone who is deceased. An addendum to this guidance is being developed to address this specialist situation.</p>	<p>Yet more guidance is coming from the NST. The NST's addiction to producing paper knows no bounds. <u>The church personnel are buried in a blizzard of safeguarding policies and protocols</u> which are incapable of delivering safeguarding on which reliance can be placed. It's disorienting. One could mistakenly think it has been designed specifically to confuse. Inconsistencies, errors and contradictions pepper the document. It is an extraordinary achievement for all the wrong reasons.</p>
What does the guidance not address?	
This guidance does not:	
<ul style="list-style-type: none"> Provide detail on the timescale in which the entire process will be completed as this is different in all cases. However, there are some specific points within the process where time frames are discussed. 	
<ul style="list-style-type: none"> Provide a format for assessing activities or projects – for example, the health and safety risk assessment that is required before taking a youth group away for a residential weekend. These assessments, which are required in many and widely varied settings, 	
are the responsibility of local church officers and use a different process and model of assessment ⁷ .	
<ul style="list-style-type: none"> Cover responding to safeguarding concerns or allegations that do not relate to church officers.⁸ 	Why does the reader have to look elsewhere for this information? A concise policy, in one place without reliance on hyperlinks is essential.
<ul style="list-style-type: none"> Provide detail on how to respond well to victims or survivors; this can be found within the <u>Responding Well to Survivors of Sexual Abuse</u> practice 	

⁷ Safer Environment and Culture Practice Guidance (this will be publicised in 2018). This will replace the current guidance in Protecting All God's Children 2010 chapter 5.

⁸ . This can currently be found in Protecting All God's Children 2010 chapter 6. This will be replaced by 'Responding to safeguarding concerns or allegations practice guidance' which is currently planned to be publicised in 2018.

guidance and <u>Responding Well to Domestic Abuse 2017</u> practice guidance ⁹ .	
Where to find the Policy	
It will be distributed via email to all dioceses, cathedrals and other Church bodies. The most up to date version of the policy, model templates and the associated practice guidance, will always be available on the Church of England website ¹⁰ .	
News of updates will be included in information, circulated by the National Safeguarding Team.	
Relevant information will be updated online, where the policy and associated practice guidance can be downloaded easily for local use, so that it is not necessary to supply large quantities of printed papers, which can become out of date all too quickly.	
For those who do not have access to the internet, hard copies of the policy and associated documents can be supplied via their Diocesan Safeguarding Team	
1. Roles and responsibilities¹¹ of safeguarding personnel in relation to responding to, assessing and managing safeguarding concerns or allegations	
Safeguarding is everyone's responsibility; it is essential to flourishing Christian communities and evidenced through good pastoral care. In the first instance, it is everyone's responsibility to hear a safeguarding concern or allegation.	
The Training and Development Framework 2017 outlines the requirements for safeguarding training for all of the roles listed within this section. Diocesan, National, Cathedral and Theological Educational Institution representatives at	Mandate Now needs to point out that no accreditation scheme either for training companies or trainers exists in the UK. This has produced infinitely

⁹ Additional guidance can be found in Promoting a Safer Church 2006.

¹⁰ [Safeguarding Policy Statements & Practice Guidance](#)

¹¹ Please note that this section aligns with Key Roles and Responsibilities of Church Office Holders and Bodies Practice Guidance.

Core Groups are all required to attend the C4 Senior Staff training which covers the functions of Core Groups in managing safeguarding concern or allegations.	variable standards of delivery that cannot be relied upon. During a meeting with the NSPCC in June 2015 we suggested a Safeguarding Training Association comprising individuals and companies to establish consistency of delivery and drive standards up. Reasons why were highlighted in our subsequent letter to the NGO to which we received an acknowledgement but no substantive reply.
1.1 The Diocesan Bishop or Archbishop of the Province¹²	
In certain circumstances, the Bishop may delegate these functions pursuant to section 13 of the Dioceses, Pastoral and Mission Measure 2007 by instrument subject to the approval of the diocesan synod (unless a matter is urgent in which case the bishop can seek the approval of the bishop's council and standing committee of the diocesan synod). Delegation may be to a suffragan bishop and/or assistant bishop. In addition the diocesan bishop may ask someone to carry out safeguarding tasks on his/her behalf e.g. an archdeacon. The ultimate responsibility, however, will always rest with the diocesan bishop.	
The diocesan bishop or archbishop of the Province's responsibilities are:	
<ul style="list-style-type: none"> To ensure that appropriate personnel and procedures are in place to recognise and respond to safeguarding concerns or allegations; 	
<ul style="list-style-type: none"> To report any concerns or allegations against a church officer to the DSA immediately when any disclosure or information is received or known¹³ 	
<ul style="list-style-type: none"> To ensure that the diocese has clear and agreed safeguarding arrangements in place with other Church bodies which operate within the diocese, including a cathedral, any religious communities and TEIs. 	
<ul style="list-style-type: none"> To remain distant from the process, in case of needs for intervention in the 	

¹² These responsibilities will be fulfilled by the diocesan bishop unless that Bishop is compromised by the safeguarding concern or allegation being dealt with in which case the relevant archbishop will perform these functions. Safeguarding issues that arise in cathedrals (and specifically 'ancient foundation' ones) are the legal responsibility of the cathedral chapter. The **dean** would normally carry out these functions apart from where the bishop or archbishop is obliged under legislation. In these matters the dean would have to liaise with the bishop.

¹³ The principle is that the professional safeguarding adviser should report all concerns or allegations to the statutory services and not be prohibited in this course of action in accordance with the Diocesan Safeguarding Advisors (Amendment) Regulations 2017. If there is a disagreement between the Bishop and DSA about how to proceed the matter should be discussed with the chair of the DSAP. If a disagreement is still not resolved advice should be sought from the National Safeguarding Team. All disagreements should be recorded in the case notes. Any disagreement should not delay reporting to the statutory agencies.

event of disciplinary action; claims made against the Church; or pastoral breakdown. The information they receive must be such that it does not compromise any future role they must play;	
<ul style="list-style-type: none"> To ensure that a diocesan safeguarding adviser is appointed to manage the case, the Core Group has an appropriate chair (see section 1.6.1) and a link person (see section 	
1.5) is appointed following consultation with the respondent, to support them;	
<ul style="list-style-type: none"> To ensure that the care of the victim/survivor and the respondent follows both secular and ecclesiastical legislation and guidance. This includes: 	
<ul style="list-style-type: none"> - ensuring that all appropriate support and information is offered to the victim/survivor who has disclosed that they have been abused and, as required, to their families; and 	
<ul style="list-style-type: none"> - ensuring that all appropriate support and information is offered to the respondent (including spiritual guidance and pastoral support) and, as required, to their families. 	
<ul style="list-style-type: none"> To consult the DSA and such other persons as the bishop considers appropriate before suspending a priest or deacon on the grounds that the cleric presents a significant risk of harm (s36(2B) CDM)¹⁴; 	
<ul style="list-style-type: none"> To seek advice from the registrar before suspending a priest or deacon when an application is made by a complainant to the president of tribunals for permission to make a complaint out of time (s36A CDM)¹⁵; 	
<ul style="list-style-type: none"> To suspend a licensed reader or lay worker under Canon E 6.3C and Canon E 8.5C respectively pending a decision on whether to revoke the licence but must consult the registrar before doing so (see Canon E 6.3D and Canon E 6.5D). 	

¹⁴ Equivalent provisions apply where an archbishop is considering suspending a Bishop in similar circumstances as above (s36(6) and s37A CDM);

¹⁵ Equivalent provisions apply where an archbishop is considering suspending a Bishop in similar circumstances as above (s36(6) and s37A CDM);

1.2 Diocesan Safeguarding Adviser (DSA)¹⁶	
The specific functions of the role of the DSA are set out in the Diocesan Safeguarding Advisors Regulations 2016, in relation to the responsibilities listed use has been made of regulation 4 (1, o) ¹⁷ .	
The DSA is responsible for:	
<ul style="list-style-type: none"> Receiving safeguarding concerns and allegations; 	When they are volunteered on a discretionary basis to the DSA
<ul style="list-style-type: none"> Referring safeguarding concerns and allegations to statutory agencies where the requirement for reporting is met; 	<p>Who decides if the reporting requirement is met?</p> <p>Abuse should be reported even if person is deceased to enable investigation and effective protection. The Church must refer suspicions on reasonable grounds, it is then the decision of the statutory investigation team and their assessment which will consider possible associates, Alleged abusees may wish to make a claim to the Criminal Injuries Compensation Authority, which is further reason for DSA to refer known and suspected abuse.</p>
<ul style="list-style-type: none"> Instigating all internal enquiries and liaising with statutory agencies – e.g. Police and social care teams; 	
<ul style="list-style-type: none"> Attending meetings as requested by the statutory agencies; 	Assuming a consultation with the LADO has happened / or a referral been made. The church does not make an unconditional commitment to do either.
<ul style="list-style-type: none"> Preparing reports as required for: 	
<ul style="list-style-type: none"> - Core Group meetings; - statutory agencies; 	
<ul style="list-style-type: none"> - any other safeguarding personnel. 	

¹⁶ This also applies to provincial safeguarding advisers and professional safeguarding staff who are members of the National Safeguarding Team.

¹⁷ Diocesan Safeguarding Advisors (Amendment) Regulations 2017.

<ul style="list-style-type: none"> • Convening and offering expert advice to the Core Group. Some diocese have a safeguarding team. In these situations the core group may be chaired by the DSA if another member of the safeguarding team is the case worker; 	
<ul style="list-style-type: none"> • Sharing information with statutory agencies in relation to the concern or allegation, or any other assessment process concerning the respondent and their family; 	
<ul style="list-style-type: none"> • Completing the Internal Church Investigation where one is required (see section 3.3); 	
<ul style="list-style-type: none"> • Keeping a complete safeguarding record, and to be the source of all safeguarding information for the diocese. Records need to be stored appropriately and securely in accordance with best practice in record keeping – see Safeguarding Records Practice Guidance; 	This is a broken link in the CofE document – see here
<ul style="list-style-type: none"> • Maintaining ongoing contact with all members of the core group outside of meetings, and maintaining close liaison with the chair, if different, bishop or archbishop’s representative and the director of communications; 	
<ul style="list-style-type: none"> • Ensuring the victim/survivor is offered support from a support person (see section 1.4). Where they accept this offer, ensuring that the needs of the victim/survivor are fully recognised and acknowledged throughout the safeguarding process, as set out in this guidance; 	
<ul style="list-style-type: none"> • Ensuring information regarding contact with the victim/survivor is recorded and stored appropriately in the case file; 	
<ul style="list-style-type: none"> • Keeping the diocesan bishop updated regarding the risk assessment process and liaising with the link person to ensure support, advice and pastoral care is offered to the respondent. If the respondent raises safeguarding concerns with the link person, the DSA must ensure these are passed on to the statutory agencies; 	
<ul style="list-style-type: none"> • Ensuring appropriate and independent support, advice and pastoral care is offered to the link person; 	
<ul style="list-style-type: none"> • Liaising regularly with both the link person and support person; 	

<ul style="list-style-type: none"> Ensuring that the voice of both the victim/survivor and the respondent is heard throughout the process; 	
<ul style="list-style-type: none"> Attending the initial meeting with the respondent (see section 3.3) 	
<ul style="list-style-type: none"> In relation to clergy risk assessment, advising the bishop on suitable appointment of a risk assessor (regulation 3 (5))¹⁸; 	
<ul style="list-style-type: none"> In relation to clergy risk assessment, where the bishop appoints a risk assessor - preparing the terms of reference for the assessment in consultation with the diocesan registrar and submitting them to the bishop for approval (regulation 4 (1)); 	
<ul style="list-style-type: none"> In relation to clergy risk assessment, ensuring the terms of reference are shared with the appointed assessor (regulation 4 (2a)) together with any other information which is relevant to the assessment (regulation 4 (2b)); 	
<ul style="list-style-type: none"> In relation to standard (non-clergy) risk assessments, either carrying out the assessment or making the arrangements for it to be carried out; 	
<ul style="list-style-type: none"> Monitoring respondents subject to Safeguarding Agreements¹⁹ (see section 3.6 and section 6.1) or, with the diocesan bishop, appointing a suitable person to carry out this role; 	
<ul style="list-style-type: none"> Reviewing Safeguarding Agreements at regular intervals (depending on the assessed needs and the level of risk) in conjunction with other key people involved and/or the statutory agencies; 	There must be a minimum time between each review with the policy dated and signed on completion with the name of the person who undertook the review and their position.
<ul style="list-style-type: none"> Notifying the National Safeguarding Team of all allegations of abuse and investigations in relation to all clergy, including bishops, individuals with high national profile, or complex inter-diocesan cases and of all commissioned independent risk assessments. This notification should include: the respondent's details, a summary of the nature of the concern or allegation and an overview of the case management as a minimum. The 	Again – no timeframe within which the NST 'should' be notified on the specified conditional and discretionary basis. No mention of statutory agencies.

¹⁸ Safeguarding (Clergy Risk assessment) Regulations 2016.

¹⁹ Both Interim and Ongoing Safeguarding Agreements, for definitions see glossary reference document.

notification should be sent to the national casework manager by an appropriate method of communication (telephone or email).	
The DSA is NOT a support person to the victim/survivor, nor are they a link person for the respondent.	
1.3 Archdeacon	Mandate Now has not reviewed each of these roles – rather commented occasionally on standout items.
The archdeacon's role is to:	
• Work closely with the DSA on the day to day management of issues around the allegation, as required;	
• Attend core group meetings;	
• Attend Local Authority strategy meetings as required;	
• Attend/chair parish meetings as required;	
• Keep any assistant or area bishop informed of implications for pastoral oversight;	
• Support the Incumbent when their parish is affected by a concern or allegation (where the incumbent is subject to a safeguarding concern or allegation or where the incumbency is vacant (i.e. there is an interregnum), the archdeacon would support the churchwardens);	
• Ensure the PCC is implementing good safeguarding practice and following the decisions of the core group.	
1.4 Support Person	
A support person will be offered to all victims/survivors.	Does "Will be" mean "must be?" Who is responsible for doing the offering?

<p>The support person may be an authorised listener²⁰ specifically trained to hold this role or in appropriate cases a Bishops Visitor²¹. A member of clergy or a holder of the bishop's licence may be among those able to undertake this role as they are already trained in pastoral care – they will however, still be required to undertake further specific training to hold this role. No-one directly involved in the management of the case, or who may be required to give evidence in any court proceedings, should be directly supporting the victim/survivor, since their roles or their status may be compromised.</p>	<p>Footnote 20 is the church document is a broken link as you can see here. Footnote 21 in the church document is a broken link as you can see here. Here is a link to the Church of England publication : - <u>Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers</u> .</p> <p><u>Use of hyperlinks in safety critical documents is very unwise. Broken links in safety critical policies are unacceptable.</u></p>
<p>Victims/survivors who are children or young people will require specialist support; under advice from Children's Services, the child or young person should be referred to a professional agency qualified to provide such support.</p>	
<p>The particular role the support person plays must be agreed in consultation with the victim/survivor. The support person, provided the victim/survivor agrees, could be responsible for the following matters:</p>	
<ul style="list-style-type: none"> • Liaising (which could include attending any meetings) with the statutory agencies to provide support to the victim/survivor, the support person is not the victim/survivors advocate at any meeting they attend; 	
<ul style="list-style-type: none"> • Listening to and representing the victim/survivor's pastoral needs; 	
<ul style="list-style-type: none"> • Identifying any therapeutic or other needs the victim/survivor may have, and offering choices as how these may be best met; 	
<ul style="list-style-type: none"> • Listening to and representing the victim/survivor's views during the management of the safeguarding concern or allegation; 	
<ul style="list-style-type: none"> • Recording any meetings or contact they have with the victim/survivor and passing on relevant information (e.g. to prevent/protect others from harm, any further information supplied in relation to the safeguarding concern or allegation) to the DSA as appropriate, this should be made clear from the outset of the relationship. Records of meetings would include dates, times, 	

²⁰ Responding Well to Those Who Have Been Sexually Abused.pdf page 6

²¹ This would apply in a case that relates to domestic abuse please see [Responding Well to Domestic Abuse 2017.pdf](#)

locations and an overview of the meeting rather than a specific and detailed account.	
Where the victim/survivor accepts the offer of a support person a written description of the support person's agreed role and responsibilities should be provided to the victim/survivor at the commencement of such an arrangement. This may be a copy of the role as described in this guidance, or may be a specifically written description based upon what is agreed between the victim/survivor and the support person.	
The support person will not be responsible for managing the case and will pass on written records to the DSA.	
The support person is NOT the confidant of the victim/survivor. They must be bound by a responsibility to disclose to the appropriate authorities (e.g. the Police, DSA etc.) where:	
<ul style="list-style-type: none"> Others are at risk of harm; 	
<ul style="list-style-type: none"> The victim/survivor makes disclosures of intentions to hurt themselves; 	
<ul style="list-style-type: none"> Safeguarding information is shared to assist in the prevention, detection or prosecution of a crime. 	
It is important to recognise and to acknowledge where others may still be at risk, the Police (and possibly Children's / Adult's Services or the Local Authority) will need to be informed. If they are unsure whether to share information they should seek advice from the DSA and/or diocesan registrar.	
The support person will NOT attend core group meetings.	
All support persons must attend a local training programme which introduces and explains their role.	
1.5 Link Person	
A link person will be offered to all respondents who are church officers.	Does "will be" mean "must be"? Who does the offering?
The link person may be a senior member of clergy (where the respondent is in ministry), including retired clergy, e.g. a suffragan bishop, honorary (assistant)	

bishop, provincial episcopal visitor, archdeacon or area dean or an individual specifically trained in pastoral care. No-one directly involved in the management of the case, or who may be required to give evidence in any court proceedings, should be directly supporting the respondent, since their roles or their status may be compromised.	
Respondents who are children or young people will require specialist support. In consultation with the DSA advice should be sought from Children's Services and the child or young person should be referred to a professional agency qualified to provide such support.	
1.5.1 The Role	
A link person should be particularly alert to the sense of isolation and vulnerability which the respondent may experience.	
The link person is responsible for:	
<ul style="list-style-type: none"> • After agreement with the respondent - attending the initial meeting with the respondent, the DSA and the diocesan bishop's appointed representative to support them, keep them informed of the progress of their case, and direct them to counselling and support as necessary; 	
<ul style="list-style-type: none"> • Assisting the respondent to access advice in relation to both criminal and ecclesiastical law; 	
<ul style="list-style-type: none"> • Considering the respondent's family's wishes (when not the victim/survivor) regarding a pastoral response by the Church to them; 	
<ul style="list-style-type: none"> • Identifying with the respondent any therapeutic or other needs they have, and offering choices as to how these may be best met; 	
<ul style="list-style-type: none"> • Monitoring compliance with Safeguarding Agreements if this is an agreed part of their role (see section 6.1); 	
<ul style="list-style-type: none"> • Recording any meetings or contact they have with the respondent and passing on relevant information to the DSA as appropriate, this should be made clear from the outset of the relationship. They will not be responsible for managing the file but will pass on written records to the DSA as appropriate, during regular meetings with them. Records of meetings 	

would include dates, times, locations and an overview of the meeting rather than a specific and detailed account.	
The link person is NOT the confidant of the respondent. They must be bound by a professional responsibility to disclose to the appropriate authorities (e.g. the Police, DSA etc.) where:	
<ul style="list-style-type: none"> Others are at risk of harm; 	
<ul style="list-style-type: none"> The respondent makes disclosures of intentions to hurt or harm either themselves or others; 	
<ul style="list-style-type: none"> The respondent makes disclosures of their guilt, or not, in the matter being investigated; 	
<ul style="list-style-type: none"> Safeguarding information is shared to assist in the prevention, detection or prosecution of a crime. 	
It is important to recognise and to acknowledge where others may still be at risk, the Police and possibly Children's / Adult's Services or the Local Authority will need to be informed.	
If the link person is unsure about whether they can share information, they should seek advice from the DSA and/or diocesan registrar.	
1.5.2 Clarity about the Role	
The link person is not:	
<ul style="list-style-type: none"> A counsellor for the respondent and should not act in that role; 	
<ul style="list-style-type: none"> A spiritual guide for the respondent; 	
<ul style="list-style-type: none"> An advocate for the respondent; 	
<ul style="list-style-type: none"> A core group member. 	
The link person (where they are clergy) should not take confession from the respondent; The link person does not manage the case file and will not have access to it.	
Where the respondent accepts the offer of a link person a written description of	

the link person's role and responsibilities should be provided to the respondent at the	
commencement of such an arrangement. This may be a copy of the role as described in this guidance, or may be a specifically written description based upon what is agreed between the respondent and the link person.	
1.5.3 Frequency of Meetings	
The frequency of contacts/meetings should be agreed between the respondent and the link person.	
1.5.4 Storage of Records	
Information regarding meetings between the link person and the respondent must be stored safely and securely in accordance with Safeguarding Records Practice Guidance 2015.pdf . Records of the meetings that have taken place and any relevant safeguarding issues that have arisen must be forwarded to the DSA for placing in the safeguarding file.	In the Church document this link is broken – 'Safeguarding records practice 2015' link is broken as you can see here
1.5.5 Support and Supervision	
Regular contact, as determined between the link person and the DSA, should take place to enable the DSA to keep up to date with the needs and requests of the respondent. The DSA should offer the link person access to appropriate welfare support to ensure their wellbeing and pastoral needs are met and supervision to allow the link person to receive feedback on their role. If necessary, external welfare support for the link person should be used if appropriate.	
1.6 Core Groups	
Every safeguarding concern or allegation involving a church officer should be managed by a defined core group, convened for the specific situation (see section 3.1).	
The purpose of the core group is to oversee and manage the response to a safeguarding concern or allegation in line with House of Bishops' policy and practice guidance, ensuring that the rights of the victim/survivor and the	

respondent to a fair and thorough investigation can be preserved.	
1.6.1 The Chair of the Core Group:	
The chair of the core group is responsible for:	
<ul style="list-style-type: none"> Establishing membership of the group, ensuring all appropriate parties are present - discretion should be exercised as to the necessary and proportionate involvement of parties. Where more than one diocese is involved, ensuring relevant membership and communication is arranged; 	
<ul style="list-style-type: none"> Defining the roles and responsibilities of its members through the process; 	
<ul style="list-style-type: none"> Ensuring policy and practice guidance is followed; 	
<ul style="list-style-type: none"> Keeping the bishop/archbishop updated on core group decisions and any recommendations for action required by them e.g. suspension, risk assessment.²² 	
This role is best fulfilled by someone with experience in chairing such meetings, and with a detailed understanding of safeguarding policy and practice. The chair could be a DSA, an archdeacon, bishop's chaplain or other senior figure who is not linked in any way to the case. If the DSA is the case worker they should not be appointed as the chair. However, where there is a safeguarding team, and the DSA is managing the case, they may chair the core group as the day to day work on the case is being carried out by another team member.	
The final decision on who should chair the core group rests with the bishop.	
1.6.2 The Core Group	
The core group is responsible for:	
<ul style="list-style-type: none"> Ensuring that information is shared with the statutory agencies; 	
<ul style="list-style-type: none"> Ensuring the DSA is working with the statutory agencies; 	
<ul style="list-style-type: none"> Having due consideration to the advice of the DSA/s in all matters related 	

²² This may be the Dean, TEI college principle etc.

to safeguarding;	
<ul style="list-style-type: none"> Considering whether other church officers and/or bodies should be informed of the situation, and invited to join the core group; 	
<ul style="list-style-type: none"> Keeping the diocesan secretary/chief executive informed whenever there is a potential of financial, regulatory or reputational impact, where there is a significant risk that requires management/mitigation/monitoring or if the case involves an employee of the diocese; 	
<ul style="list-style-type: none"> Deciding when an Internal Church Investigation (see section 3.3) should be carried out; 	
<ul style="list-style-type: none"> Determining when the respondent should be informed and what they should be told in relation to the concern or allegation where the statutory agencies are not involved; 	
<ul style="list-style-type: none"> The arrangements required for managing the respondent in relation to their role, having full regard to the views of the statutory agencies; 	
<ul style="list-style-type: none"> Ensuring how the victim/survivor and/or their family can best be supported by advising the DSA (on behalf of the bishop); 	
<ul style="list-style-type: none"> Ensuring how the respondent and/or their family can best be supported by advising the DSA (on behalf of the bishop); 	
<ul style="list-style-type: none"> Offering advice to the bishop via the DSA on support and pastoral care for parish officers managing the process; 	
<ul style="list-style-type: none"> Ensuring how the needs of a parish, cathedral or other church community in which the respondent is or has served can best be met; 	
<ul style="list-style-type: none"> Setting and maintaining boundaries of information sharing and confidentiality, including when information can be shared with the Police, the insurance company, the Charity Commission, the Local Authority Designated Officer²³, and the National Safeguarding Team; 	

²³ The LADO must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children 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; or

• Agreeing statements to the press and the congregation;	
• Ensuring accurate information is kept and shared securely where appropriate and in accordance with data protection legislation;	
• Ensuring risk assessments are carried out during and following the outcome of the allegation, this includes:	
- agreeing the terms of reference, with the DSA, for the risk assessment in relation to non-clergy assessments;	
- commissioning, with the DSA, the risk assessment in relation to non-clergy assessments;	
- accepting the risk assessment in relation to non-clergy assessments;	
- ensuring that recommendations are followed in relation to non-clergy assessments;	
• Undertake a lessons learnt review at the end of the process (see section 9).	
In addition if the case involves members of clergy, the core group is responsible for:	
• Assisting the DSA to advise the bishop ²⁴ when the respondent should be informed and what they should be told in relation to the concern or allegation where the statutory agencies are not involved;	
• Assisting the DSA to advise the bishop of the arrangements required for managing the respondent in relation to their role, having full regard to the views of the statutory agencies;	
• Assisting the DSA to advise the bishop in setting and maintaining boundaries of information sharing and confidentiality, including when	

☐ behaved towards a child or children in a way that indicates they may pose a risk of harm to children.

²⁴ This may be the Archbishop or their representative if it is a national Core Group.

information can be shared with the Police, the insurance company, the Charity Commission, the Local Authority Designated Officer ²⁵ , and the National Safeguarding Team;	
<ul style="list-style-type: none"> Assisting the DSA to advise the bishop on statements to the press and the congregation; 	
<ul style="list-style-type: none"> Assisting the DSA to advise the bishop when to undertake a lessons learnt review at the end of the process (see section 9). 	
²³ The LADO must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children has:	A small positive step. Nonetheless it is discretionary because of the absence of law requiring a referral to be made and nowhere does the policy mention the DSA should (we would like to see 'must') contact the LADO for independent advice on <u>all</u> safeguarding concerns brought to their attention.
<ul style="list-style-type: none"> behaved in a way that has harmed, or may have harmed a child; or may harm a child in future.
<ul style="list-style-type: none"> possibly committed a criminal offence against or related to a child; or 	
<ul style="list-style-type: none"> behaved towards a child or children in a way that indicates they may pose a risk of harm to children. <p>²⁴ This may be the Archbishop or their representative if it is a national Core Group.</p>	
²⁵ The LADO must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children has:	A SMALL positive step but it is a conditional report which sadly ignores the fact that church staff have to whistleblow in order to bring a concern to the attention of the DSA. Whistleblowing delivers underreporting as data from the jurisdictions of Western Australia and New South Wales demonstrate.
<ul style="list-style-type: none"> behaved in a way that has harmed, or may have harmed a child; 	
<ul style="list-style-type: none"> possibly committed a criminal offence against or related to a child; or 	
<ul style="list-style-type: none"> behaved towards a child, or children in a way that indicates they may pose a risk of harm to children. 	

²⁵ The LADO must be contacted within one working day in respect of all cases in which it is alleged that a person who works with children 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; or
- ☐ behaved towards a child, or children in a way that indicates they may pose a risk of harm to children.

In relation to clergy risk assessment (and management), the DSA will ensure their advice and recommendations are ratified by the core group. The DSA will then share these with the bishop in accordance with the Safeguarding (Clergy Risk Assessment) Regulations 2016.	
The core group acts as the DSA's 'critical friend' in the response to, assessment and management of safeguarding concerns or allegations relating to clergy.	
The Core Group will create a written record of its decisions and recommendations. These documents should include information on any previous allegations that have been made against the individual concerned. These records should be passed to the DSA who will store them in the case file.	
Where the advice of the DSA is not taken a full record of the reasons must be kept. Should there be any disagreement between the core group and the DSA concerns should be escalated to the chair of the Diocesan Safeguarding Advisory Panel or, where the DSAP are unable to resolve the dispute, to the NST for a final decision.	
If the respondent is a senior member of the clergy or an individual with a high national profile, the case will be managed by a NST core group in conjunction with the diocese. If the case involves complex inter-diocesan issues the NST will act to coordinate local casework.	The statutory authorities will manage it provided the Church makes a conditional and discretionary referral to the LADO. The authorities will then inform the NST of matters it needs to know.
1.7 Diocesan or Provincial Registrar	
The registrar will be informed of current safeguarding concerns or allegations involving church officers by the bishop or archbishop. The registrar shall act as legal advisor to the core group to support its decisions, actions and recommendations. This advice would usually be provided outside of the core group meeting, however, at times it may be preferred or appropriate for the registrar to be in attendance to provide their advice only. If the registrar is unable to provide advice themselves on an individual case (for example, where this may prejudice his scrutiny of a CDM complaint) the registrar will arrange	

for another suitably qualified person to advise the group).	
The registrar is responsible for:	
<ul style="list-style-type: none"> Giving legal advice to the bishop on <u>any</u> aspect relating to safeguarding (e.g. in relation to clergy risk assessments advice, in conjunction with the DSA, in relation to the terms of reference and letter of instruction)²⁶; 	
<ul style="list-style-type: none"> Advising the bishop on matters relating to powers of suspension; 	
<ul style="list-style-type: none"> Advising the bishop (in the event of the allegation being substantiated), in consultation with the director of communications and the DSA, on an appropriate form of words in relation to any proposed apology to the victim/survivor as agreed by the core group. 	
The registrar CANNOT represent the respondent. The respondent's lawyers must be independent i.e. not associated with the same registrar's legal practice.	
1.8 Diocesan Secretary/Chief Executive	
The diocesan secretary/chief executive should be:	
<ul style="list-style-type: none"> Kept informed by the core group whenever there is a potential financial, regulatory or reputational impact or where there is a significant risk that requires management/mitigation/monitoring; 	
<ul style="list-style-type: none"> Informed immediately by the core group should a case involve an employee of the diocese; 	
<ul style="list-style-type: none"> Mindful of legal requirements to inform insurers, charity commissioners, etc. and have an overview of risk management to the organisation and wider church to ensure things are managed effectively within guidance. 	
1.9 Director of Communications/Chief of Staff/Bishop's Press Officer	
The director of communication/chief of staff/bishop's press officer is responsible for:	
<ul style="list-style-type: none"> Taking the lead on all matters of communication, including statements for potential or actual media coverage; statements made to the congregation or 	

²⁶ To fulfil this responsibility, the Registrar may need to seek advice from an appropriately trained safeguarding legal colleague.

the PCC; limits of information sharing in consultation with the diocesan registrar and the DSA during and following an investigation;	
<ul style="list-style-type: none"> • Attending core group meetings to advise on communication issues as required and working closely with the diocesan registrar, the DSA and bishop's representative with regard to the day to day management of publicity and information sharing; 	
<ul style="list-style-type: none"> • Liaising with the provincial and national directors of communications in all appropriate cases where media coverage is expected; 	
<ul style="list-style-type: none"> • Advising the bishop, in consultation with the diocesan registrar and the DSA, on an appropriate form of words in relation to any proposed apology to the victim/survivor as agreed by the core group. 	
1.10 Diocesan Safeguarding Advisory Panel (DSAP)²⁷:	
The DSAP will:	
<ul style="list-style-type: none"> • Receive anonymised management information²⁸ relating to risk assessments and safeguarding agreements that the diocese has completed to maintain oversight of the work e.g. number of assessments, type of assessment, pattern of reviews, breaches and follow up actions; 	
<ul style="list-style-type: none"> • Considering information and themes from quality assurance processes e.g. Diocesan Self Assessments, lessons learnt reviews, independent audits and file audits to make recommendations to improve safeguarding arrangements; 	
<ul style="list-style-type: none"> • Be advised of any barriers or issues which are impacting on the ability of the diocese to effectively manage safeguarding risks this may include resolving disputes between an investigator and a Core Group as outlined in section 3.3. 	

²⁷ In other contexts, such as Cathedrals, Religious Communities or Theological Educational Institutions it may be that the independent Safeguarding Committee which has oversight of safeguarding practice for that particular Church body would fulfil these responsibilities.

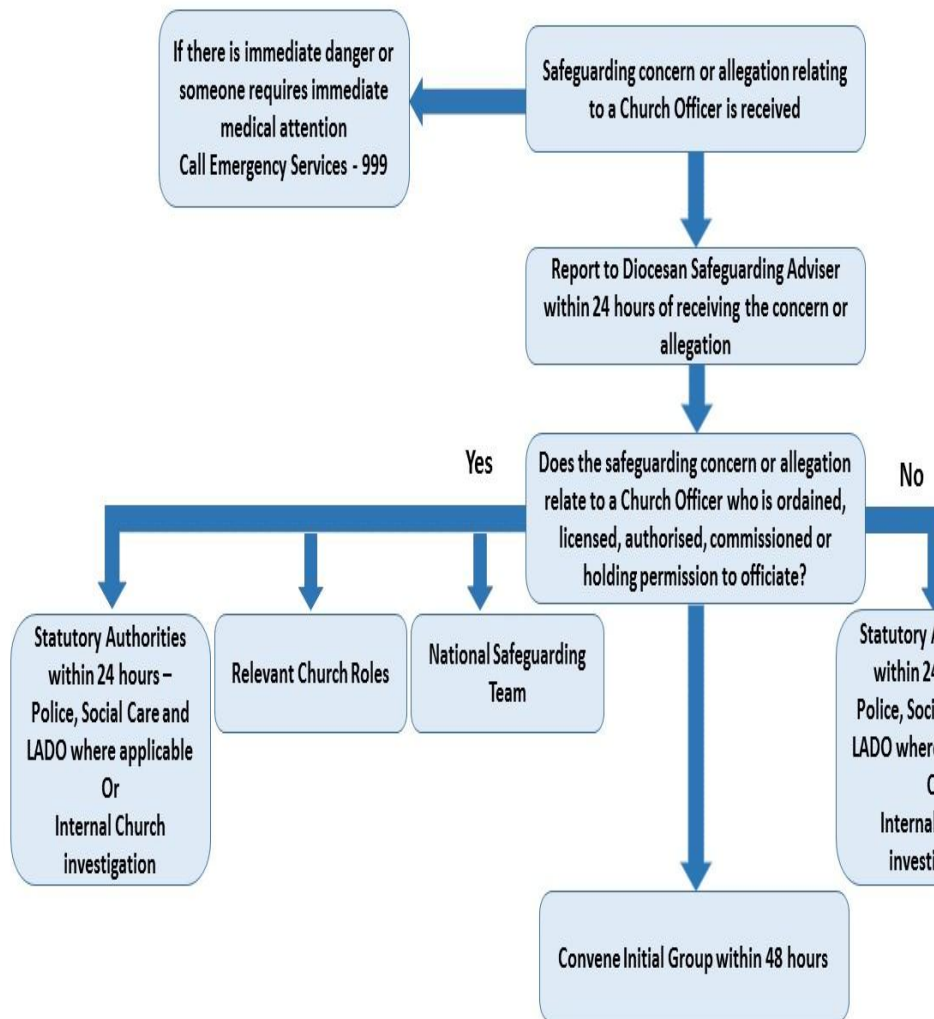
²⁸ Anonymised for this purpose means that no person or place involved in the case is identifiable from the information provided. This would exclude references to individuals by initials for example, as people with even limited local knowledge may be able to identify people by initials.

At the discretion of the chair of the DSAP, a sub-group of the DSAP could have a more specific role in relation to quality assurance which would involve:	
<ul style="list-style-type: none"> Reviewing the quality of risk assessments (standard and independent) and Safeguarding Agreements. 	
It is not the role of the DSAP to be part of the case management process.	
In addition, the chair of the DSAP will always receive a copy of any independent risk assessment as outlined in the Safeguarding (Clergy Risk Assessment) Regulations 2016 to inform quality assurance processes and ongoing learning for the diocese and to advise the bishop (together with the DSA and the diocesan registrar) whether to take action in response to the assessment, or what action to take in response to it.	
1.11 National Safeguarding Team (NST)	
The NST will:	
<ul style="list-style-type: none"> Ensure policy and practice guidance on reporting safeguarding concerns and allegations is compliant with legislation and any relevant guidance; 	The NST is only delivering conditional discretionary reporting of abuse which is all that is demanded by statutory guidance. The church could choose to do a great deal more after all the framework is only 'guidance'.
<ul style="list-style-type: none"> Be advised of all safeguarding concerns or allegations and investigations in relation to all clergy, including archbishops, bishops, individuals with high national profile, or complex inter-diocesan cases and of all independent risk assessments, by the DSA managing the case and retaining records of this information; 	The NST can only be advised of all safeguarding concerns if staff report them on a conditional and discretionary basis to their DSA, and the DSA advises the NST. The weakness at the coalface is that a reporting member of Church officer is exposed to potential retribution if, in good faith s/he who by default is a whistleblower, is mistaken. There is no law that requires an employee or a volunteer in regulated activity to report suspected or known abuse which would provide legal immunity. This exists in most other national jurisdictions in the world. This weakness exists in every tier of the CofE safeguarding policy. Whistleblowers volunteer the worst news any Regulated Activity management team wants to hear, to the very people who most don't want to hear it, and who are then under no obligation to report it. How can this absurd structure deliver child protection on which reliance can be placed?

<ul style="list-style-type: none"> • Offer advice and support on any issue relating to responding to, assessing and managing any safeguarding concern or allegation of any case as described in the point above; 	
<ul style="list-style-type: none"> • Lead and coordinate cases involving bishops, persons of high national profile and complex inter-diocesan cases, as outlined in section 1.6.2. 	
<ul style="list-style-type: none"> • Seek external specialist advice, as required in complex cases; 	
<ul style="list-style-type: none"> • Address any disagreements on how to respond to cases between a diocesan bishop and the DSA. If the advice of the NST is not followed the NST will draw the issue to the attention of the archbishop/s and lead safeguarding bishop for resolution; 	NST has no power to compel a diocesan bishop to do anything. The buck stops with the Archbishop as head of the Regulated Activity. If he declines to refer to statutory authorities – the matter is buried. CDM’s are professional sanction and in effect the Church marking its own homework.
<ul style="list-style-type: none"> • Put their advice in writing; and where appropriate (i.e. whether necessary or proportionate to do so) these records should be passed to the DSA who will store them in the case file; 	
<ul style="list-style-type: none"> • Maintain the list of approved independent risk assessors, on behalf of the Archbishops’ Council²⁹; 	
<ul style="list-style-type: none"> • Monitor risk assessment and management across the Church to measure quality and adherence to national guidance. 	
The primary point of contact within the NST for casework issues is the national safeguarding casework manager.	
2. Responding to a safeguarding concern or allegation against a Church Officer	
The welfare of the child, young person or vulnerable adult must come first. A proper balance must be struck between protecting children, young people and/or vulnerable adults and respecting the rights of the respondent.	
The rights of the respondent are important and are given due weight, once the immediate safety and protection of children, young people and/or	

²⁹ See Safeguarding (Clergy Risk Assessment) Regulations 2016 regulation 3 (2). The list is available from the National Safeguarding Casework Manager. .

vulnerable adults has been assured.	
2.1 Immediate reporting and communicating within Church bodies upon receipt of a concern or allegation	Passive voice
<p>Children, young people and vulnerable adults occupy a central place in the heart of the Christian community and have a right to be listened to and heard. The paramount consideration in all matters is their safety and protection from all forms of abuse. To create and maintain a safer environment, Church organisations must respond effectively and ensure all safeguarding concerns and allegations against a church officer who has a role with children, young people and/or vulnerable adults are reported, both within the Church and to statutory agencies. This responsibility to report is shared by everyone, the only exception to this rule is the receipt of any information by a member of clergy under what is termed as the sacramental Seal of Confession – see section 2.6.</p>	<p>A church officer ‘who has a role with children’ should be replaced by : ‘any church officer.’ .</p> <p>Passive voice and weak.</p> <p>‘Ensure concerns are reported’ – but this contradicts the conditional threshold test of ‘harm’ – so which is to be followed?</p>
<p>All Church organisations must provide guidance and training on recognition of safeguarding concerns and allegations, with clear procedures on what to do when a safeguarding concern or allegation arises against a church officer who has a role with children, young people and/or vulnerable adults, so that everyone knows how to respond. This involves knowing how to receive a safeguarding concern or allegation, who to tell and how to record it. It is important the local reporting procedures are fully consistent with statutory legislation, the Local Safeguarding Boards Procedures, Ecclesiastical law and House of Bishops’ guidance.</p>	<p>See previous comments about safeguarding training not being accredited and therefore infinitely variable.</p> <p>Which takes precedent? The one constant throughout is that reporting known and suspected abuse in is discretionary.</p>
<p>The reporting flow chart below refers to any safeguarding concern or allegation against a church officer who has a role with children, young people and/or vulnerable adults, <i>including</i> where the situation relates to a person involved with the Church and the situation is likely to have an impact on or for the Church. It is the responsibility of everyone in the Church to ensure those who may need help and protection are not left at risk.</p>	



The option exists in this policy for internal church investigations of suspected abuse without the church referring to the LADO or even having a discussion with this Local Authority Designated Officer.

The church should insist on LADO involvement on all safeguarding concerns that arise involving church staff and children. The LADO's independent assessment is crucial.

First Response – The person receiving a Safeguarding concern or allegation against a church officer	This outline appears to be written on the basis that there is a ‘disclosure’ from an adult about non-recent abuse. Why is it limited to this?
Following receipt of a safeguarding concern or allegation by anyone:	
1. As soon as is practicably possible and in any case within 24 hours of receiving a safeguarding concern or allegation of abuse against a church officer refer the matter to the DSA ³⁰ .	
2. Respond well to the victim/survivor to ensure they feel heard and taken seriously (please see sections 2.2 – 2.5).	Why might it not be an officer of the Church reporting on a colleague. This seems not to enter the thoughts of the authors of this policy and yet it is a most important aspect of child protection in any organisation because children tend not to disclose.
3. Record the details of the concern or allegation.	
Always ask permission to do this and explain the importance of recording all information. Where it is not appropriate to take notes at the time, or permission is not given, make a written record as soon as possible afterwards or before the end of the day. Do not be selective. Include details that may seem irrelevant. This may prove invaluable at a later stage in an investigation. The victim/survivor should be shown the record made in order to ensure they agree with the content and meaning, if possible. The record should include details of information provided to that person as well as information received. Record the time, date, location, persons present and how the concern or allegation was received, e.g. by telephone, face-to-face conversation, letter, etc. Please always sign and date the record.	Again this paragraph is written on the basis of a disclosure, not a Church Officer reporting a concern proactively.
If the victim/survivor disagrees with the content of the note, any agreed changes can be made. If changes are not agreed (perhaps because they refer to additional matters that did not arise during the meeting) the person should be	

³⁰ If the concern arises in a church body other than a Diocese this will normally be via the Safeguarding lead in the church body that the concern or allegation arises. This could be via a Parish Safeguarding Officer, Cathedral Safeguarding Adviser, the safeguarding designated person in a religious community or the nominated safeguarding lead in a TEI.

advised that their comments are noted and will be retained with the notes of the meeting.	
4. Pass all original records, including rough notes, immediately to the DSA. Any copies of retained records should be kept secure and confidential.	
5. Explain to the victim/survivor what will happen next. They should be informed that their identity and the identity of the respondent will be shared with the statutory agencies. The concern or allegation should not be shared with anyone other than those who need to know (e.g. the statutory agencies and appropriate Church roles detailed in these procedures).	But referral to the statutory agencies is very far from assured as we have revealed in this review. The church is selling a certainty of referral when none exists. See next review comment highlighted in red.
6. The DSA will now take over the response to the case ³¹ . There may also be a requirement to be involved in any subsequent core group.	
In cases of emergency (and/or outside normal business hours), where a child, young person and/or vulnerable adult appears to be at immediate risk of harm, an urgent report must be made to the statutory agencies to ensure that no one is left in a dangerous situation pending intervention, in an emergency dial 999.	
Initial DSA³² Response	
1. Within 24 hours of receiving notification of the concern or allegation the DSA will conduct an initial internal review of the information received to establish if the requirement for referring to the statutory agencies has been reached ³³ and refer, as required. This will involve as a minimum establishing the:	The church is investigating itself and deciding whether it is going to refer the matter to the statutory authorities on a conditional and discretionary basis for independent assessment. It's the church marking its own homework in a national jurisdiction in which there is no law to report known or suspected abuse. The church has an exceptionally poor record of reporting known and suspected abuse.

³¹ The only exception to this would be a situation, in relation to other church bodies who have a professional safeguarding adviser, where agreement has been reached about who is placed to lead on the Churches response. For instance where a cathedral has a paid professional safeguarding adviser or the nominated safeguarding lead in a TEI and the concern or allegation is against a church officer who is not ordained, licensed, authorised, commissioned or holding permission to officiate or have another diocesan or Parish role. In these situations the DSA should be kept informed of progress and outcome.

³² See footnote 30.

³³ Thresholds for referral to social care can be accessed via local safeguarding procedures as published by Local Safeguarding Children's Board and Adult Safeguarding Boards. Where there is an indication that a crime may have been committed, the case should also be referred to the local Police.

• Name of the person raising the concern or making the allegation;	
• Nature of the concern or allegation;	
• Name of the respondent;	
• Respondent's church officer position/role in the Church at the time of the abuse.	
Wherever possible this would also normally include:	
• Accurate identifying information of the victim/survivor, as far as it is known. This should include the name, address and age of the victim/survivor when the alleged abuse occurred;	
• Where the person who has raised a concern or allegation is a child or young person, details of their parents/guardians should also be given;	
• Dates when the concern arose, or when the incident occurred;	
• The person's own words they used to describe the event or incident. Do not make assumptions about the intended meaning of the words used;	
• Details of any action already taken about the concern or allegation.	
Please note that these initial enquiries should be brief and not delay referral to the statutory agencies.	The policy assumes a report to statutory agencies will be made. Why, when earlier in the policy it is clear that it is conditional reporting on a discretionary basis?
Referral to Statutory Agencies	
2. Where the requirement for referring has been reached, the DSA will inform the statutory agencies immediately by telephone within 24 hours of receiving the concerns or allegations. This should be followed up in writing and a record made. This record should include the date the referral was sent, which agency it was referred to, by whom and any decision made in relation to the concern or allegation.	The church is investigating to decide whether a threshold has been reached before it will consider making a conditional referral on a discretionary basis to the statutory authorities. What reliance can be placed on this arrangement?
If there is any uncertainty about whether the safeguarding concern or allegation meets the requirement for referring, a consultation should take place between the DSA and the statutory agencies, who will advise on the eligibility	Independent by the LADO at the outset would assist and provide a measure of confidence if the church protocols adopted this procedure. The church is perfectly at liberty to do so. There needs to be a commitment that all

of the referral.		incidents of suspected and known abuse will be referred to the LADO for independent assessment.	
3. In all cases, consideration should be given to whether an immediate referral is necessary to preserve and secure against the possibility of any loss, deterioration or destruction of forensic or other potential evidence.			
4. The DSA should provide written confirmation to the person raising the concern or allegation that the information has been passed on to the statutory agencies. This confirmation should include the date the referral was sent, which agency it was referred to and by whom. If this cannot happen, an explanation should be recorded.		By when should the DSA send written confirmation? In the event that the church decides not to refer to the LADO will the DSA also confirm in writing to the person raising the concern explaining why the referral has not been made?	
5. The DSA will work in close collaboration and co-operation between the Church and all agencies involved in the situation.		Of course no agencies may be involved, but the language used by the church in this policy does not make this clear.	
Additional Considerations			
When making a referral about a child or young person:	Adult		

<p>It is best practice to be open and honest with the parents/carers about concerns, the need for a referral, information sharing between agencies and the accompanying need for making enquiries.</p> <p>All reasonable efforts should be made to inform parents/carers prior to making the referral; however, a referral should not be delayed if it is not possible to discuss the concerns with them.</p> <p>Where the child or young person expresses a wish for his or her parents not to be informed, their views should be taken seriously and a judgement made based on the child or young person's age and understanding, as to whether the child or young person's wishes should be followed. Concerns must not be discussed with parents/carers before making a referral where:</p> <ul style="list-style-type: none"> • Discussion would put a child or young person at risk of significant harm • Discussion would impede a Police investigation or social work enquiry • Concerns or allegations are made of sexual abuse and discussion with parents/carers would put a child or young person at risk of significant harm • Concerns or allegations are made of organised or multiple abuse and discussion with parents/carers would put 	<p>We have not included Protection but the CofE Policy has a footnote Linked to power of Attorney which we include Here to adhere to footnote numbering³⁴</p>		
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³⁴ Care Act Guidance.pdf

<p>a child or young person at risk of significant harm</p> <ul style="list-style-type: none"> Concerns or allegations are made of fictitious illness or induced illness and discussion with parents/carers would put a child or young person at risk of significant harm Contact with the parents/carers would place anyone at risk It is not possible to contact parents/carers without causing undue delay in making the referral <p>In such cases advice should be sought from Children's Services and/or the Police.</p>			
Not referring to Statutory Agencies			
6. Any decision not to refer to the statutory agencies should be recorded in the safeguarding file and kept under constant review as the case progresses.		There is not even a suggestion in this policy that the Church will have an advisory discussion with the LADO or children's services. Why not?	
Please note:			
If the concern or allegation does not relate to a church officer that has a role with children, young people and/or vulnerable adults, the DSA will agree with the person raising the concerns or allegations about how to respond, whether a referral to the statutory authorities will be made and who is best placed to do that.		Not to have an advisory discussion with the LA (LADO / Children's Services) and act on that outcome needs explanation. See 2.1 on page 100 which seems to offer another perspective.	
Reporting to other church officers		Mandate Now has no comment on these internal arrangements	
7. In the following circumstances the DSA should ensure the following Church roles are informed:			
Circumstance:	Information shared with:		

Information in or may imminently reach the public domain	Diocesan director of communications National deputy director of communications (safeguarding)		
Information about a diocesan employee / staff member	Diocesan secretary		
Information about an archbishop	NST, archbishop of the other province, provincial registrar		
Information about a bishop	NST ³⁵ who will inform the archbishop		
Information about someone who currently or in the past has/had a high national profile, either in the church or in any walk of life ³⁶	NST Diocesan or provincial registrar		
Information relating to more than one diocese	DSAs of all the relevant dioceses and NST. It will be agreed who will co-ordinate the case.		
If the respondent is ordained, licensed, authorised, commissioned or holding permission to officiate	NST Diocesan and provincial registrar		
If there is a conflict of interest because of the concern or allegation being reported to any of the people listed above the information must be shared with the NST for advice on how to proceed.			
Where it is necessary to refer the safeguarding concern or allegation to the NST, the NST will ensure the following people are informed:			
Circumstance:	Information shared with:		

³⁵ This will be the National Safeguarding Casework Manager or in their absence the National Safeguarding Adviser or Provincial Safeguarding Adviser.

³⁶ Judgement about such profile should be at the discretion of the DSA, in consultation with the Diocesan Bishop and the National Safeguarding Team.

Information in or may imminently reach the public domain	National director of communications, Archbishop's communications adviser	
Information relating to an Archbishop, Bishop or a person with high national profile	The archbishop of the relevant province (or of the other province), the bishop and the DSA of the diocese in which the alleged abuse took place, and the lead bishop for safeguarding.	
Information about a NCI employee	NCI employer	
If there is a conflict of interest in informing the NST (either the national safeguarding casework manager or a provincial safeguarding adviser) the information should be shared with the national safeguarding adviser or their deputy.		
If there is a conflict of interest in informing the lead bishop for safeguarding, then the deputy lead bishop for safeguarding should be informed.		
If there is a conflict of interest in informing the archbishop, then archbishop of the other Province should be informed.		
Convene a Core Group		
8. For every allegation against a church officer that has a role with children, young people and/or vulnerable adults the DSA ³⁷ should convene a core group, in consultation with the bishop, within 48 hours of becoming aware of the safeguarding concern or allegation. If it is logistically impossible to meet face to face, a virtual meeting should be set up electronically (please see Section 3.1).		

³⁷ See footnote 30

2.2 Responding to an adult raising a safeguarding concern or allegation	This is unclear. Who is the adult (i) a member of the church, (ii) a church officer, (iii) a non-recent victim/survivor? Please explain
Safeguarding is everyone's responsibility; it is essential to flourishing Christian communities and evidenced through good pastoral care. In the first instance, it is everyone's responsibility to hear a safeguarding concern or allegation which should be passed to your local DSA.	
It is often very difficult for people to talk about abuse, so it is important to make sure that a safe environment of listening carefully and actively is created, in which a victim/survivor feels able to disclose as much as they can remember. This will help the statutory agencies to investigate the incident as thoroughly as possible.	<p>Once again the policy is referring to victims of abuse disclosing rather than an adult reporting a contemporaneous concern.</p> <p>This assumes the Church refers the statutory agencies – it is clear from this policy that referral by the Church is both conditional and discretionary.</p>
Do not question beyond checking what has been said. It is the responsibility of Social Care and the Police to investigate. There should be no probing for detail beyond what has been freely given.	This statement contrasts with the 'investigation' undertaken by the Church to establish if 'thresholds' have been reached to trigger a conditional and discretionary referral to the statutory authorities. Why the difference?
People may raise concerns or make allegations about:	
<ul style="list-style-type: none"> Abuse that happened to them when they were a child or young person; 	
<ul style="list-style-type: none"> Something they've been told by someone else and that they strongly believe is true (disclosure); 	
<ul style="list-style-type: none"> Seeing signs of abuse, such as physical injuries on a child or young person; 	
<ul style="list-style-type: none"> Something they have witnessed that makes them feel uncomfortable. 	At last – a concern or suspicion <i>on reasonable grounds</i> is finally mentioned half way into the policy. One really has to look long and hard to find the clause that should be front and centre of this policy. Of course, most won't find it because of a lack of time to read this repetitive, confusing and often incorrect document.
Where information is given in person, consider the following:	
<ul style="list-style-type: none"> Adopt a listening style that is compassionate, calm and reassuring. If the information given causes shock, disgust or distress, do not allow these feelings to show. Doing so may inadvertently dissuade the person from 	

giving any further information;	
<ul style="list-style-type: none"> Listen carefully to that person, but do not ask intrusive or leading questions; 	
<ul style="list-style-type: none"> Stay calm, take what the person raising the concern says seriously, and reassure them; 	
<ul style="list-style-type: none"> Allow the person to continue at their own pace; 	
<ul style="list-style-type: none"> Check with the person to make sure what they actually said has been understood. Do not suggest words – use their words; 	
<ul style="list-style-type: none"> Make no promises that cannot be kept, particularly in relation to confidentiality, but listen carefully to what is being sought in this regard; 	Important point because confidentiality is often misused as justification against the introduction of mandatory reporting.
<ul style="list-style-type: none"> Explain the referral procedures to the person; 	
<ul style="list-style-type: none"> Do not make any comments about the respondent; do not make assumptions or speculate; 	
<ul style="list-style-type: none"> Be aware that a person's ability to recount their concern or allegation will depend on their age, culture, nationality or any disability that may affect speech or language; 	
<ul style="list-style-type: none"> Avoid statements about your reaction to the information given; 	
<ul style="list-style-type: none"> Do not offer wording or language to the person raising the concern or making the allegation that may affect the way they provide an account. To do so may prejudice any criminal investigation. 	
2.3 Responding to a child or young person raising a concern or making an allegation	
<p>The Church aims to create and maintain a safe environment for children and young people. This includes being open and willing to listen to and respond appropriately to concerns or allegations of abuse they raise concerns. However, avoid intentionally instigating a meeting with a child or young person to receive a disclosure or take a statement from them – that is the role of Children's Social Care and/or the Police.</p>	Passive voice

However, if a child or young person directly discloses about abuse happening to them, the following general guidelines should be adhered to:	
<ul style="list-style-type: none"> • Remain calm; 	
<ul style="list-style-type: none"> • Listen to the child or young person carefully and in a manner, that conveys they are being heard and taken seriously; 	
<ul style="list-style-type: none"> • Give the child or young person the opportunity to tell their story in their own time; 	
<ul style="list-style-type: none"> • Ask questions only for clarification; 	
<ul style="list-style-type: none"> • Reassure the child or young person they have done the right thing by telling; 	
<ul style="list-style-type: none"> • Do not make promises that cannot be kept; 	
<ul style="list-style-type: none"> • Explain to the child or young person what will happen next, i.e. passing the information on to the DSA, explaining to them about the limits of confidentiality, etc. 	
It is good practice in this situation, if possible, to have another adult present for the protection of the child or young person and yourself against allegations and to ensure corroboration of any account provided.	
2.4 Responding to an anonymous concern/allegation	
Anonymous complaints are to be handled carefully. Anxiety and fear may persuade some people not to immediately reveal their identity. It is sometimes difficult to act on information under these circumstances, unless at some point the name of the victim/survivor becomes known.	Could the anonymous caller be a member of the church who wishes to reveal a concern about a Church Officer? Why is this possibility not considered here? Reporting a concern is the most difficult thing to do for fear of being mistaken.
The victim/survivor should be informed that anonymity might restrict the ability of professionals to access information or to intervene to protect a child, young person and/or vulnerable adult. As much openness, as possible should be encouraged. However, if any identifiable information that relates to a safeguarding concern or allegation (current or noncurrent) is received, it must be passed onto the DSA, who will refer to the appropriate statutory agencies so	The church seems to suggest it is exclusively 'victims and survivors' who make anonymous calls. Why?

an investigation can be undertaken to assess the risks, as required.	
2.5 Responding to someone who admits to abusing a child, young person or vulnerable adult	
It is necessary to tell a person who admits an offence against any person that such information cannot be kept confidential. If such an admission is made to you, even where the admission relates to something that happened a long time ago, the matter must be referred to the DSA, who will refer to the appropriate statutory agencies so an investigation can be undertaken to assess the risks, as required.	<p>It can be kept confidential because there is no statutory obligation to report known or suspected abuse of a child to the statutory authorities as the church well knows.</p> <p>On a conditional and discretionary basis the DSA <i>could</i> refer known or suspected abuse to the statutory authorities. Meantime, the church <i>could</i> undertake in writing in this policy to report all incidents of known or suspected abuse to the statutory authorities for independent assessment but instead it clings to the very weak expectations of statutory guidance. Why?</p>
2.6 Safeguarding and the Seal of Confession³⁸	
A failure to share information has been identified repeatedly in child abuse enquires as the most common reason for failure to intervene quickly enough in protecting children, young people and vulnerable adults, sometimes with serious consequences.	Serious Case Reviews Terms of Reference exclude commentary on the shortcomings of the statutory framework. The most common failure is adults not reporting known or suspected abuse, particularly in jurisdictions that operate 'discretionary reporting' such as the England and Wales. <u>Empirical data from Australia exposes the shortcoming</u> which Australian States addressed through the application of mandatory reporting.
It is possible that relevant information may be disclosed in a one-to-one confession made to a priest in the context of the sacramental ministry of reconciliation.	The Child Abuse Royal Commission made recommendations on disclosure in confession, grounded on evidence given during the inquiry.
Not least because the legal position differs between the two cases, it is	

³⁸ A Working Party has been established to carry out further theological and legal work to enable the Archbishops' Council and the House of Bishops to review the purpose and effect of the un-repealed proviso to the Canon of 1603, to assist the Archbishops' Council and the House of Bishops in considering whether they wish to recommend to Synod that they legislate to amend the Canon; and to provide a report with recommendations for discussion by the House of Bishops Standing Committee, the Archbishops' Council and the House of Bishops. The report will include recommendations in relation to any motion that might be brought to the Synod and to the shape that any legislative amendment might take. The Working Party met for the first time in June 2015 and is due to finalise its report in late 2017.

important to recognise the distinction between disclosures made in this formal context, which exists for the quieting of conscience and is intended to lead to absolution, and disclosures made in the context of pastoral conversations. In the first case, but not the second, what is disclosed is subject to a duty of absolute confidentiality arising from the unrepealed proviso to Canon 113 of the Code of 1603.	
For this reason, a clear distinction should be made between pastoral conversations and confessions made in the context of the ministry of absolution. To that end it is helpful if confessions are normally only heard at advertised times or by special arrangement and are in other ways differentiated from general pastoral conversations or meetings for spiritual direction. A stole might be worn and a liturgy should be used. It is also important that those clergy exercising this ministry should have received appropriate training and be familiar with Guidelines for the Professional Conduct of the Clergy, which has a section in relation to the confession. ³⁹	³⁹ is a broken link in the CofE document as you can see here .
If a penitent makes a confession with the intention of receiving absolution, the priest is forbidden from disclosing anything (including any criminal offence) which is revealed in the course of the confession. This requirement of absolute confidentiality applies even after the death of the penitent.	
However, where a penitent discloses in the course of such a confession that he or she has committed a serious crime, the priest should require him or her to report it to the police or other statutory authority and should withhold absolution if the penitent refuses to do so. In such a case the priest may consider it necessary to alert the bishop or the bishop's adviser for the ministry of reconciliation (if there is one) to his or her decision, though the penitent's details should not be shared without their permission.	

³⁹ Revised version of the Guidelines for the Professional Conduct of the Clergy, which has a section in relation to the confession [https://www.churchofengland.org/about-us/structure/governance/and-about-general-pastoral-conversations-guidelines-for-the-professional-conduct-of-the-clergy-guidelines.pdf](#). The reference to confession is contained at 3.5 to 3.8 of the Guidelines.

<p>The canonical duty of absolute confidentiality does not apply to anything that is said outside the context of a confession made in the context of the ministry of absolution. In particular, if information about abuse that was disclosed when seeking the ministry of absolution.</p>	
<p>2.7 Respondent's working/volunteering for an external organisation</p>	
<p>If a church officer works for another external organisation, they are bound by the policies and procedures of that organisation, which include safeguarding and notification of allegations for example school, hospital or prison chaplains, those who have church roles but who may also be school governors, etc. Therefore, if a concern or allegation against a church officer is raised with that member whilst in the employment of that organisation, they must report it using the safeguarding procedures of the organisation.</p>	<p>Much of what follows are internal C of E protocols for the management of allegations reported to a DSA.</p> <p>Our principle concern is reporting of known and suspected abuse by the church to the statutory authorities for independent assessment..</p> <p>'they must report' - This is incorrect. In the absence of statutory legislation to report abuse, statutory guidance says a report 'should' be made. Furthermore, nowhere in this policy does the church self imposed mandated reporting for church officers. This statement from the <u>Government consultation – 'Reporting and Acting on Child Abuse and Neglect' (21/07/16) confirms the non existence of law to report.</u></p>
<p>If there is an allegation against the member while working with that organisation, the following will be observed:</p>	
<ul style="list-style-type: none"> • If the allegation relates to that organisation, the reporting procedures will be initiated by the safeguarding adviser of that organisation in accordance with their safeguarding procedures; 	<p>This is a significant misassumption. It is the responsibility of the organisation certainly, but just like the church the organisation is not statutorily required to refer to the statutory agencies. As we know, not least from the CofE, policies and protocols can easily be ignored.</p>
<ul style="list-style-type: none"> • The respondent will either directly inform their Church body or give permission for the safeguarding adviser of the organisation to inform the Church body; 	
<ul style="list-style-type: none"> • Any decision to suspend the member from that organisation rests with the management of the relevant external organisation; 	

<ul style="list-style-type: none"> • (Where relevant – i.e. if clergy) any decision to remove the member from ministry rests with the bishop. If removal from office is under consideration CDM process should be followed i.e. a complaint should be raised etc. unless it is possible to use expedited procedure e.g. if the member of clergy is sent to prison – section 30 CDM. The bishop has the power to suspend from ministry – if notified by police/local authority that a cleric is a safeguarding risk; 	
<ul style="list-style-type: none"> • Internal Church processes regarding the management of the respondent will be followed upon conclusion of any criminal investigation and other organisational disciplinary proceedings and CDM will need to be actioned in appropriate cases. 	
2.9 Regular liaison with statutory agencies	No comment on this aspect of the policy
Best practice in safeguarding requires a multi-agency approach that allows for exchange of information proportionate to the risk, and in line with relevant legislation.	
Case discussions	No comment on this aspect of the policy
On an individual case-by-case basis, the Church, normally the DSA, must liaise with the statutory agencies to notify them of concerns or allegations against church officers, and to consider with them the appropriate actions to take in terms of notifying the respondent and of managing risk. No action by the Church should interfere with any criminal or statutory enquiries being conducted by statutory agencies.	
Any internal safeguarding investigation remains sub-judicial until the conclusion of any statutory agency investigation.	
Notification of a concern or allegation must be made in writing. A copy of the written notification must be made and retained on the case file.	
Any contacts and/or meetings with statutory agencies should be recorded in writing and a copy kept securely in the respondent case file.	
Prior to informing the respondent that a concern or allegation has been made, there should be a discussion with the relevant police force, whose view on	

informing the respondent should be sought. The purpose is to ensure the Church is not prejudicing any criminal investigation.	
Prior to a full risk assessment and Ongoing Safeguarding Agreement being completed, confirmation should be received from the statutory agencies stating their investigations have concluded.	
2.10 Information sharing	No comment on this aspect of the policy
The effective protection of children, young people and/or vulnerable adults often depends on the willingness of people to share and exchange relevant information appropriately. It is critical there is a clear understanding of the Church's professional and legal responsibilities regarding data protection, confidentiality and the exchange of information.	
Government guidance has been issued for professionals providing advice in relation to the provision of advice for safeguarding <u>Information sharing advice for safeguarding practitioners</u> .	
2.10.1 What is meant by information sharing?	
All information regarding safeguarding concerns or allegations (current or non-current) should be shared with the statutory agencies, in the interest of the person. The provision of information to the statutory agencies for the protection of a person, where the safety of others may be at risk will not be a breach of confidentiality or data protection legislation, (even where sharing without consent).	
The issue of confidentiality should be part of the training given to church officers, so everyone is clear about their legal and moral responsibilities pertaining to the sharing of information, in good faith with statutory agencies. No undertakings regarding confidentiality can ever be given when considering safeguarding matters (apart from the Seal of Confession) (section 2.6) this message is reinforced in all core safeguarding training modules provided by the Church of England. Interagency cooperation is as important in the later stages of safeguarding work as it is at the outset. Therefore, church officers involved in a safeguarding concerns or allegations should consistently make	

efforts to remain in contact with the statutory agencies, and to communicate all relevant information expediently.	
2.10.2 Situations when information must be shared	No comment on this aspect of the policy
Sharing information with the statutory agencies	
All concerns and allegations regarding safeguarding that evidence that there is a current risk of harm and that meet the requirement for referring (apart from those received under the Seal of the Confession) must be passed to the statutory agencies. Disclosure should include names, addresses, details of the concerns/allegations, and if the respondent has made an admission, where this information is available. Ensure that a record is kept of your decision and your reasons for it.	
2.10.3 Situations when information can be shared	No comment on this aspect of the policy
As part of an investigation by the statutory agencies	
Safeguarding information is still subject to data protection legislation. However, information can be shared without consent sensitive personal data (e.g. that which relates to allegations) where it is in the substantial public interest and is necessary for the prevention or detection of any unlawful act and must be carried out without consent because seeking consent would prejudice the purposes.	
Information can also be shared without consent if it is in the substantial public interest and the sharing is necessary to support a function designed to protect members of the public from "...dishonesty, malpractice, or other seriously improper conduct by, or the unfitness or incompetence of, any person..." and to seek consent would prejudice those purposes – see <u>The Data Protection (Processing of Sensitive Personal Data) Order 2000</u>	
During an investigation, if the Police request information from a file, every effort should be made to cooperate . Advice about this should be sought from the diocesan registrar. Police forces have standard forms for requesting	

personal data, in accordance with guidance issued by the Association of Chief Police Officers (ACPO). The form should certify that the information is required for an investigation concerning national security, the prevention or detection of crime, or the apprehension or prosecution of offenders, and that the investigation would be prejudiced by a failure to disclose the information. This provides a legal basis for supplying the data under the Data Protection Act exemptions. All requests for personal data from the police, apart from emergency requests, should be required to be on the requisite form.	
Other law enforcement agencies may not use standard forms. However, any request should:	
• be in writing, on headed paper, and signed by an officer of the agency;	
• describe the nature of the information which is required;	
• describe the nature of the investigation (e.g. citing any relevant statutory authority to obtain the information);	
• certify that the information is necessary for the investigation.	
If a properly completed form or letter is received, the data should normally be disclosed.	
An emergency situation is one where there is reason to believe that there is a danger of death or injury to a person. The police and other emergency services may urgently require personal data, and may not have time to complete a formal written request. In these circumstances, any person who has access to the data can legally disclose the information, but the safeguards below need to be met:	
(1) If possible, seek the authorisation of a senior manager before providing the data;	
(2) If the request is received by telephone, ask the caller to provide a	

switchboard number, and call them back through the organisation's switchboard before providing the data. This provides a basic (though not foolproof) way of checking that the call is genuine;	
(3) Ask the enquirer to follow up their request with a formal written request, so that this can be held on file. Keep a record of the enquiry and the response and pass details to the data protection officer as soon as possible.	
Between Church bodies ⁴⁰	
There will be occasions when information sharing between Church bodies is required. As each of these situations is unique, the decision whether and what to share with another Church body will be on a case-by-case basis. To assist, the following questions may be used:	
• Does the recipient have a legitimate interest in receiving this information?	
• What is the justification for sharing information, (is it necessary and proportionate to share the information)?	
• Is there a risk of harm to an identified or unidentified child, young person and/or vulnerable adult if such information is not shared?	
• Can permission be obtained from the respondent to share information? If consent cannot be obtained can the information still be shared?	
• Should the respondent be informed the information is being shared?	
• Should information about the victim/survivor be redacted?	
• Is there sufficient information available in the public domain such as media reports which can be highlighted as a concern to another church body without any confidential information needing therefore to be shared?	
As above every effort should be made to cooperate.	No comment on this aspect of the policy

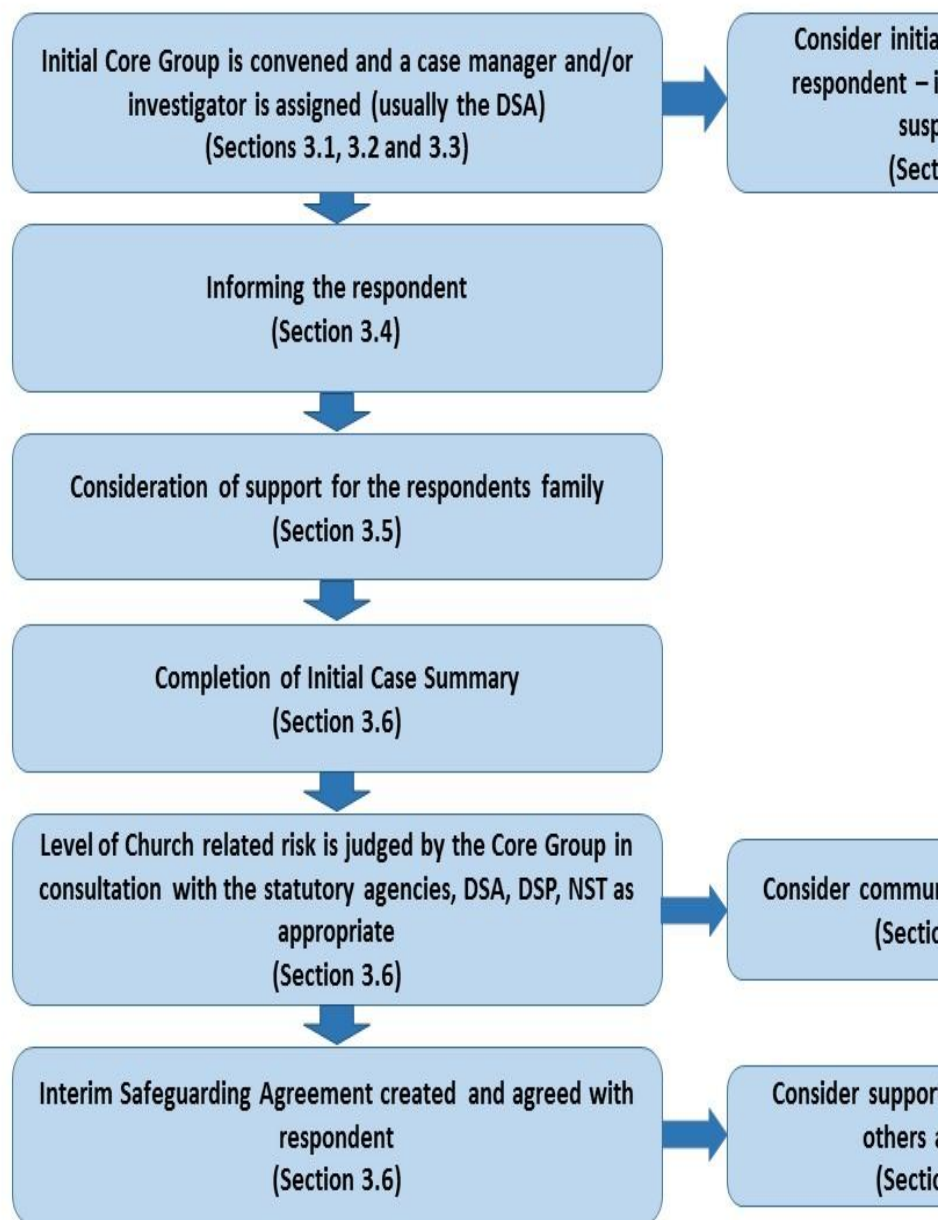
⁴⁰ Please note that information sharing agreements should be considered In order to ensure that the diocese has clear and agreed safeguarding arrangements in place with other Church Bodies which operate within the diocese, including a cathedral, any religious communities and TEIs. The NST will be issuing further guidance in relation to information sharing between dioceses, dioceses and the NST and between dioceses and other church bodies in 2018, as part of the follow up work to respond to the Gibb Review 2017 recommendations.

With external organisations	
There may be occasions when information sharing with external organisations. As each of these situations is unique, the decision whether and what to share with another organisations that employs the church officer in a different capacity will be on a case-by-case basis. To assist, the following questions may be used:	
• Does the recipient have a legitimate interest in receiving this information?	
• What is the justification for sharing information, (is it necessary and proportionate to share the information)?	
• Is there a risk of harm to an identified or unidentified child, young person and/or vulnerable adult if such information is not shared?	
• Can permission be obtained from the respondent to share information?	
• Should the respondent be informed the information is being shared?	
• Should information about the victim/survivor be redacted?	
Data Protection:	No comment on this aspect of the policy
The principles of the relevant data protection legislation should be considered when deciding whether to share information. If in doubt contact the diocesan registrar. If not possible because an emergency arises, ensure any decisions made about sharing information are documented and then discuss with the registrar as soon as practicable thereafter.	
Much of the data, if not all, in relation to safeguarding and the Church will be classed as “sensitive personal data” under the current Data Protection Act 1998.	
This means that generally to be able to process this sensitive personal data, (and this will include the sharing of sensitive personal information), the data controller must process the data:-	

• Fairly;	
• Lawfully; and	
• With justification under one of the conditions of Schedule 2 and one of the conditions of Schedule 3.	
The term processing is given a wide definition under the DPA 1998 and encompasses anything done with that data.	
That said, it is worth bearing in mind the 7 golden rules to sharing information.	
Please also note <u>The Data Protection (Processing of Sensitive Personal Data) Order 2000</u> which provides a framework whereby sensitive personal data can be processed in certain limited situations without the consent of the data subject (e.g. for the prevention or detection of any unlawful act and to obtain consent would prejudice these purposes).	
2.10.3 Where a person does not consent to the sharing of information	No comment on this aspect of the policy
Individuals may not give their consent to the sharing of information for a number of reasons. For example, they may be frightened; they may fear losing control; they may not trust social services or the police or they may fear that their relationship with the respondent will be damaged. Reassurance and appropriate support along with gentle persuasion may help to change their view on whether it is best to share information.	
It is important to:-	
• Explore the reasons for a person's objections;	
• Explain why it is important to share the information;	
• Explain with whom the information will be shared and why;	
• Explain the benefits, to him/her or others, of sharing information (e.g. to prevent a crime/harm);	
• Discuss the consequences of not sharing the information;	
• Reassure him/her that the information will not be shared with anyone who	

does not need to know;	
<ul style="list-style-type: none"> Reassure him/her that they are not alone and that support is available. 	
It is very important that the risk of sharing information is also considered. In some cases, such as domestic violence and abuse, it is possible that sharing information could increase the risk to the individual. Discuss this with the DSA, in the first instance.	
If a person cannot be persuaded to share information about him/her with relevant others (e.g. local authority/police), his/her wishes, in the first instance, should be respected. That said, there are certain situations where this refusal can reasonably be overridden, including, for instance, where:	
<ul style="list-style-type: none"> The person lacks the mental capacity to make that decision (under the Mental Capacity Act 2005); 	
<ul style="list-style-type: none"> Other people are, or may be, at risk of harm; 	
<ul style="list-style-type: none"> It is necessary for prevention or detection of a crime; 	
<ul style="list-style-type: none"> It is believed that a serious crime has been committed; or 	
<ul style="list-style-type: none"> A court order or other legal authority has requested the information. 	
The principle of necessity and proportionality should underpin decisions about sharing information without consent. Indeed, what should be considered is whether the sharing would prevent a risk and whether the public interest in sharing overrides the interest in maintaining confidentiality, (i.e. what will happen if the information is shared balanced against what will happen if the information is not shared). All decisions should be on a case-by-case basis.	
Ultimately, if a person has not consented to sharing of information please seek advice with the DSA and the registrar.	

<p>3. Initial assessment and management of the safeguarding concern or allegation</p>	<p>This really does appear to be a private investigation by the church which statutory guidance does not recommend. 'Completion of the case summary' sounds quasi-legal.</p> <p>In his review of the Bishop Bell case Lord Carlile said of the Core Group established to 'investigate' :</p> <p>From P5 Summary of Conclusions :</p> <p>14. The most significant was that the Core Group which it established failed to follow a process that was fair and equitable to both sides.</p> <p>24. The whole Core Group must see all relevant material. This must include all items which have the potential materially to support complaints or to undermine them. This is consistent with the legal requirements of disclosure in criminal cases.</p> <p>30. Each Core Group should be assisted by a person who is qualified to give relevant legal advice</p> <p>The Statutory Authorities could see 'Core Groups' as interference when the respondent is alive. Use of language in various parts of this policy indicates NST could sometimes be crossing boundaries. In reality a 'Core Group' needs to decide whether it recommends (CDM) professional misconduct charges being brought following the outcome of a Local Authority / police investigation. Core Groups also have a role when the respondent is deceased, and in the case of referrals of suspected abuse on reasonable grounds to the LADO (for independent assessment) when that concern is referred back to the church by the LADO following a decision that the concern is a matter that can be handled by the church under advice.</p>
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3.1 Convening the Core Group			
For every allegation against a church officer that has a role with children, young people and/or vulnerable adults the DSA ⁴¹ should convene a core group, in consultation with the bishop, within 48 hours of becoming aware of the safeguarding concern or allegation. If it is logistically impossible to meet face to face, a virtual meeting should be set up electronically (please see Section 3.1).			
If there are ongoing statutory investigations the core group will be informed by the recommendations from the statutory agencies.			
Where there is no statutory agency involvement but a safeguarding concern or allegation has been identified the Church should conduct its own investigation; the core group should establish a process for this to gather information and make an assessment on the facts.			Providing the incident has been referred to the LADO for independent assessment and the conclusion s/he reaches is that the church can handle the matter by following recommendations provided by the LADO in writing.
This convened core group will manage the process for the duration of the case, and will meet as required. All information should be made available to the group to support decision making, as required. Membership of the core group may change during this time.			
Membership of the Core Group may include:			
Local	National	The composition of the Core Group comprises no one of experience or expertise who is independent of CoE	

⁴¹ See footnote 30

<p><i>Diocesan officers:</i> the DSA, the archdeacon or suffragan/area bishop who represents the diocesan bishop⁴², the diocesan director of communications, and other key diocesan senior staff as relevant to the case, with ready access to the diocesan secretary and diocesan registrar.</p>	<p><i>National officers:</i> the NST, the provincial safeguarding advisor, the bishop at Lambeth, or the chief of staff at Bishopthorpe, who represents the archbishop of the Province, the lead or deputy lead bishop for safeguarding, representation from the National Communications Team, the archbishop's communications officer, and other key national senior staff as relevant to the case, with ready access to the provincial registrar.</p>	
<p><i>Parish officers:</i> the incumbent, the churchwardens and the parish safeguarding officer, and other relevant parties by agreement. Ongoing consideration should be given to whether those holding voluntary roles have the capacity to manage such a process, both emotionally and in paying due regard to the boundaries of confidentiality.</p>	<p><i>Diocesan officers</i> from both the diocese in which the alleged abuse took place and the diocese in which the respondent now lives and/or works (from each relevant diocese, the DSA, a representative of the diocesan bishop, the diocesan director of communications, and other relevant parties by agreement).</p>	
<p>Where a concern or allegation is made against a member of another Church body, such as a cathedral or TEI, the safeguarding officer and any other relevant senior staff from that Church body should be engaged in the core group, or indeed may be convening it. For a cathedral this could be professional safeguarding adviser, residentiary canon, dean or representative or any other appropriate person.</p>		
<p>If anyone carrying out these roles is the subject of the allegation or has any conflict of interest or loyalty such as:</p>		

⁴² In determining membership of the core group consideration will need to be given of who might be required to instigate a CDM should it be required at a later point so as not to create a conflict of interest.

<ul style="list-style-type: none"> personally, knowing the respondent and/or the victim/survivor; 	
<ul style="list-style-type: none"> is witness in the investigation; 	
<ul style="list-style-type: none"> are pastorally supporting the respondent and/or the victim/survivor 	
They should not be included in the core group.	
A chair and a note taker for the core group should be appointed. The role of the chair is described within section 1.6.1.	
The diocesan bishop or the archbishop must not be a member of the group, nor attend meetings of the core group, in order not to compromise potential decisions about disciplinary matters which rest with them.	
The diocesan bishop/archbishop should be kept informed of the process by their representative in the core group or the DSA, and be advised on decisions which they need to take e.g. in relation to suspension or disciplinary issues, appointing a link person, ensuring a support person for the victim/survivor is offered by the DSA.	
Minutes from all core group meetings should be taken and circulated to attendees as soon as possible after each meeting; absent members should be briefed on decisions taken as soon as possible.	Minutes must be circulated to the entire group whether they attended or not.
If the safeguarding concern or allegation relates to a diocesan/NCI employee, then the diocesan secretary/NCI employer must not be a member of the group, nor attend meetings of the core group, in order not to compromise potential decisions about disciplinary matters which rest with them.	
Legal advice should be sought from the appropriate legal adviser (e.g. diocesan/provincial registrar/legal office of the National Church Institutions) as required, at every stage of the process.	See comments of Lord Carlile at #3 on page 124
Communications advice should be sought from the diocesan/national communications adviser at every stage of the process.	
A complete record of the case should be maintained by the case manager and	

retained in a secure place, in accordance with <u>Safeguarding Records Practice Guidance 2015</u> . Where the case is managed at diocesan level the DSA will maintain the full case record. If the case is managed nationally it will be the National Safeguarding Team who maintain the full case record. Copies of documents will be shared with other parties involved where required. The record should contain minutes of all meetings and communications between all members of the group between meetings. It is important that records of all telephone calls, emails and meetings outside of the core group meetings, and all involvement of statutory agencies are sent to the DSA/NST.	
Safeguarding concerns or allegations managed nationally are always complex. Each diocese involved in the case may need to have its own internal group to manage the issues that have arisen from the core group. Diocesan groups should always work under the guidance of the national core group and keep the NST informed of actions taken.	
3.2 Multi-agency management⁴³	No comment on this paragraph
The statutory agencies have responsibility to ensure communication and co-ordination between agencies, which may include Police, health services, education, adults and children's social care and/or an Independent Domestic Violence Adviser.	
This may take the form of multi-agency Strategy Meetings, Allegation Management	
Meetings, Child or Adult Protection Conferences or Multi-Agency Safeguarding Hub Meetings, to which the diocesan safeguarding adviser and other relevant church officers should expect to be invited.	
It is vital Church representatives are included in such meetings, for the purposes of sharing information relevant to the case, and being party to the	

⁴³ For definitions and descriptions of agencies see glossary reference document.

decision-making process regarding investigation and risk.	
The outcomes and recommendations from multi-agency meetings will inform the Church's internal management of the safeguarding concern or allegation.	
If the core group are not satisfied multi-agency management by the Local Authority is adequate, or their representative is not invited to such meetings, they should escalate their concerns to the relevant senior manager within the statutory agencies (e.g. for the Police escalate concerns to the Super Intendent, for Social Care escalate to the Head of Safeguarding). Each Local Safeguarding Children / Local Safeguarding Adult Board should have a resolution of professional disagreements or escalation policy which can assist.	
It is common for Police investigations to take some time to conclude. The DSA should keep in regular touch with investigating officers. If the subject is charged and pleads not guilty, the outcome of the process will be further delayed, as the matter will proceed to trial.	
3.3 Internal Church Investigation	
The aim of an Internal Church Investigation is to establish whether or not there are ongoing safeguarding concerns and whether the respondent is suitable to fulfill a Church role which carries the potential for engagement with children, young people and/or vulnerable adults.	<p>When is an internal investigation triggered? It should happen following a referral to the LADO for independent assessment, but this is not stated here. Suitability to work with children after a reported concern to the DSA is for the statutory agencies to decide following a referral from the DSA, or a church officer to the LADO.</p> <p>Is it intended that an internal investigation take place without the 'respondent' having first been informed in accordance with 3.4 below? It is important to join up these provisions properly (also with 3.7 suspension). If you inform the 'respondent' you could compromise a police or other statutory agency investigation, assuming a referral was made. It does not appear that this aspect has been properly thought through.</p>
The aim is NOT to establish the guilt of the respondent.	This paragraph clearly indicates the investigation is intended to be in-depth

The core group will identify the lines of enquiry to be followed with the assigned investigator – this will usually be the DSA. The investigator will undertake the enquiries as outlined and produce a report on their investigation for the core group.	At odds with a referral to the statutory agencies.
The core group uses the investigation report to inform the next stages of the process as outlined in section 4 .	
The complexity and variety of the lines of enquiry will be determined by the specifics of an individual case and therefore timescales for completion will need to be agreed with the investigator as tasks are identified by the core group.	
Should the investigator disagree with any decision made by the core group during the internal investigation, their concerns should be escalated to the chair of the Diocesan Safeguarding Advisory Panel or, where the DSAP are unable to resolve the dispute, to the NST for a final decision.	
3.4 Informing the respondent	
The statutory agencies, where involved, will inform the DSA about when they can tell the respondent an allegation has been made. However, it may be that the statutory agencies themselves inform the respondent as part of their own investigative practices i.e. where an arrest is necessary.	LADO should be consulted on all cases that arise of alleged adult abuse on a child. Why are they not?
Where the statutory agencies are not involved, the core group will determine when and what the respondent should be told in relation to the concern or allegation.	The statutory agencies may not be involved because of the church's regime of conditional and discretionary reporting of suspected and known abuse. The LADO should always be spoken with. The opportunity for a concern to be dropped arises at each link in the church's frail safeguarding chain starting with front line personnel. No part can be excluded. It is vital that all known and suspected abuse are referred to the LADO
Following the approval of the statutory agencies or the decision of the core group (in the case of non-clergy church officers) to notify the respondent, the diocesan bishop, or their nominated representative, arranges a meeting with the respondent.	

In arranging this meeting:	
<ul style="list-style-type: none"> In relation to clergy the bishop, or in the case of other church officers, the bishop's nominated representative, should inform the respondent that they will be accompanied by the DSA; 	
<ul style="list-style-type: none"> The bishop, or their nominated representative, should inform the respondent they will be accompanied by the DSA; 	
<ul style="list-style-type: none"> The respondent should be offered the services of a link person and the role description outlined to them. Should the respondent refuse a link person, they should be informed that they are able to change their mind at any time during the process which follows; the respondent should be informed they can be accompanied by another person at this meeting for their own support, the role of the supporter is to listen, so they can talk through what was said with the respondent afterwards. The supporter is not an advocate for the respondent, must be independent of the concern or allegation, and should not be a legal representative. 	
Before the meeting:	
<ul style="list-style-type: none"> The DSA in conjunction with the registrar, will advise the bishop, or their chosen representative, what the respondent can and cannot be told in relation to the allegation which has been made, based on the DSAs communications with the statutory agencies. 	
At the meeting the respondent:	
<ul style="list-style-type: none"> Should be informed they have the right to obtain legal advice (both in relation to ecclesiastical and secular law where appropriate) with regards to the allegation; 	
<ul style="list-style-type: none"> Should immediately be advised of their right not to reply at this stage; 	
<ul style="list-style-type: none"> Should be given enough detail about the concern or allegation to be able to offer a response, if they choose to do so⁴⁴. At this stage, the identity of the person raising the concern or making the allegation should not be 	

⁴⁴ The respondent needs to be provided with sufficient detail of what they are alleged to have done and who the alleged victim is, including timeframes and location, in order to be able to respond. || Mandate Now comment : **THIS IS PRECISELY WHY IT IS BETTER LEFT TO THE STATUTORY AGENCIES**

disclosed if they are different from the victim/survivor. If a written statement has been given by the person raising the concern or making the allegation, this cannot be given to the respondent, but a summary of its content can be shared.	
For certain roles (e.g. clergy, churchwardens etc.) the bishop, if notified by the statutory authorities, that the respondent is a safeguarding risk could consider suspension and the respondent should be notified of this - see the Safeguarding and Clergy Discipline Measure 2016, Canons E6 and E8.	
A written reminder from the bishop, or their nominated representative, is also given to the respondent to advise them to follow safeguarding policies and procedures (Appendix 1).	
After the meeting:	
<ul style="list-style-type: none"> • A dated, written record of the meeting should be forwarded by the DSA to the respondent for agreement and signing. This record should detail what they have been informed of, and their response (if any); 	
<ul style="list-style-type: none"> • The respondent should be given written information about the process that will be followed. 	
3.5 Support for the respondent's family	No Comment on this paragraph
Consideration may need to be given to the support needs of members of the respondent's family. Support offered should not be provided by those involved in managing the case.	
Whilst an investigation is ongoing, all support should be offered under 'pre-trial therapy' rules ⁴⁵ , to ensure the ongoing investigation is not compromised.	
Options of independent support include:	
<ul style="list-style-type: none"> - A named pastoral supporter identified by the DSA/NST in consultation with members of the core group and the family member seeking the support; 	
<ul style="list-style-type: none"> - Local and national support groups or programmes for families. 	

⁴⁵ Provision of therapy for vulnerable or intimidated adult witnesses prior to a criminal trial - Practice guidance, issued as part of the [Home Office Co-ordinated Action for Justice Programme, 2002](#)

For clergy or lay workers whose accommodation is provided by the Church, alternative temporary accommodation for the respondent and their family may need to be considered to protect them, and to assist them in withdrawal from their role during the investigation period, which may take a long time to resolve.	
3.6 Initial Case Summary which results in notification to comply with safeguarding policies and procedures and an Interim Safeguarding Agreement	A notification to whom?
All templates referred to throughout this document are for illustrative purposes and can be adapted to suit the needs of individual cases.	
After the process of informing the respondent, the DSA will provide an Initial Case Summary for the core group to help them judge the level of risk in consultation with the statutory agencies ⁴⁶ . A decision will be taken at this stage as to whether an Interim Safeguarding Agreement is required based on the level of risk identified (Appendix 3).	
If required, the Initial Case Summary is used to develop an Interim Safeguarding Agreement due to ongoing risks being present (Appendix 3). Where an Interim Safeguarding Agreement is required the DSA and Link Person (where appointed) will meet the respondent and present them with the Interim Safeguarding Agreement, which the respondent will be asked to agree to and sign. Any refusal to sign the agreement will be considered by the core group in consultation with the bishop, whilst obtaining legal advice. During this meeting, the respondent should be advised of the potential outcomes following the conclusion of any statutory agency enquiries. The respondent can be accompanied at this meeting by a supporter, to advise them on the terms of the agreement.	
The Initial Case Summary is also used to complete the Case Management	

⁴⁶ In some cases, it may be decided that an independent risk assessment is required at this point. This would need to be requested in consultation with the statutory agencies and would need to be shared with them once completed.

Update Tool (Appendix 4). This form is used at subsequent meetings to update the core group on progress and to give a brief overview of the risks associated with the case. This should be regularly updated as required.	
Any breach of an agreement reached as part of the management of risk should be reported to the relevant statutory agencies, and to the DSA, who may consider a review of the Interim Safeguarding Agreement.	
The agreement should be reviewed by the DSA at regular intervals depending on the risks identified, initially this review would take place at a minimum of three monthly intervals until the situation appears stable when review would take place at least annually, and in the following circumstances:	
• when new information is available;	
• if circumstances change;	
• if the individual breaches the agreement;	
• if concerns have been expressed about risk management.	
Any review must be conducted in a face to face meeting with the person subject to the agreement. It must not be conducted using any other form of communication (e.g. telephone, email, including visual web link such as Skype or FaceTime).	
3.7 Suspension for the duration of an investigation	No Comment on this paragraph
When information about a safeguarding concern or allegation involving a church officer is received, consideration should be given to suspension of the respondent from their role. For clergy, suspension can occur after arrest, complaint or where the bishop is satisfied on the basis of information provided by the local authority or the police that a member of the clergy presents a significant risk of harm ⁴⁷ . The bishop can also suspend a member of the clergy when an application to bring proceedings out of time has been made and	

⁴⁷ Suspension is also possible where a member of the clergy is convicted of an offence or is placed on one of the DBS barred lists.

he/she is satisfied that suspension is necessary and he has sought and received the advice of his/her diocesan registrar (CDM s36 and s36A).	
The Police should always be consulted regarding the timing of such action, to ensure the respondent is not alerted to an impending investigation before the Police have made direct contact. Suspension may, however, be a recommendation from a Local Authority Strategy Meeting.	
It should be emphasised suspension is an entirely neutral act and is a precautionary to ensure cases can be investigated in a dispassionate manner and to protect all parties involved (for instance, by ensuring no further accusations are made against the respondent; and victims are protected).	
Consideration should be given to whether other structured activities can be offered during the period of suspension. Such activities are those which are deemed to be safe for the respondent to perform taking into consideration all the available information and potential risks.	
For clergy ⁴⁸ :	⁴⁸ Broken link in the CofE documents
<ul style="list-style-type: none"> - A bishop must consult the DSA and such other persons as the bishop considers appropriate before suspending a priest or deacon on the grounds that the cleric presents a significant risk of harm on the basis of information received from the local authority or the police (s36(2B) CDM). 	
<ul style="list-style-type: none"> - A Bishop must seek advice from the registrar before suspending a priest or deacon when an application is made by a complainant to the president of tribunals for permission to make a complaint out of time (s36A CDM). 	
<ul style="list-style-type: none"> - Equivalent provisions apply where an Archbishop is considering suspending a bishop in similar circumstances as above (s37 and s37A) 	

⁴⁸ Further information and guidance on the Clergy Discipline Measure can be found at Clergy Discipline Measure

CDM).	
<ul style="list-style-type: none"> - A bishop can suspend a licensed reader or lay worker under Canon E 6.3C and Canon E 8.5C respectively pending a decision on whether to revoke the licence but must consult the registrar before doing so (see Canon E 6.3D and Canon E 8.5D). 	
For paid staff or volunteers:	
<ul style="list-style-type: none"> - In the case of parishes, the bishop has power to suspend in certain circumstances – churchwardens, PCC members, secretary, treasurer, readers, lay workers and clergy; 	
<ul style="list-style-type: none"> - In the case of a diocesan employee, the power to suspend lies with the diocesan secretary or in the case of an NCI, cathedral or TEI employee, with the employer – as determined by the contract of employment; 	
<ul style="list-style-type: none"> - The advice of the DSA, human resources or other appropriate people should be sought and relevant disciplinary procedures followed, to ensure a correct and fair approach is applied. 	
Following an initial assessment of risk, the respondent should be offered independent pastoral support and the opportunity to worship under an Interim Safeguarding Agreement.	
Any decision regarding suspension needs to be kept under review, at three monthly intervals, as the case progress.	Where a suspension takes place a referral must be made to the Disclosure and Barring Service (“DBS”) under SAFEGUARDING VULNERABLE GROUPS ACT 2006 (“SVGA 2006”) if one has not already been made.
3.8 Communications	No Comment on this paragraph
Generally, statements about the facts of the case should not be given to the media and others until after the investigation or any subsequent trial is completed; and responses by the Church to media coverage from other sources should be minimal. This is to protect all parties and ensure any investigation is not compromised and impartiality maintained.	

Advice should be sought from diocesan and/or national director of communications on what information is shared with congregations and parishes, how it is shared, and who shares it. Recommendations for information sharing should be made by the core group, considering what information can be shared at different stages of an investigation, and who 'needs to know'.	Other than making a referral under SVGA 2006
The diocesan and/or national director of communications should liaise with the Police and other relevant statutory agency press officers to ensure consistent media statements.	
Statements should be prepared by the diocesan and/or national director of communications in co-operation with other members of the core group, to be used in response to media interest at every stage of an investigation.	
All media enquiries relating to the situation should be directed to the diocesan or national communications team. All those who may be approached by the media for comment should be given relevant contact details to pass on any media calls.	
3.9 Support to parishes and others affected by safeguarding concerns or allegations	No Comment on this paragraph
When a member of clergy leaves a parish in which they have lived and worked for some time, there is usually a period of notice during which they can take their leave and parishioners can say their goodbyes. The pastoral relationship between the respondent and parishioners can be very close so when it is ending it is to be expected there will be some sense of loss and sadness; but there is also an opportunity to mark their departure.	
When someone in a position of office or ministry must step aside at short notice or is suspended because of a safeguarding concern or allegation, a crisis arises for them; but also for the parishioners who have had no warning. The feelings that can arise for parishioners in these circumstances can be very varied, and can include defensiveness about the allegation or the respondent,	

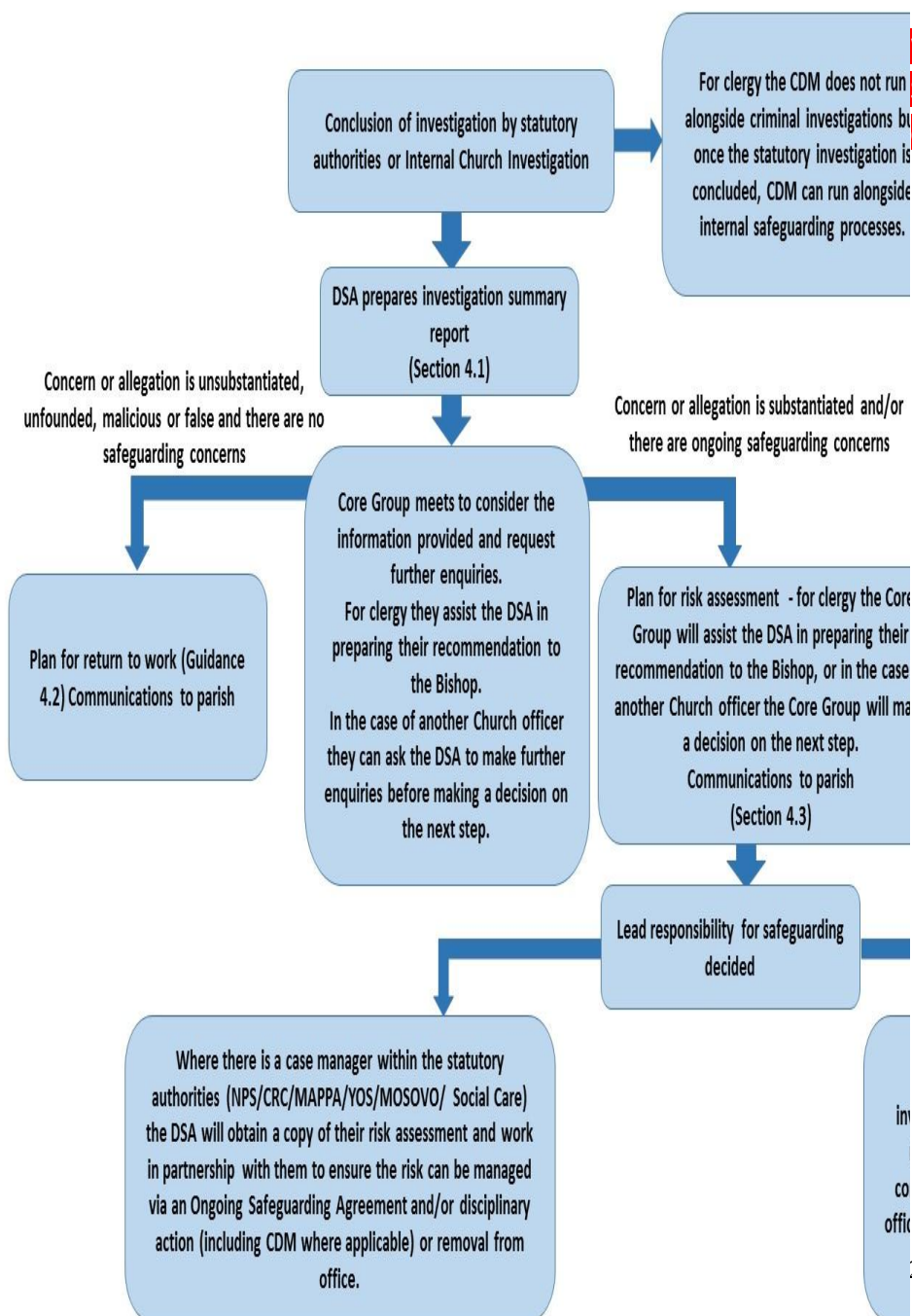
shock, disappointment, anger and confusion. People can feel abandoned, especially if they had been working closely with that person in some element of parish life.	
The core group will advise the DSA as to who should support the affected parish.	
During the period of investigation, which may last for many months, the information that can be shared with congregants or parishes will be limited; advice and support in communication should always be sought from the director of communications.	
Both during and at the end of an investigation, whatever the outcome, the bishop will have the prime responsibility for ensuring arrangements are put in place for the pastoral care of the congregation or parishes.	
3.9.1 Affected parties	No Comment on this paragraph
There are many groups who could be affected by the suspension which could include:	
• victims/survivors and their families;	
• the respondent's family and friends;	
• other clergy;	
• lay ministers;	
• parish and Church school staff;	
• parish leadership teams; • PCC members;	
• the wider parish community.	
The challenge is to identify and bring together the resources required to effectively address these needs.	
3.9.2 General principles for support	No Comment on this paragraph
There are three general principles that should guide the responses to be made:	
1. The Church must take the initiative in this situation in reaching out to, rather than retreating from, the members of the parish community;	
2. Opportunities must be established in which relevant groups of	

parishioners can air their fears, concerns and obtain the information they need. Information should be shared in consultation with the DSA, diocesan registrar and the statutory agencies;	
3. It is always best to use the parish's natural networks, and leadership, with other professionals providing consultation, education, guidance and support as needed.	
If the most appropriate person to offer support is the subject of the allegation, the core group should consider how support will be provided.	
It is the diocese's prerogative to decide, in consultation with other key parties, whether an announcement or other form of explanatory statement is made to parishioners concerning the respondent's absence. A decision on the composition and issuing of a press release may also be required and the diocesan communications officer should be involved in all discussions regarding any statement to be made.	
Any information shared publicly or privately with members of a congregation or parish must be agreed in advance with the statutory agencies where they are involved and with communications staff. The statutory agencies may, in rare circumstances, explicitly request information is shared during an investigation to search for more potential victims or ensure ongoing safety. Information requests from statutory agencies should be considered on an individual basis and a decision made on current information sharing arrangements and legal advice.	
Care should be taken as to who shares information, how it is shared and to whom; as it can impact on those disclosed to. Where information is shared a record should be made of who the information went to, how and why. Records should also be kept when a decision is made not to share information and the reasons why.	
Once more information is made available to congregants or parishes, reaction is likely to be varied. It may include anger that information has been withheld; fear that others known to them may have been abused; anger that the church	

has allowed abuse to happen; both disbelief and support for the respondent and/or the victim/survivor. Such feelings may continue for many years and may become embedded in the culture of the Church; those with responsibility for wellbeing may need to seek assistance with mediation and community healing.	
Confidentiality is required, and advice should be sought from the diocesan registrar and the DSA will be needed on what can be shared, by whom and with whom. Parishioners cannot be told everything, but they do need an explanation for the sudden unavailability of the respondent for a period. What they are told should be truthful.	
3.9.3 Appropriate support	No Comment on this paragraph
Consideration should be given as to the nature, appropriateness and timing of intervention.	
The parish community may need the support and assistance of the DSA, if the situation is too emotionally challenging and complex for parishes to deal with on their own. The availability of the DSA, or a senior member of clergy (such as an area bishop, area dean or archdeacon), to meet with concerned parishioners provides an important opportunity for people to express any safeguarding concerns they may have.	
Parishioners in this situation need:	
<ul style="list-style-type: none"> Assistance in managing feelings. These may include for some a sense of betrayal and for some may lead to a crisis of faith; 	
<ul style="list-style-type: none"> Information and education about an unusual and distressing event that will be outside their previous experience. Some may have a lot of questions or worries and anxiety about the unknown. 	
Some parishioners may want to pray together about their concerns, and consideration can be given to how this can be facilitated.	
It can happen that parishioners are divided in their attitude and loyalties, with some expressing disbelief about what is being suggested and compassion	

towards the respondent, while others may blame the respondent, or the diocese, and may express strong anger towards one or other. It is not unusual for people to come together to support and advocate on behalf of the respondent.	
If the respondent is an Incumbent stress could be experienced by other ministers of an affected parish who in the short term have an increased workload as they take up the duties of the respondent. They do so at the same time as they are coming to terms with their own feelings about what has happened, while also trying to support and assist the parishioners. It is important they have someone from whom they can draw support and encouragement.	
Without any undue haste, a return to regular parish routines as soon as is practicable should be supported, as people are reassured by familiar routines.	

4. The process to be followed after the statutory agency or an internal investigation has concluded	No Comment on this paragraph
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Why is there no reference on the flowchart to the making of a referral under SVGA 2006, where the services of a minister of the church or officer has been dispensed with?

4.1 DSA prepares investigation summary report	
Following the conclusion of the statutory process or the Internal Church Investigation, the DSA will prepare a summary report. The report should include:	The 'statutory process' as mentioned here does not always occur as this policy reveals. Discretionary reporting, which in reality is not in the church's interest, permits non-reporting.
1. Core details of the respondent – name, date of birth, address, role;	
2. A summary of the allegations - this will contain the following information:	
- Dates, venues of allegation;	
- Age(s) of victim/survivor(s) at time of allegation;	
- When the allegation was notified to the diocese;	
- Age of respondent at the time of the alleged abuse, and their age now;	
- When the allegation was reported to the statutory agencies and any action taken by them, and any outcomes from those actions;	
- If any statements have been made by the victim/survivor(s) to the statutory agencies, a copy of these should be sought. If not already taken by the statutory agencies, arrangements should be made to obtain an account from the victim/survivor, to include as much detail as possible; name any witnesses, or existence of corroborative evidence. Best practice is for this to be done during a face to face meeting, the statement should be shared with the victim/survivor to ensure that it is an accurate reflection of the account given;	<p>The premise behind gathering this information appears to be simply that the police/ social services investigation is completed, so the DSA should wrap things up. Who determines when this point has been reached?</p> <p>The clause is wholly inappropriate for the following reasons:</p> <ul style="list-style-type: none"> • the claimant should not be asked for the police statement whilst s/he is contemplating a compensation claim; • the claimant should not be re-traumatised by being asked for more information by a DSA; • the DSA will inevitably be gathering information to help its insurer [in all likelihood EIG] defeat a possible claim for damages; • The church will want as much information as possible to assess the case but the complainant should not be expected to deal directly with the church. The church should recommend the complainant appoints a solicitor and any church communication regarding the complaint should be with the complainant's solicitor.

- A statement detailing the response to the allegation by the respondent should be taken, best practice is for this to be done during a face to face meeting. The statement should be shared with the respondent to ensure it is an accurate reflection of the response provided;	
- Any relevant information about any previous allegations;	
- Information on where the respondent was at the time of the allegation; and any other relevant information or corroborative evidence presented by the respondent;	
- The respondent's knowledge of and attitude to the victim/survivor at the initial meeting;	
- The respondent's attitude to the Church process;	
- Third party information - any corroborating evidence which supports the investigation where this has been upheld;	
- The views of any other relevant people; statutory agencies; other church officers; anyone else who may have been aware of the allegation, bearing in mind issues of confidentiality and data protection requirements;	
- Consider any Initial Reports including, Risk Assessments, and the Case	
Management Update Tool (Appendix 4) used to complete the Interim Safeguarding Agreement (Appendix 3);	
- Information on the action taken so far against the respondent, including suspension, as a result of the concern or allegation.	
3. An assessment of findings - which could include recommendations for further enquiries. And will include a clear statement, in their opinion, on whether the DSA believes case is substantiated or unsubstantiated, unfounded, malicious or false and/or whether there are ongoing safeguarding concerns.	
In preparing this report the DSA will meet with the respondent to give them	

the opportunity to reply to the allegation made. The communication of this offer must be done in writing, since the copy of the letter handed over or posted will serve as proof of whether or not this has been done in an adequate and satisfactory manner. This opportunity should be given to the respondent in addition to any other interviews with statutory agencies. This should not be done informally in a private meeting, as once the process has been initiated, all contacts between the diocese and the respondent must be formal and minuted. There must be at least one other person present, e.g. the respondent's legal advisor or a supporter, when the meeting takes place. If the respondent does not want someone to accompany them, the DSA should ensure there is a third person present.	
Having informed the respondent of what has been alleged and of the information collected, the DSA offers the respondent the opportunity to reply. Any reply must be noted within the meeting, agreed with the respondent afterwards and signed and dated by them as a statement that the record is a true and accurate reflection of what has been said. Any disagreement about the recording of the reply should be noted.	
The conclusion of this report should assist the core group in deciding whether there is a case to answer, the case is unsubstantiated or that the case is manifestly false or unfounded.	
The information presented in the report is not meant to be an exhaustive demonstration of the facts but something that supports the allegation which would merit taking further action. After consideration of the report, the core group can ask the DSA to make further enquiries in order to determine whether a risk assessment is required or not, for clergy these further enquiries will serve to inform the recommendation made to the bishop.	This is the job of the statutory agencies.
In conclusion, there are three possible outcomes:	
1. The initial investigation finds the concern or allegation was unsubstantiated and there are no ongoing safeguarding concerns – in this scenario for church officers who are ordained, licensed,	The order in which these are listed is interesting. 'Substantiated allegations' is the third of three paragraphs. An insight into the culture of the church?

authorised, commissioned or holding permission to officiate the DSA should recommend to the bishop that the respondent is returned to work. For other church officers the core group should decide that the respondent should be returned to work and inform the person responsible for them.	
2. The initial investigation finds the concern or allegation was unsubstantiated but there are ongoing safeguarding concerns – in this scenario a risk assessment is required, for church officers who are ordained, licensed, authorised, commissioned or holding permission to officiate the DSA should recommend to the bishop that an independent risk assessment is undertaken. For other church officers, the core group should inform the DSA who will either carry out a standard assessment or make arrangements for it to be carried out;	If the church only investigates after the LADO has decided there's no cause for intervention by statutory agencies, it shouldn't be called an "initial" investigation since that is a confusing term which might encourage some to think the church is conducting the initial investigation <i>before</i> the LADO has been contacted.
3. The initial investigation finds the concern or allegation to be substantiated – in this scenario a risk assessment is required, for church officers who are ordained, licensed, authorised, commissioned or holding permission to officiate the DSA should recommend to the bishop that an independent risk assessment is undertaken. For other church officers, the core group should inform the DSA who will either carry out a standard assessment or make arrangements for it to be carried out.	Why is there no reference to making a referral under SVGA 2006 where the services of a minister or church officer &c., have been dispensed with?
At all stages outlined, all information should be recorded to provide a clear audit trail and cross referenced with the DSA's casefile.	
Whilst a risk assessment is being awaited, the Interim Safeguarding Agreement (Appendix 3) should be reassessed using the Initial Case Summary, and if changes are required a new copy should be signed and dated by the respondent and the DSA. The Case Management Update Tool should be updated with this information (Appendix 4).	

4.2 When the initial investigation finds that the concern or allegation is unsubstantiated, unfounded, malicious or false⁴⁹ and there are no ongoing safeguarding concerns (return to work)	No comment on this paragraph
If there is no credible, identifiable or believable evidence to support a safeguarding concern or allegation then the initial investigation must be concluded and the respondent (this relates to all church officers) should be returned to work.	
The person who made the allegation should be notified of the outcome of the statutory investigation by the relevant agency and the DSA should make contact with them following this notification to explain what will happen with regards to returning the respondent to work.	
To do this the following should serve as a guide on the steps which may be taken:	
1. Once it has been established that a concern or allegation is unsubstantiated and there are no ongoing safeguarding concerns, in the case of a church officer who is ordained, licensed, authorised, commissioned or holding permission to officiate the diocesan bishop, should meet with the respondent to consider how and when a return to work can be achieved. For other church officers, the relevant employer/supervisor should meet with the respondent to consider how and when a return to work can be achieved;	
2. It is important all outstanding matters are addressed prior to any return to work therefore, in preparation, the respondent should be offered counselling and support to assist them to deal with any residual anger/distress. The preparation for a return to work should include spiritual direction, reflection and discussions with the bishop or other relevant person. It is understandable that the respondent may be angry at the process but this anger must be addressed appropriately so as not	

⁴⁹ An unsubstantiated concern or allegation means that there is insufficient identifiable evidence to prove or disprove the allegation. The term therefore does not imply guilt or innocence. Malicious means there is sufficient evidence to disprove the allegation and there has been a deliberate act to deceive. False means there is sufficient evidence to disprove the allegation; Unfounded means there is no evidence or proper basis which supports the allegation being made.

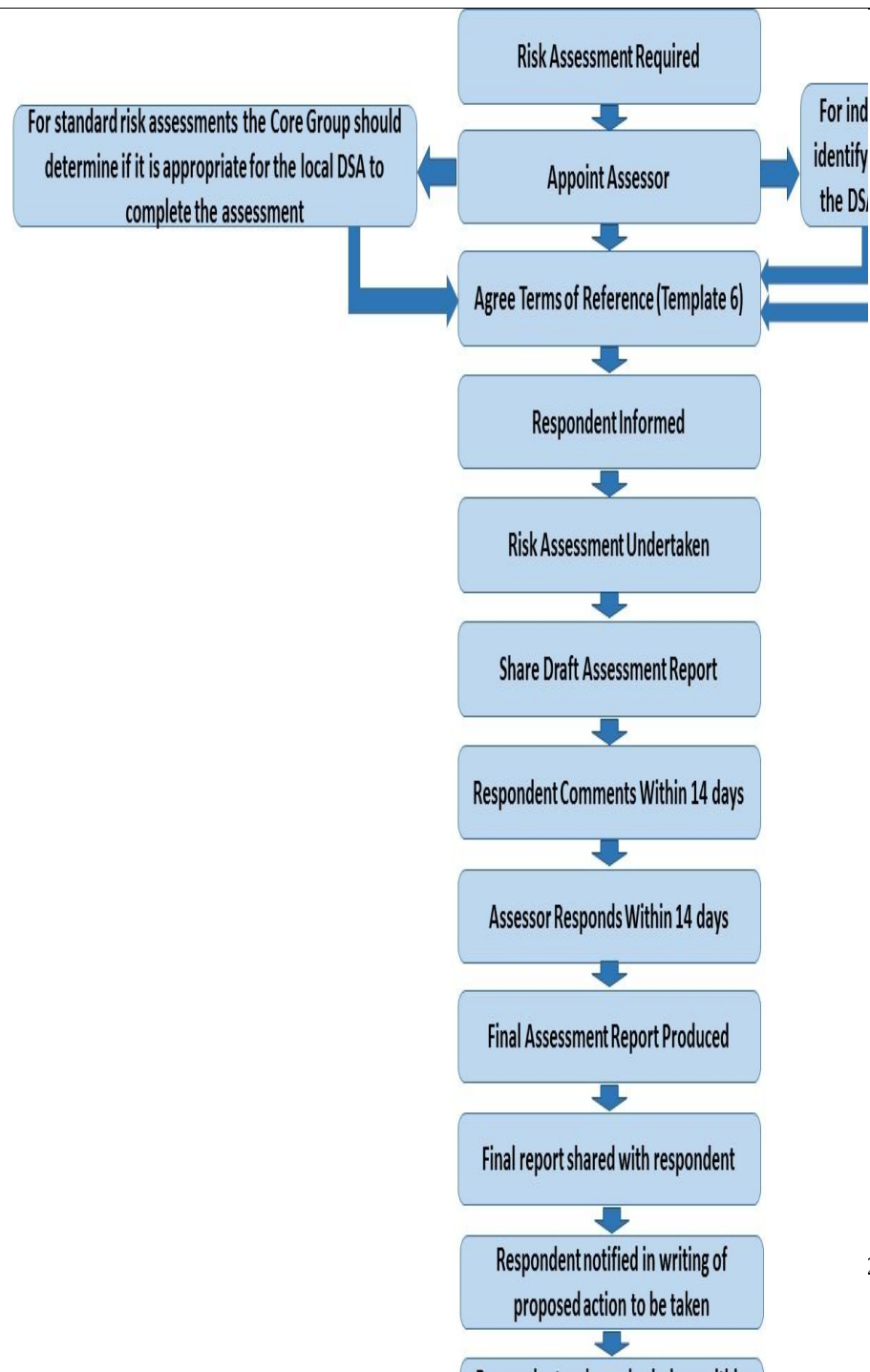
to interfere with future work;	
3. Following counselling (where required), spiritual direction and reflection for the respondent, the bishop or other relevant person should meet them to agree what	
work they will undertake. If the work involves a return to a previous community/parish, agreement should be reached about what and how to communicate the return, consideration should be given to a statement being made about the outcome of the concern or allegation;	
4. The respondent should continue to be provided with support for an agreed period after the return to work;	
5. The respondent should be reminded of the safeguarding policies, procedures and code of conduct;	
6. The communications strategy should be updated and any statement to be made should be agreed with the director of communications.	
At any stage of this process the advice of the DSA, core group, human resources manager or the Diocesan Safeguarding Advisory Panel can be sought by the bishop or relevant persons.	
At all stages outlined, all information should be recorded to provide a clear audit trail and cross-referenced with the DSA casefile. These records will be of importance if further allegations are made in future.	
4.3 When the initial investigation finds that the concern or allegation is	
substantiated⁵⁰ and/or there are ongoing safeguarding concerns	
If the concern or allegation is substantiated and/or there are ongoing safeguarding concerns, a plan should be established for assessing the risk and reviewing the Interim Safeguarding Agreement. For clergy, a recommendation	

⁵⁰ A substantiated concern or allegation is one which has been investigated and credible supporting evidence has been found. Examples of substantiated allegations would include: a criminal conviction or a finding of fact in a civil court or, where there has been no conviction or finding of fact, where credible and identifiable evidence has been found (without implying guilt or innocence) **or where a clear admission has been made preferably in writing.**

will be made by the DSA, in consultation with the core group, to the bishop advising that an independent risk assessment is required. For other church officers the core group who will inform the DSA who will either carry out a standard assessment or make arrangements for it to be carried out.	
A decision must be made in liaison with the statutory agencies (if applicable), as to where the responsibility for safeguarding in relation to the respondent lies; at this point, there are two options:	
a) Where there is a case manager within the statutory agencies, the DSA will try and obtain a copy of their risk assessment and work in partnership with them to ensure the risk can be managed via an Ongoing Safeguarding Agreement and/or disciplinary action (including CDM where applicable ⁵¹). Where a copy of the statutory agency risk assessment is unable to be obtained, the Church must consider commissioning its own risk assessment see section 5 .	Broken link in the original CofE document
b) Where there is no statutory agency involvement, the Church will commission a risk assessment to inform any ongoing risk management required – see section 5 .	The church makes not conditional discretionary referral to the LADO but then commissions a risk assessment. It's a contradiction.
It is important to note that, regardless of where the responsibility for safeguarding lies, where a statutory or multi-agency meeting makes a formal recommendation for action, there are implications for insurance if that recommendation is not acted upon.	It seems Ecclesiastical is omnipresent.
The communications strategy should be updated and any statement to be made should be agreed with the diocesan director of communications.	
At all stages outlined, all information should be recorded to provide a clear audit trail and cross referenced with the DSA casefile.	
5. Risk assessment process	
For clergy this section is underpinned by the Safeguarding (Clergy Risk Assessment) Regulations 2016 and the specific detail of each regulation is	

⁵¹ Clergy Discipline Measure

referenced at the appropriate point within the guidance.	
When a concern or allegation has been made and this has been substantiated and/or there are safeguarding concerns, a risk assessment is required to predict future risk and inform an Ongoing Safeguarding Agreement. For clergy, CDM should be considered.	
There are several different situations in which the Church may require an assessment of the future risk posed to children, young people and/or vulnerable adults. Some examples are included below:	
<ul style="list-style-type: none"> Convicted offenders; 	
<ul style="list-style-type: none"> Those acquitted of a charge of abuse where concerns about risk remain; 	<p>Must be added to this clause</p> <p><i>Or those charged but not tried by reason of the stay of an indictment for whatever reason</i></p>
<ul style="list-style-type: none"> Someone charged with an offence where charges are not subsequently pursued; 	
<ul style="list-style-type: none"> Someone investigated by a statutory authority but subsequently not pursued; 	
<ul style="list-style-type: none"> A concern or allegation which has not met the requirement for reporting to the statutory agencies and is being managed as an internal investigation. 	<p>The Church not committing to report all incidents of known or suspected abuse to the LADO for independent assessment, or even discussing all concerns with the same Local Authority Officer means little reliance can be placed this exceptionally wordy policy.</p> <p>Suggest the following amendment to this clause:</p> <p><i>A concern or allegation which the LADO has agreed has not met the requirement for reporting to the statutory agencies and is being managed as an internal investigation with the concurrence of the LADO.</i></p>
Where a risk assessment is required it can be commissioned by following the process below:	



5.1 What can victims/survivors expect?	No Comment
The DSA should ensure that direct support is offered to victims/survivors, quite separate from the assessment process. At each stage of the process, consideration must be given to what information, if any, can be shared with any known victims/survivors and their families by the support person, in consultation with the statutory agencies. In most cases, they may need reassurance that a risk assessment has been conducted, but they won't have access to the details or to the recommendations of the report except in exceptional circumstances, when external advice should be sought.	
5.2 What can the respondent expect?	No comment on this paragraph
A full risk assessment can only be undertaken with the participation of the respondent, but a return to or commencement of the role may be conditional on its completion. If the respondent refuses to participate, a risk assessment can still be undertaken using the information that is available. If a cleric refuses to undergo a risk assessment when directed by the Bishop to do so in accordance with paragraph 2 of Canon C30 without a justifiable excuse (Canon C30.2 (8)) or fails to comply with a reasonable request of the assessor without good reason (Safeguarding (Clergy Risk Assessment) Regulations 2016 r. 4(4)), then such action may constitute misconduct under section 8 (1) of the Clergy Discipline Measure 2003.	
The conclusions and recommendations of the assessment may be shared with statutory agencies, and may inform a disciplinary process, so it should be timed with this in mind. The assessment may be disclosable, if relevant, to any criminal or civil proceedings.	
All relevant information about the arrangements should be communicated to the respondent in writing as well as through any spoken contact.	
The assessment is not a legal process, and therefore the respondent's lawyer does not need to be part of the assessment process. The respondent may choose to seek legal advice before agreeing to the terms of reference for the	

assessment.	
Experience shows the respondent is often constrained in their engagement when accompanied by a supporter as it can be more difficult for them to open up and reveal information that they may have previously denied or hidden. This should be explained to the respondent at the beginning of the process. If, however the respondent has specific support needs, for instance related to disability or language, these must be addressed and provided for accordingly.	
If the respondent chooses to be accompanied by a supporter, then it is good practice to agree and to clarify their role. The role of the supporter is to listen, so they can talk through what was said with the respondent after the interview. The supporter is not an advocate for the respondent, must be independent of the issue causing the assessment to be undertaken, and should not be a legal representative.	
The role of the supporter should be clarified to the respondent before the assessment, and explained again by the assessor at the start of interviews.	
Whether or not the respondent is accompanied by a supporter, it is the responsibility of the bishop to ensure the respondent's welfare is considered and that pastoral support is offered both before, during and after the assessment process, although the bishop will not be able to offer pastoral support, they must ensure that arrangements are put in place to provide such support.	
The respondent should be given a copy of both the draft and the final report, which may be redacted where this is necessary.	
5.3 Which type of risk assessment is required and who should undertake the assessment?	No comment on this paragraph
If the respondent's case is being managed by a statutory agency every effort should be made to obtain a copy of their risk assessment although it is accepted that at the time of this guidance being published there is no national information sharing agreement to assist in this. The statutory risk assessment	

will then be used in conjunction with the commissioned risk assessment to inform the ongoing management of risk.	
The sharing of information is a two-way process and due consideration should be made to sharing the commissioned risk assessment with the statutory agencies.	
In relation to clergy, the bishop must appoint a person to carry out the risk assessment, this person is known hereafter as the assessor (regulation 3 (1)).	
For all other church officers the risk assessment will be commissioned by the core group.	
Standard - This type of assessment is used for church officers who are not ordained, licensed, authorised, commissioned or holding permission to officiate whether paid or unpaid and could be used for anyone known to present a risk where it has not been possible to access an assessment completed by the statutory agencies, or where the statutory agency risk assessment does not sufficiently consider risk in a Christian community. This would include organists, bell-ringers, etc.	
It covers the risk of all types of abuse and is not limited to sexual abuse. Standard risk assessments will normally be completed by the DSA. However, there may be circumstances in which the DSA would delegate this to another professional or request an independent risk assessment is completed by an assessor from the approved list. This could be in cases where:	
<ul style="list-style-type: none"> There are relational difficulties in completing the assessment internally i.e. by the DSA in the diocese in which the respondent is residing / complaint has been made; 	
<ul style="list-style-type: none"> There are other factors which require specific expertise to assess e.g. children, female abusers, learning disability, mental health; 	
<ul style="list-style-type: none"> There is or could be public interest / reputational risk. 	
When making the appointment of another professional to undertake the risk assessment, the core group must have due regard to the advice of the DSA.	

Before making an appointment, the core group must be satisfied that the person is, in all the circumstances of the case, suitable to carry out the risk assessment.	
Independent - This type of assessment is used for all church officers who are ordained, licensed, authorised, commissioned or holding permission to officiate . An independent assessment will always be carried out by a person/organisation which is independent from the Church. Independence for the purposes of this type of risk assessment means someone who has no professional association with any diocese in the Church but - professional association does not include a risk assessor's previous completion of risk assessment. Should an assessor hold a position of office within their local Christian community, which could be construed as a conflict of interest, the NST will make a judgement on their ability to remain independent prior to approving them for the nationally maintained list of assessors.	
The independent assessor should be drawn from professionals or agencies with proven qualifications and experience in the field of risk assessment. The National Safeguarding Team maintains a list of approved assessors from which one will be selected. The Safeguarding (Clergy Risk Assessment) Regulations 2016 state an assessor must be appointed from this list (regulation 3(2)), and the bishop must be satisfied the person to be appointed is in all the circumstances of the case suitable to carry out the risk assessment (regulation 3(3)).	
5.4a Procedure for preparing to carry out an independent risk assessment	
Please note the procedure to carry out independent risk assessments aligns with the Safeguarding (Clergy Risk Assessment) Regulations 2016.	
Where the bishop appoints a risk assessor the DSA must prepare the terms of reference for the assessment in consultation with the Diocesan Registrar and submit them to the bishop for approval (regulation 4 (1)). Appendix 6 provides an example of the Terms of Reference that might be set.	

The bishop, having approved the Terms of Reference, must ensure that the DSA gives them to the appointed assessor (regulation 4 (2) (a)). Upon agreeing the terms of reference, the assessor must be provided with a copy together with any other information which is relevant to the assessment, in sharing this information the Bishop should have regard to the advice of their diocesan registrar and DSA (regulation 4 (2)(b)).	
It is best practice to also prepare a letter of instruction for the assessor and ensure that this includes the time frames for the draft assessment report to be submitted and that the instructions are agreed prior to the assessment commencing. The DSA should do this under advice from the registrar and, where necessary, after seeking advice from a child care law specialist. Appendix 7 provides an example letter of instruction.	
The bishop must also ensure that the DSA supplies the respondent with a written statement which:	
• sets out the terms of reference;	
• gives the reason for requiring the assessment;	
• gives the name of the assessor;	
• explains how the assessment is proposed to be carried out;	
• refers to the possibility that the Bishop may give a copy of the report on the assessment, or a copy of it in a redacted form, to the Police, a Local Authority or another body concerned with the safeguarding of children, young people or vulnerable adults (regulation 4 (3)).	
The respondent should be reminded that any failure to comply with a reasonable requirement of the assessor without good reason may constitute misconduct under section 8 (1) of the Clergy Discipline Measure 2003 (regulation 4 (4)).	
5.4b Procedure for preparing to carry out a standard risk assessment	No comment on this paragraph
The DSA must prepare the terms of reference for the assessment in consultation with the core group. Appendix 6 provides an example of the	

Terms of Reference that might be adapted for this purpose.	
The core group, having approved the terms of reference, must ensure that the DSA agrees them.	
It is best practice for the core group to also prepare a letter of instruction for the assessor and ensure that this includes the time frames for the draft assessment report to be submitted and that the instructions are agreed prior to the assessment commencing. Appendix 7 provides an example letter of instruction that might be adapted for this purpose.	
The core group must also ensure that the DSA supplies the respondent with a written statement which:	
• sets out the terms of reference;	
• gives the reason for requiring the assessment;	
• gives the name of the assessor;	
• explains how the assessment is proposed to be carried out;	
• refers to the possibility that a copy of the report on the assessment, or a copy of it in a redacted form, may be shared with the Police, a Local Authority or another body concerned with the safeguarding of children, young people or vulnerable adults.	
5.5 What a risk assessment should include (Standard and Independent)?	No comment on this paragraph
The following should be included in all risk assessments:	
• The personal history of the respondent (including a summary of their personal relationships, family background, education/employment history, substance misuse, physical and mental health factors, lifestyle, perception of self-identity and their relationships with others and any other attitudinal or behavioural factors which can contribute to an analysis or explanation of the allegation);	
• The respondent's vocation for their role;	
• The respondent's sexual history (if relevant);	
• The forensic history of the respondent's offending behaviour, previous	

allegations etc.;	
<ul style="list-style-type: none"> • A clear statement about any dispute between the facts as found and the respondent's version of events - setting out the matter, nature and extent of the dispute but not making a finding on any fact which is in dispute⁵²; 	
<ul style="list-style-type: none"> • The respondent's attitude to the victim/survivor(s), including evidence of empathy; 	
<ul style="list-style-type: none"> • The respondent's attitude to the diocese in developing a Safeguarding Agreement; 	
<ul style="list-style-type: none"> • The methodology or framework used to assess the level of risk of the respondent abusing in the future; 	
<ul style="list-style-type: none"> • The assessor's opinion on the nature and likely extent of the risk⁵³; 	
<ul style="list-style-type: none"> • The assessor's recommendations on how to address or manage the risks identified⁵⁴ (e.g. guidance on an appropriate Safeguarding Agreement). 	
If during the assessment process the respondent discloses information relating to additional safeguarding concerns involving further victims/survivors who have been harmed or at risk of harm the assessor must pass this information to the DSA who will arrange to share this information with the statutory agencies and notify the core group.	
5.6a The procedure for sharing the draft independent risk assessment report	No comment on this paragraph
Upon completing a risk assessment, the assessor will share the draft report with the bishop.	
Best practice would allow for the bishop to make comment to the assessor about any matters of factual inaccuracy and to request clarification in relation to terminology and the meaning of the assessment. The assessor would	

⁵² This relates to regulation 5 (2) (a) and 5 (2) (b) for clergy

⁵³ This relates to regulation 5 (1a) for clergy.

⁵⁴ This Relates to regulation 5 (1) (b) for clergy.

determine the relevance of any submission from the bishop in relation to their opinions and the nature and extent of the risk. The bishop could not ask for the opinion of the assessor to be changed.	
The bishop must give the full draft assessment to the respondent. Best practice suggests that draft assessments should be shared with the respondent during a face to face meeting.	
If the bishop is satisfied that giving the assessment report to the respondent will disclose to them information about another person which should not be disclosed without that other person's consent and that other person has not consented, the bishop must give the respondent the report in a redacted form, together with a written explanation of the reasons for giving the report in that form. The bishop must also share the redacted version of the draft report with the assessor. In carrying out any action under regulation 6 the bishop must have due regard to advice given by the diocesan registrar and DSA.	
Within 14 days of receiving the draft report, the respondent may put written questions, and make written submissions, on the draft report to the assessor.	
The assessor must, within 14 days of receiving the respondent's submissions, give the respondent answers to the submissions.	
Within 14 days of receiving those answers, the respondent may make written submissions to the assessor on the answers received and on the draft report in the light of those answers.	
All comments and replies by any person should be recorded in writing.	
5.6b The procedure for sharing the draft standard risk assessment report	No comment on this paragraph
Upon completing a standard risk assessment, the assessor will share the draft report with the core group.	
Best practice would allow for the core group to make comment to the assessor about any matters of factual inaccuracy and to request clarification in relation to terminology and the meaning of the assessment. The assessor would determine the relevance of any submission from the core group in relation to	

their opinions and the nature and extent of the risk. The core group could not ask for the opinion of the assessor to be changed.	
The DSA must give the full draft assessment to the respondent. Best practice suggests that draft assessments should be shared with the respondent during a face to face meeting.	
If the core group are satisfied that giving the assessment report to the respondent would disclose to them information about another person which should not be disclosed without that other person's consent and that other person has not consented, the core group must ensure the respondent is given the report in a redacted form, together with a written explanation of the reasons for giving the report in that form. The core group must also share the redacted version of the draft report with the assessor.	
Within 14 days of receiving the draft report, the respondent may put written questions, and make written submissions, on the draft report to the assessor.	
The assessor must, within 14 days of receiving the respondent's submissions, give the respondent answers to the submissions.	
Within 14 days of receiving those answers, the respondent may make written submissions to the assessor on the answers received and on the draft report in the light of those answers.	
All comments and replies by any person should be shared with the core group and recorded in writing.	
5.7a The procedure to be followed upon receipt of the final independent risk assessment report	No comment on this paragraph
The assessor, having amended a draft report as he or she thinks appropriate in response to any submissions made must give the final report on the assessment to the bishop ⁵⁵ .	
The bishop must give the final written assessment report to the respondent.	

⁵⁵ applies regulation 7 (1) for clergy.

Best practice suggests that final assessments should be shared with the respondent during a face to face meeting.	
As with the draft report, if giving the final assessment report to the respondent will disclose to him or her information about another person which should not be disclosed without that other person's consent and that other person has not consented, the respondent must be given the report in a redacted form, and a written explanation of the reasons for giving the report in that form. Best practice would be for the bishop to also share the redacted version of the final report with the assessor.	
The bishop must also share the final risk assessment report with the DSA and the chair of the Diocesan Safeguarding Advisory Panel.	
If the bishop is satisfied that it is necessary and appropriate to do so, the bishop must also give a copy of the final written assessment (redacted if appropriate) to the police, local authority or such other person concerned with the safeguarding of children, young people or vulnerable adults as the bishop considers appropriate. In order to make this decision the Bishop must have due regard to the advice of the diocesan registrar and the DSA.	
Best practice would be for the DSA to also share the final assessment report with the core group. The DSA, seeking the advice of the core group, will use the report to propose the content of an Ongoing Safeguarding Agreement and if any past misconduct is revealed during the process to make recommendations for any disciplinary action including removal from office (where appropriate) to the bishop.	Why is there no reference to making a referral under SVGA 2006 where the services of a minister or church officer &c., have been dispensed with?
Upon receipt of the DSA's recommendations the bishop must decide what action, if any, to take.	
5.7b The procedure to be followed upon receipt of the final standard risk assessment report	No comment on this paragraph
The assessor, having amended a draft report as he or she thinks appropriate in response to any submissions made must give the final report on the assessment	

to the core group.	
The core group must ensure the DSA gives the final written assessment report to the respondent. Best practice suggests that final assessments should be shared with the respondent during a face to face meeting.	
As with the draft report, if giving the final assessment report to the respondent will disclose to him or her information about another person which should not be disclosed without that other person's consent and that other person has not consented, the respondent must be given the report in a redacted form, and a written explanation of the reasons for giving the report in that form. Best practice would be for the core group to also share the redacted version of the final report with the assessor.	
The core group should also share the final risk assessment report with the chair of the Diocesan Safeguarding Advisory Panel.	
If the core group is satisfied that it is necessary and appropriate to do so, they must also ensure the DSA gives a copy of the final written assessment (redacted if appropriate) to the police, local authority or such other person concerned with the safeguarding of children, young people and/or vulnerable adults as they consider appropriate.	
The core group, will use the report to decide the content of an Ongoing Safeguarding Agreement and make recommendations for any disciplinary action or removal from office.	
5.8a Bishop's responsibilities following independent risk assessment	No comment on this paragraph
Having received the final written assessment report, the bishop must invite the respondent to a meeting to discuss the opinions and recommendations contained within the assessment and any action which the bishop proposes to take in response ⁵⁶ .	

⁵⁶ relates regulation 8 for clergy.

Where the bishop proposes to act in response to the report, they must give the respondent written notification of the proposed action and the reasons for it. However, this notification must not be issued until the meeting referred to above has taken place or the bishop is satisfied that the respondent will not attend any such meeting.	
Within 14 days of receiving the notification the respondent may make written submissions to the bishop on the proposals. If the respondent does make written submissions the bishop must give a copy of them to the DSA and the chair of the DSAP.	
Upon receipt of the submissions the bishop must then decide what action to take having due regard to the advice given by the diocesan registrar, the DSA and the chair of the DSAP. The respondent must be given written notification of the decision and a written explanation of the reasons for it.	Due regard makes this a discretionary decision with the opportunity for things to go wrong which is increased by the absence of law to report abuse. Canon Gordon Rideout (Diocese of Chichester) is an example that springs to mind.
Where the bishop decides to take no action, the bishop must give the respondent written notification accordingly.	
5.8b Core Group's responsibilities following standard risk assessment	No comment on this paragraph
Having received the final written assessment report, the core group must consult with the employer/supervisor for decisions on long term action to be taken. The DSA or employer/supervisor will then invite the respondent to a meeting to discuss the opinions and recommendations contained within the assessment and any action which is proposed in response. Actions may be proposed by the core group in relation to an Ongoing Safeguarding Agreement however, there may be additional actions proposed by the respondent's employer/supervisor in relation to their work which will also need to be taken into account. This might include dismissal or formal suspension.	
Where action is proposed in response to the assessment report, the respondent should be given written notification of the proposed action and the reasons for it. However, this notification must not be issued until the meeting referred to above has taken place or the respondent has indicated they will not attend any	

such meeting.	
Within 14 days of receiving the notification the respondent may make written submissions on the proposals. If the respondent does make written submissions copies of them must be given to the DSA and the employer/supervisor.	
Upon receipt of the submissions, decision must be taken in relation to action to be taken. The respondent must be given written notification of the decision and a written explanation of the reasons for it.	
Where no action is proposed, the respondent must be given written notification accordingly.	
5.9a Power of the Bishop to extend time limits under the terms of reference for an independent risk assessment⁵⁷	No comment on this paragraph
Where it is necessary and appropriate to do so, the bishop may extend the duration of a given time limit by such amount as the Bishop determines necessary. If a time limit has expired, the bishop may also authorise a further time period beginning and ending when the Bishop determines.	
If the bishop extends the time limits they must inform in writing those affected accordingly e.g. the respondent, the assessor, the DSA etc.	
5.9b Power of the Core Group to extend time limits under the terms of reference for an standard risk assessment	No comment on this paragraph
Where it is necessary and appropriate to do so, the core group may extend the duration of a given time limit by such amount as they determine necessary. If a time limit has expired, the core group may also authorise a further time period beginning and ending when they determine.	
If the core group extends the time limits they must inform in writing those affected accordingly e.g. the respondent, the assessor, the DSA etc.	

⁵⁷ relates Regulation 9 for clergy.

5.10 Response to victims or survivors	No comment on this paragraph
If they choose to be, the victim/survivor must be kept up-to-date of decisions relating to their concern or allegation made throughout the whole process. This is essential in maintaining the credibility of the process that their concern or the allegation is being taken seriously.	
Where the victim/survivor chooses to be kept updated, the method of being updated – in person, on the telephone or etc. should be agreed at the outset and this should be done at agreed intervals – even if there is nothing to update. All contact with the victim/survivor should be recorded including the update given and any response made by the	
victim/survivor. Where the victim/survivor has accepted the offer of a support person, it could fall within their role to keep the victim/survivor updated.	
Support for victims/survivors should be based on the six principles of safeguarding adults:	
<ul style="list-style-type: none"> • Empowerment: What does the survivor need at the present time to enable them to feel safe and engage with those Church things they want to engage with? (survivor defined support that is reasonable); 	
<ul style="list-style-type: none"> • Protection: Are there people and situations that the survivor needs protecting from? Have the events that led to the abuse been adequately addressed by the Church? What does the survivor fear might happen? Can they be protected from this happening? 	
<ul style="list-style-type: none"> • Prevention: Ensure Churches take seriously the commitment to prevent abuse and harm in the first place; policies and training, safer buildings etc.; 	
<ul style="list-style-type: none"> • Partnership: Where a survivor identifies they want further support where is it appropriate to signpost survivors for that support? A material contribution may be considered where the Church has been at fault in the process. But ordinary care and support as wanted by the survivor should continue alongside this in order that they are supported in their journey; 	
<ul style="list-style-type: none"> • Proportionality: Survivors are of themselves not necessarily a risk to 	

other people, so they don't need contracts. Support for survivors must be sought at the level of Church at which the survivor engages, i.e. at the local level, survivor determined, and not necessarily seen as only a specialist response.	
<ul style="list-style-type: none"> Accountability: Every Church needs to be accountable to survivors of abuse who make known their needs to the Church. This may mean seeking ways to identify how any adult who has been through a safeguarding process of the Church, as set out in this guidance, has an opportunity to comment on what they feel and think about the process. So that the Church can be confident that is promoting and creating a safer Church for all. 	
5.10.1 Apology	
A formal apology should not generally be considered until any statutory investigation is concluded (or after criminal proceedings have finished). At this point, except where the allegation is deemed by Police or the Strategy Meeting to be unfounded or malicious, the DSA, on advice of the core group, should advise the bishop or archbishop as to whether an apology to the victim or survivor is appropriate and if so, who should apologise on behalf of the Church.	
If the respondent is someone who has held the bishop's or archbishop's licence or commission, the apology should be made by the diocesan bishop or the archbishop of the Province in person and by letter.	
The format of such apology should be fully discussed with the diocesan safeguarding adviser, the appropriate director of communications (diocesan/provincial/national) and the diocesan or provincial registrar before then being discussed the relevant insurer.	
In most situations, the diocesan bishop or archbishop of the Province should write to the survivor, offering a full apology for what occurred, and offering to meet with the survivor to hear their concerns and answer any ongoing questions they have. This meeting should be at a time and location to suit the	

survivor.	
The survivor should be offered the opportunity to be accompanied by someone of their choice, and the bishop or archbishop should be accompanied by his or her safeguarding adviser.	
The purpose of this letter and meeting is to enable the survivor to tell their story again, for their story to be heard, for someone to provide a compassionate response, and for the unambiguous vindication of the victim as someone who has been wrongfully harmed ⁵⁸ .	Broken link in Church document
5.10.2 Ongoing support	
If a claim is made by the survivor for the payment of compensation this should be discussed with the relevant insurer, the diocesan safeguarding adviser and the diocesan or provincial registrar.	An apology is linked to insurance considerations. The influence of Ecclesiastical Insurance Group seems omnipresent.
If there is no formal claim for compensation, the offer of provision of funds for treatment costs may be considered in a case to case basis after having consulted the relevant insurer, the diocesan safeguarding adviser and the diocesan or provincial registrar. The duration of this funding cannot be open-ended, but should be discussed with the survivor and their therapist or counsellor.	
6. The ongoing risk management process	No comment on this paragraph
Upon receiving the risk assessment, a decision must be made by the DSA, with the statutory agencies, as to where the responsibility for the management of risk lies; at this point, there are two options:	
1. If the respondent's case is being managed by a statutory agency the DSA will work in partnership with them to ensure the Church context is considered within any Safeguarding Agreement and appropriate steps are taken to ensure disciplinary action (including raising a	

⁵⁸ Revd. Dr. Marie Fortune, Faithtrust Institute, as quoted in Responding well to those who have survived sexual abuse 2011.pdf

complaint under the CDM where appropriate) or for nonclergy roles removal from role/office.	
2. If the Church is responsible for managing the case, an Ongoing Safeguarding Agreement is created, including the provision of monitoring (Guidance 6.1 Monitoring and Ongoing Safeguarding Agreements) and appropriate steps are taken to ensure disciplinary action (including raising a complaint under the CDM where appropriate) or for non-clergy roles removal from role/office.	
6.1 Monitoring and Ongoing Safeguarding Agreements	No comment on this paragraph
In circumstances where a decision has been made to allow the respondent to return to ministry/office/role. Appendix 5 should be used. This will take a similar format as the Interim Safeguarding Agreement but it will include more detail regarding the ongoing monitoring of the respondent.	
An Ongoing Safeguarding Agreement should be completed following the final risk assessment report being received. The content of the Agreement should follow on and take account of the recommendations within the risk assessment. All Ongoing Safeguarding Agreements should be proportionate to the level of risk identified. Agreements must always consider risk to specific victims/survivors, where relevant. The DSA should give thought to the victim/survivor's safety and ensure the Agreement addresses this appropriately.	
Ongoing Safeguarding Agreements should be completed in a timely fashion for the needs of the case, and the level and nature of risks identified. The agreement should be clear and specific, appropriate to the circumstances of the case, be precise about roles and responsibilities for delivery and where indicated by the circumstances of the case agencies should work together to manage the risks identified.	
The DSA is responsible for monitoring compliance with the Ongoing Safeguarding Agreement, or appointing someone to take on this role (this could be the link person see section 1.5). The person appointed to monitor the	

agreement should be best placed to do so considering the respondent's role.	
The monitoring role involves:	
<ul style="list-style-type: none"> Meeting with the respondent on a regular basis as per the Ongoing Safeguarding Agreement; 	
<ul style="list-style-type: none"> Assessing the support needs of the respondent and putting in place care and management mechanisms to ensure that the respondent's spiritual, psychological, health and social needs are addressed and met; 	
<ul style="list-style-type: none"> Assessing whether the plan is being adhered to; 	
<ul style="list-style-type: none"> Advising the respondent and the DSA (if the DSA is not the person in the monitoring role) where there is evidence of noncompliance. The DSA will advise the core group of this; 	
<ul style="list-style-type: none"> Keeping records of all contacts with the respondent and recording any issues emerging in relation to safeguarding matters and passing to the DSA (if the DSA is not the person in the monitoring role); 	
<ul style="list-style-type: none"> Passing on all safeguarding concerns to the DSA (if the DSA is not the person in the monitoring role) or to the statutory agencies; 	
<ul style="list-style-type: none"> Liaising with the respondent's family members, as required. 	
The services of a link person should be available to the respondent throughout the entire process, should the respondent so wish. The link person will provide a vital service in ensuring that the support needs of the respondent are heard and met during this time.	
The Christian community has a role for monitoring the Ongoing Safeguarding Agreement with an individual as it is members of the Christian community that have the day to day contact with the respondent. Usually in a parish setting this is done by the Incumbent, the churchwardens and the parish safeguarding officer.	
Any breach of an agreement as part of the management of risk, including a failure to comply, should be reported to the relevant statutory agencies if applicable, but always to the DSA, who may consider a review of the Ongoing	

Safeguarding Agreement and will notify the bishop, or their authorised deputy, who will consider what action can be taken in response.	
The agreement should be reviewed at regular intervals by the DSA depending on the risks identified, initially this review will take place at a minimum of three monthly intervals until the situation appears stable when review would take place at least annually, and in the following circumstances:	
• When new significant or relevant information is available;	
• If circumstances change;	
• If the individual breaches the agreement;	
• If concerns have been expressed about risk management.	
Any review should include a new risk assessment. For clergy, the review should be passed to the bishop who can determine whether a new risk assessment is justified.	
For a new risk assessment to be justified the prevailing circumstances should have changed and the previously identified risks remain.	
Best practice suggests any review must be conducted in a face to face meeting with the person subject to the agreement. It must not be conducted over the telephone, email, or any other form communication including visual web link such as Skype or FaceTime.	
A review report should be written, and copies sent to all relevant agencies, providing a brief outline of:	
• Monitoring and support meetings held during the year;	
• Relevant matters which have changed over the year;	
• Ways in which the agreement is working well;	
• Any continuing or new areas of concern that need to be addressed;	
• Sources of support for the individual, including changes of supporters/officers in role;	

<ul style="list-style-type: none"> Plans for the next year and any changes needed for the agreement, including any specific safeguarding actions to be taken; 	
<ul style="list-style-type: none"> Circumstances for which the agreement would no longer be required. 	
6.2 Disciplinary processes following an investigation	<p>CDM is a form of ‘professional sanction’ for failing to adhere to professional expectations. Such arrangements rarely function reliably in any profession. Given church safeguarding history, which includes ignoring guidance, failing to report abuse, protecting senior members of the clergy – very little confidence can be placed in CDM to deliver much towards safeguarding children without statutory legislation introducing well-designed mandatory reporting which also affords staff legal immunity when reporting on reasonable grounds.</p>
6.2.1 For clergy⁵⁹	⁵⁹ Broken link in the CofE document
<p>Whether there has been a conviction in the criminal courts or not, consideration should be given to whether there is sufficient evidence of past misconduct in order to pursue a complaint under the Clergy Discipline Measure 2003. The standard of proof under the CDM is the civil one ‘on the balance of probabilities’. Where there has been a conviction (other than for a purely summary offence) the bishop can remove the cleric from office and impose a prohibition without further proceedings⁶⁰. The bishop can do the same if the cleric is placed on a barred list under the Safeguarding Vulnerable Groups Act 2006.</p>	
<i>Withdrawal of the Bishop’s or Archbishop’s licence or permission:</i>	
<p>For clergy with the bishop’s Permission to Officiate, Licensed Lay Ministers and those commissioned by the bishop, the bishop may withdraw his permission, commission or licence if they are satisfied the person should not</p>	

⁵⁹ See the [Clergy Discipline Measure](#), the Clergy Discipline Rules 2005 and the Clergy Discipline Code of Practice – further advice can be sought from the Diocesan Registrar. ⁶⁰ Section 30 Clergy Discipline Measure 2003.

⁶⁰ Section 30 Clergy Discipline Measure 2003.

continue in this role.	
<i>Archbishop's list:</i>	
When a penalty is imposed on a cleric under the Clergy Discipline Measure 2003, his/her name will be included on the Archbishops' List. The respondent will be informed of what is to be recorded and may request the president of tribunals to review the entry.	
There are five main categories of names in the List:	
1. those on whom a penalty under the Measure has been imposed (or those who were liable to a censure under the Measure's predecessor, the Ecclesiastical Jurisdiction Measure 1963);	
2. those who were deposed from Holy Orders under the Ecclesiastical Jurisdiction Measure 1963;	
3. anyone who has executed a deed of relinquishment under the Clerical Disabilities Act 1870;	
4. anyone who has resigned following the making of a formal complaint;	
5. those who, in the opinion of the archbishops, have acted in a manner (not amounting to misconduct) which might affect their suitability for holding preferment (i.e. any office or position requiring the discharge of spiritual duties).	
The presence of a person's name on the List does not necessarily imply that the person does or does not present a risk to children, young people and/or vulnerable adults. In appropriate cases, information about the facts which led to the inclusion of a person's name on the List may be obtained by authorised diocesan officers from the authorities in Lambeth and Bishopthorpe. Appropriate cases will need to be referred by the diocesan bishop. Further details are contained in the Clergy Discipline Rules 2005 and the Code of Practice under the Measure.	

This list is not for public inspection, but is available to the president of tribunals, diocesan bishops, registrars and the national safeguarding adviser.	
6.2.2 For paid staff or volunteers	No comment on this paragraph
For paid lay employees, consideration of disciplinary processes should be made after the conclusion of any criminal proceedings. Human resources advice should be sought, and the disciplinary procedures of the employing organisation followed. For volunteers, the volunteering policy containing the disciplinary arrangements of the organisation may be followed, and the services of the volunteer may be discontinued.	
6.3 Referral to the Disclosure and Barring Service	No comment on this paragraph
The Safeguarding Vulnerable Groups Act 2006 (SVGA) places a duty on organisations to make a referral to the DBS when an organisation has dismissed or removed a person from working / volunteering with children, young people and/or vulnerable adults in regulated activity (or would or may have removed such a person if the person had not left or resigned etc.) because the person has:	
<ul style="list-style-type: none"> • Been cautioned or convicted of a relevant offence (e.g. a serious sexual or violent offence); or 	
<ul style="list-style-type: none"> • Engaged in relevant conduct in relation to children, young people and/or vulnerable adults, (i.e. an action or inaction (neglect) that has harmed a child, young person or vulnerable adult or put them at risk of harm as defined under the SVGA); or 	
<ul style="list-style-type: none"> • Satisfied the harm test in relation to children, young people and/or vulnerable adults, (i.e. there has been no relevant conduct (i.e. no action or inaction) but a risk of harm to a child, young person or adult still exists as defined under the SVGA). 	
Refer to the Church of England Safer Recruitment Practice Guidance 2016.	
If a church officer resigns prior to the conclusion of a disciplinary process, the process should be concluded with or without their involvement and a decision	

to either re-instate or dismiss should still be made, recorded and referred to the DBS for consideration if dismissal or withdrawal from duties is the outcome.	
Where a referral to the Disclosure and Barring Service is being considered advice should be sought from the DSA and relevant Human resources departments as applicable.	
7. Risk assessment and management of those that may pose a known risk to children, young people or vulnerable adults within a Christian Congregation or Community	No comment on this paragraph
7.1 Introduction	
The Church of England, based on the message of the gospel, opens its doors to all. This means that there are likely to be those with criminal convictions for sexual and/or violent offences and other forms of abuse, as well as others who may pose a risk, attending a church or are members of worshipping communities. Some of these individuals will pose an ongoing or potential risk of harm to other individuals who attend the church.	
The Church has a duty to minister to all, which imposes a particular responsibility to ensure that everyone who attends the Church is safe. This includes not only victims/survivors of abuse offences but all individuals who come to church. This means that it will include those people who have convictions. All must be considered equally to ensure everyone is safe, no matter what their background.	
Where a known sexual/violent offender is not only monitored but befriended, helped and supported by a group of volunteers to lead a fulfilled life without direct contact with children, young people or vulnerable adults, the chances of reoffending are diminished. Indeed, there is no doubt that the church has an important role contributing to the prevention of future abuse.	
Where people have convictions, which give rise to a safeguarding concern, their position in a congregation or community may need to be carefully and sensitively considered/assessed to decide whether they pose a risk to others	

and to put in place arrangements to ensure that these risks are mitigated. This may include people convicted of violent or sexual offences against children, young people and/or vulnerable adults. It may also include those convicted of offences linked to domestic violence/abuse and people involved in drug or alcohol addiction. In addition, there may be those who do not have convictions or cautions but where there are sound reasons for considering that they still might present a risk to others.	
7.2 Assessing and Managing Risk	No comment on this paragraph
Any person who may present a potential known risk to children, young people or vulnerable adults (e.g. because they are an offender of a sexual/violent offence) and who is seeking to be a member of a Christian congregation or community must have a risk assessment. An appropriate plan to manage the identified risks must be put in place using an Ongoing Safeguarding Agreement (see section 6.1). Such individuals may be subject to supervision by the statutory agencies (this could include MAPPA arrangements for registered sex offenders; people on statutory licence and those subject to community supervision - see below).	
Where it is known that a respondent wishes to join a community, in all cases the parish must consult with the diocesan safeguarding adviser as soon as practicable but within 24 hours. The DSA will determine the appropriate action to be taken to best safeguard the parish and its church community, based on the particular facts and circumstances of each case.	
Once notified the diocesan safeguarding adviser wherever possible should obtain a copy of the statutory agency risk assessment and use this to draft the Safeguarding Agreement and to manage the risk that the respondent's attendance at church presents. Where it is not possible to access a statutory agency's risk assessment, a standard risk assessment should be completed by the DSA (see section 5.3) to assist in the drawing up of the Ongoing Safeguarding Agreement. A meeting should be held with the respondent,	

explaining the outcome of the risk assessment; what the recommendations are; the purpose of the Ongoing Safeguarding Agreement and who will be involved at a local level to monitor and support the respondent.	
The DSA will draw up an Ongoing Safeguarding Agreement, in consultation with the respondent, incumbent, churchwarden/s, parish safeguarding officer and other relevant parties (where applicable). This may also involve statutory agencies, if they have a role.	
The agreement must be dated and all parties must sign the agreement to acknowledge that they agree to abide by its terms. The parties must also agree the time periods when the safeguarding agreement can be reviewed, this should at least be every 3 months. It must be made clear to the respondent and all other parties to the agreement that no one else apart from those identified in the agreement will be informed of the facts without the respondent's knowledge. That said, the respondent must be advised that although the highest levels of confidentiality will be maintained, if there is a breach of the agreement or a respondent refuses to comply with safeguarding arrangements it may be necessary to inform others (such as the police or other statutory agencies and in some cases other members of the congregation) to protect children, young people and/or vulnerable adults. The parties to the agreement are responsible for supporting the respondent and monitoring the agreement and the DSA must be informed immediately if they become aware of any breach of the agreement by the respondent.	
The Safeguarding Agreement may include the following elements:	
<ul style="list-style-type: none"> Attend designated services or meetings only; 	
<ul style="list-style-type: none"> Sit apart from children, young people and/or vulnerable adults; 	
<ul style="list-style-type: none"> Stay away from areas of the building where children, young people and/or vulnerable adults meet; 	
<ul style="list-style-type: none"> Only attend a house group where there are no children, young people 	

and/or vulnerable adults;	
<ul style="list-style-type: none"> Decline hospitality where there are children, young people and/or vulnerable adults present; 	
<ul style="list-style-type: none"> Never be alone with children, young people and/or vulnerable adults; 	
<ul style="list-style-type: none"> Never work or be part of a mixed-age group with children, young people and/or vulnerable adults; 	
<ul style="list-style-type: none"> Take no official role in the Church or any responsible role where they will be trusted by others. 	
A model Ongoing Safeguarding Agreement is provided at Appendix 8 .	
It should be remembered that it is not possible to prevent a parishioner from attending divine service, which is open to the public, unless this is a condition included in a court order or in his/her licence conditions upon release from prison, (although, of course, they could voluntarily agree not to attend certain services). That said, even if a respondent parishioner wishes to attend any service, as part of the safeguarding arrangements (and this could be contained in his/her Ongoing Safeguarding Agreement) it is possible for the churchwardens to direct a person where to sit, put measures in place to closely supervise them (e.g. accompany the individual) and remove that person if they cause a disturbance.	
As stated, any ban from a service of worship which is incorporated in an Ongoing Safeguarding Agreement with a respondent is essentially voluntary if that respondent is a parishioner, (if the respondent is not a parishioner he/she has no legal right to attend a parish church even on Sundays or Holy Days). This position relates to public worship only.	
Where a respondent parishioner refuses to comply with the terms of his/her Ongoing Safeguarding Agreement other actions could be imposed e.g. banning him/her from choir/bell ringing practice, midweek activities, after service coffee, or any other event, which is not open to the public in the same way.	

There may also be action that can be taken if individuals refuse to enter into or comply with such an agreement where the respondent is subject to supervision by a statutory agency. For instance, information in relation to any failure to comply could be shared with the Police or an individual's Offender Manager who will consider whether there has been a breach of any civil order. This should be made clear to the respondent, prior to the drafting of the Ongoing Safeguarding Agreement and/or if he/she refuses to comply.	
If the respondent's victim/survivor and/or the victim's/survivor's family, attends the church, it may be necessary to attend a different service, if sufficient arrangements were put in place or introduce the respondent to another congregation. Consideration must also be given to other people who attend the church and have been abused.	
The respondent should not accept any official role or office in the church which gives him or her status or authority; others may deem that person to be trustworthy. Some roles, for example that of churchwarden, are disqualified to people with convictions for offences listed in Schedule 1 of the Children and Young Persons Act 1933, (broadly violent, sexual or drug related offences against children) and those who have been barred by the DBS from working with children, young people and/or vulnerable adults, (see the Churchwardens Measure 2001, section 2(1A) and 2(2)(a)).	
Please refer to the chapters for guidance on standard risk assessments (section 5.3) and their completion and the monitoring and agreement of Ongoing Safeguarding Agreements (section 6.1).	
7.3 Multi-Agency Public Protection Arrangements (MAPPA)	No comment on this paragraph
The current MAPPA guidance (2012, amended 2016) does not give any direction to the management of offenders in church settings. However, in the previous guidance in 2009 it stated that religious communities must put in place effective management of MAPPA offenders that allows for the protection of their community while allowing a sex offender to maintain his or	

her right to worship in a safe way when possible.	
<i>'It is essential that we assist religious communities to put in place effective arrangements, which allows them to ensure they are able to protect their community whilst allowing the offender to maintain their right to worship but in a safe way. The place of worship and religious leader should be provided with sufficient information to protect their congregation.'</i>	
<i>Where an RSO [Registered Sex Offender], who has committed offences against children, or other offenders who present a risk of harm to children and/or other identified victims wishes to continue to practice their religion, through attending services and/or being part of their faith community the offender/case manager must ensure that they have fully assessed the potential risk of harm this could present.</i>	
<i>There should always be a discussion with the offender regarding the need to protect children/identified victims (unless this places the victim at greater risk) who may also be present, at services and/or events from harm. The offender needs to be aware that information will be disclosed to the religious organisation and that they (the offender) will be required to agree to and sign a 'contract' of behaviour.</i>	
<i>Where an offender is unwilling to give this undertaking, the Offender Manager and Police MOSOVO (Management of Sex Offenders and Violent Offenders) Officer should consider whether to seek a restrictive condition on a licence or in a civil order (Sexual Harm Prevention Order [SHPO] or Sexual Risk Order [SRO]) to prevent the offender being in a place of worship.</i>	
<i>Any decisions made by the church must be sent to the statutory agency offender manager for inclusion in any overall risk management plan. Any breaches of the 'contract' with the offender must be reported to the offender/case manager. (MAPPA Guidance, 2009)</i>	
This section of the former guidance is still relevant.	
In relation to those offenders who are subject to MAPPA arrangements, (e.g.	

<p>registered sex offenders), the risk assessment must be carried out by the Diocesan Safeguarding Adviser in consultation with the police, National Offender Management Service and Children's Social Care. The statutory agencies will provide further appropriate information and guidance in relation to this. It is important that relevant individuals and church bodies co-operate with the statutory agencies where ever possible at all times. It may be necessary on occasion to agree a formal information-sharing protocol between the diocese and the relevant Police area and the National Offender Management Service⁶¹.</p>	
<p>Prison chaplains should be aware of the MAPPA guidance and ensure that they liaise with the diocesan safeguarding adviser when an offender is shortly to leave prison and wishes to worship in a church, so thought can be given to appropriate arrangements that may need to be put in place, (e.g. the licence conditions to which the offender will be subject). Indeed, discussions may need to be held about which church is appropriate in light of an offender's needs or in light of the offender's circumstances or that of the community (e.g. where the congregation contains a relatively high number of vulnerable individuals). In appropriate cases, the diocesan safeguarding adviser can also explore with the Police, prior to release, whether a Sexual Harm Prevention Order (SHPO) condition should be sought and how it should be drafted, (if this is deemed necessary, the diocesan bishop should be named as the supervising officer for the place of worship). It should be remembered that SHPOs can be sought to regulate as well as to exclude an offender's involvement in a place of worship. Further, as mentioned, when the offender comes to the notice of the DSA prior to release, the diocesan safeguarding adviser should explore with the National Offender Management Service whether specific licence conditions should be included.</p>	

⁶¹ MAPPA Guidance-2012, amended 2016.pdf

Conditions contained within a civil order can be pursued to control as well as to exclude an offender's involvement in a place of worship. In appropriate cases the diocesan safeguarding adviser should explore with the Police whether a civil order condition should be sought and how it should be drafted.	
Any breaches of the Safeguarding Agreement by any respondent subject to MAPPA arrangements, must be reported to the offender/case manager as well as the DSA.	
It should be noted that management arrangements contained in the Ongoing Safeguarding Agreement are likely to continue to be needed even after statutory intervention has come to an end.	
8. Other considerations	No comment on this paragraph
8.1 Record-keeping in the context of allegations	No comment on this paragraph
It is important that employers keep a clear and comprehensive summary of any concerns or allegations made, details of how the concerns or allegations were followed up and resolved, and of any action taken, whether by the Church or by statutory agencies, and decisions reached. ⁶²	
These should be kept in a person's confidential personnel file ⁶³ and a copy should be given to the individual, apart from third party information for which permission for disclosure has not been given. Such information should be retained on file in line with data retention rules ⁶⁴ . The purpose of the record is to enable accurate information to be given in response to enquiries or any future request for a reference. It will provide clarification in cases where a future DBS disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction. It will also	The footnote 55 is a broken link in the C of E document.

⁶² The LADO may provide a standard form for this, which can be signed by the subject of the investigation with a copy supplied to him, one retained on the church file and one retained by the LADO.

⁶³ If a file has not previously been set up, this should be done. If there is a file this material may need to be kept in a separate section of the file, but should not be in a different file.

⁶⁴ See [Safeguarding Records Retention Toolkit.pdf](#)

prevent unnecessary reinvestigation if, as sometimes happens, concerns or allegations resurface after a period of time.	
It is as important to retain records where a concern or allegation is proved to be unfounded, malicious or unsubstantiated as in other cases, so that it is on record that the allegation was known and responded to.	
If files are weeded when the person leaves the church or diocese, care should be taken to retain the material noted here.	
8.2 Referral to the Charity Commission⁶⁵	No comment on this paragraph
After having sought the advice of the diocesan registrar the Charity Commission should be informed of any actual or suspected criminal activity within or involving the charity (e.g. PCC).	
They must be informed where an individual may have committed an offence that calls into question their suitability to be involved in or connected to a charity, whether as a trustee, member of staff or volunteer. The Charity Commission should be informed in relation to clergy and significant other persons, where there is risk of financial or reputational damage. It is possible to report with anonymised data explaining the situation and the response taken to address any identified risk.	
A Serious Incident Report may be submitted by the Diocesan Registrar on behalf of a PCC.	
8.3 Resignations and compromise agreements	No comment on this paragraph
The fact that a person tenders their resignation, or ceases to provide their services, must not prevent a concern or allegation being followed up. It is important that every effort is made to reach a conclusion in all cases of concerns or allegations bearing on the safety or welfare of children, young people and/or vulnerable adults, including any in which the respondent refuses to co-operate with the process. Wherever possible, the respondent should be	

⁶⁵ Further guidance can be found - [Reporting Serious Incidents - Guidance for Trustees](#)

given a full opportunity to answer the concern or allegation and make representations about it. The process of recording the concern or allegation and any supporting evidence, and reaching a judgement about whether it can be regarded as substantiated on the basis of all the information available, should continue even if the concern or allegation cannot be substantiated or the respondent does not co-operate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a respondent's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.	
By the same token, so-called 'compromise agreements' – by which a respondent agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference – must not be used in safeguarding cases.	
8.4 What to do if the respondent moves	
Before providing any reference or Clergy Current Status Letter, when the Police have decided not to pursue an investigation, or the Crown Prosecution Service has declined to prosecute, any potential risk should still be assessed. If there is any relevant history, the Bishop or referee should consult the diocesan safeguarding adviser.	
Where a priest or deacon is being considered for appointment to a post and that person currently holds, or most recently held, a post in another diocese, the Bishop of the "receiving" diocese should apply to the bishop of the "sending" diocese for a combined reference and Current Status Letter in the form approved by the House of Bishops. The Letter is divided into 2 parts:-	
Part A is designed to enable the sending bishop to assess the person's suitability for the post in question and also to comment more generally on the person's ministry and character.	
Part B is to assist the receiving bishop in fulfilling his canonical obligations in	

making appointments (i.e. assessing an individual's former good life and behaviour). This will include any safeguarding concerns. These could relate (but are not limited) to the protection of children, young people and/or vulnerable adults from abuse and/or neglect (including domestic violence). Even when the police have decided not to pursue an investigation, or the Crown Prosecution Service has declined to prosecute, any potential risk should still be assessed. If there is any relevant history, the bishop should consult the DSA before completing Part B.	
Before the Clergy Current Status Letter is completed, the personal file of the relevant clergy member (commonly referred to as the 'blue file') must be consulted together with all other relevant material, including any safeguarding and disciplinary files where these have not been incorporated into the blue file (although please note cross references to other relevant files/material must be contained in the personal file).	
Where an employee or volunteer asks for a reference to be supplied regarding any prospective employment, place of education or future voluntary role this reference must include any safeguarding concerns. These could relate (but are not limited) to the protection of children, young people and/or vulnerable adults from abuse and/or neglect (including domestic violence). Even when the police have decided not to pursue an investigation, or the Crown Prosecution Service has declined to prosecute, any potential risk should still be assessed in the reference. If there is any relevant history, the referee should consult the DSA and relevant human resources departments as applicable before completing the reference.	
Where an individual is subject to a Safeguarding Agreement and moves to attend another church then that church, regardless of denomination should be informed of the safeguarding concerns that exist in order that appropriate management can continue.	
Before passing information or a Safeguarding Agreement onto another	

denomination church advice should be obtained from the DSA or NST. This is especially important if passing information outside the UK. Consider safety and well-being; base your information sharing decisions on considerations of the safety and well-being of the individual and others who may be affected by their actions. Keep a record of your decision and the reasons for it – whether it is to share information or not. If it is decided to share, then record what has been shared, with whom and for what purpose.	
8.5 What to do if the respondent is hospitalised during an ongoing case	No comment on this paragraph
If the respondent requires hospitalisation or requires care/treatment in another institution which will mean they are resident at an institution during an ongoing case, the following steps should be taken:	
1) the DSA should be informed the respondent has been hospitalised or is otherwise resident in another institution;	
2) the DSA, in consultation with the statutory agencies ⁶⁶ if applicable, should contact the safeguarding officer in the hospital or other institution and inform them of the allegations so that they can assess if there is any risk posed by the individual concerned;	
3) the safeguarding officer should be asked to consider who needs to be informed of the respondent's circumstances, and to take responsibility for sharing this information;	
4) the steps taken should be recorded and sent to the safeguarding officer at the hospital or other institution for confirmation of receipt and acceptance of their role;	
5) the core group should be informed of the steps taken by the safeguarding officer to deal with any safeguarding concerns;	
6) the respondent should be informed that any restrictions remain in place	

⁶⁶ Statutory organisations may have established protocols for disclosure

when in hospital or other institution;	
7) the statutory agencies involved in the case should be informed of the respondent's situation and steps are taken to ensure the safeguarding of children, young people and/or vulnerable adults occurs;	
8) documentation of these steps should be recorded in the respondent's case file, for clergy this should also be recorded on the personal file.	
9. Quality Assurance and Lessons Learnt	No comment on this paragraph
9.1 Quality Assurance of Risk Assessments	
The Diocesan Safeguarding Advisory Panel have a quality assurance function to receive anonymised management information relating to risk assessments and safeguarding agreements that the diocese has completed in order to maintain oversight of the work. For instance the number of assessments, type of assessment, pattern of reviews, breaches and follow up actions etc. A DSAP may have specific sub group with a more specific role in relation to reviewing the quality of risk assessments (standard and independent) and Safeguarding Agreements (see Section 1.10).	
The National Safeguarding Team have responsibilities to monitor risk assessments and management information across the Church to measure adherence to House of Bishops guidance.	
In addition to this, all independent risk assessments should be shared with the National Safeguarding Team to ensure they meet the national standard of quality. This is particularly important for maintaining the list of approved independent assessors.	
In general, quality assurance will be based on whether the appropriate outcome has been achieved, rather than whether a process has been followed precisely. To support those engaged in quality assurance the following guiding principle is provided:	
“The quality assurer should judge whether the overall quality of the work undertaken meets the needs of the case – i.e. does sufficiency in the work	

<p>outweigh any insufficiency. Therefore, whilst there may be deficits or aspects where the work could be better, the quality assurer may be able to conclude that overall this piece of work is sufficient within the context of the case, in particular where the deficit was unlikely to reduce the likelihood of a positive outcome. Conversely whilst there may be many strengths the importance of a particular deficit may be such that it leads to a judgement of insufficient.”</p> <p>This benchmark of sufficiency is also used by Her Majesty’s Inspectorate of Probation.</p>	
<p>9.2 Lessons Learnt Case Reviews⁶⁷</p>	<p>No comment on this paragraph</p>
<p>Once all matters relating to the safeguarding concern or allegation against a church officer have been completed, the core group should consider how best to identify and learn lessons from the case.</p>	
<p>The majority of lessons learnt case reviews will be an internal review undertaken by the core group and its members, and where appropriate, comments on the process should be requested from victims/survivors and respondents. It is for the core group to determine how best to undertake this review. The outcome of this review process should be shared with the Diocesan Safeguarding Advisory Panel. This should be done in an anonymised form, and given sufficient details of the processes followed to assess whether practice guidance has been adhered to, to consider what lessons can be learnt and whether any changes should be made to parish, diocesan or House of Bishops’ safeguarding policy and practice guidance.</p>	
<p>In cases⁶⁸ where there is identified learning for the national Church, the review should be shared with the National Safeguarding Team and/or the National Safeguarding Steering Group. All independent reviews should be shared with</p>	

⁶⁷ The National Safeguarding Team are working on Lesson Learnt Case Review Practice Guidance to cover lessons learnt from casework and commissioning independent reviews, this guidance will published in 2018. ⁶⁸ This includes all cases where the respondent is ordained, licensed, authorised, commissioned or holding permission to officiate – i.e. cases where an independent risk assessment has been completed.

the National Safeguarding Team.	
In some cases it will be appropriate to undertake an independent review. At a diocesan level it is the core group's role to make a recommendation to the chair of the DSAP, DSA and the diocesan bishop. At a national level it is the core group's role to make a recommendation to the national safeguarding adviser/deputy and the lead safeguarding bishop.	
In considering whether to undertake an independent case review, the core group and the identified officers above should consider whether:	
<ul style="list-style-type: none"> A child, young person and/or vulnerable adult has been seriously harmed and there is serious cause for concern as to the way in which the Church or other relevant persons have worked together to safeguard the child, young person and/or vulnerable adult; and/or 	
<ul style="list-style-type: none"> There are particularly challenging or complex circumstances, for instance an indication that organised abuse may have taken place. 	
In addition, other factors to take into account are:	
<ul style="list-style-type: none"> A recommendation by the Local Safeguarding Children or Adult Board. 	
<ul style="list-style-type: none"> Reasonable complaints about process have been raised; 	
<ul style="list-style-type: none"> A recommendation by the Diocesan Safeguarding Advisory Panel, a diocesan bishop/archbishop, national safeguarding adviser/deputy and/or National Safeguarding Steering Group. 	
In undertaking an Independent Review the following principles should be applied:	
<ul style="list-style-type: none"> The approach taken to the case review should be proportionate to the scale and level of complexity of the issues being examined; 	
<ul style="list-style-type: none"> The case review should be led by an individual(s) who is independent of the case under review and of the organisations whose actions are being reviewed. They should have the experience and expertise in safeguarding; 	
<ul style="list-style-type: none"> Those staff and relevant people involved in the case should be invited to 	

contribute their perspectives without fear of being blamed for actions they took in good faith in a culture of learning and improvement ;	
<ul style="list-style-type: none"> • Survivors and other relevant family members, including where appropriate children, should be invited to contribute to the review, in a carefully managed and sensitive manner; 	
<ul style="list-style-type: none"> • The case review should be conducted in a way that recognises the complexity of circumstances in which people and organisations work, seeks to understand who did what and the underlying reasons that led to individuals and organisations to act as they did, and seeks to understand practice from the viewpoint of the individuals and organisations at the time rather than using hindsight; 	
<ul style="list-style-type: none"> • The case review should be transparent (bearing in mind data protection legislation) about the way data is collected and analysed and make use of relevant research and evidence to inform the findings; 	
<ul style="list-style-type: none"> • The review process should be as transparent as possible, and unless there are strong grounds not to, in terms of protecting children, young people and/or vulnerable adults, reports should be published. The timing of any publication must be managed carefully, considering the views of survivors and statutory agencies; 	Important to deal with the need to not identify perpetrator and/or victim here.
<ul style="list-style-type: none"> • The case review should identify SMART (i.e. specific, measurable, attainable, realistic and timely) recommendations for improvement and lead to an action plan, the implementation of which is monitored for its impact on improving the safety and wellbeing of children, young people and/or vulnerable adults. 	
In taking full account of the above principles, the methodology for conducting the independent review should be decided by the chair of Diocesan Safeguarding Advisory Panel, the DSA and/or the National Safeguarding Team.	
Whatever methodology is agreed, the case review should have clear terms of reference with timescales for completion, who will be engaged in the review, what expertise is required to support the review and how and to whom the	

review will report its findings and the outcomes of the work undertaken, ensuring that any material is anonymised where appropriate.	
The Diocesan Safeguarding Advisory Panel should share the work and its outcomes with partners within the Local Safeguarding Children's Board or Adult Safeguarding Board and the National Safeguarding Team to ensure that recommendations are implemented and progress is appropriately scrutinised.	

Appendices	
A1 Statutory framework	
UN Convention on the Rights of the Child	
The UK Government ratified this Convention in 1992. The relevant provisions are in Article 19:	
State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child.	
Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.	<p>The comment below was made by Dr Caroline Keenan, co-author of CHILD ABUSE LAW AND POLICY ACROSS BOUNDARIES, in May 2009 via to the founder Mandate Now.</p> <p>What is the current law?</p> <p>To start it is important to recognise two problems in the current law relating to child abuse:</p> <ul style="list-style-type: none"> • It is a patchwork of different types of law often created as a specific reaction to a particular scandal. It has no cohesion and can be contradictory. It is, for want of a better description, the Dangerous Dogs Act writ large. • It is unwieldy. There are hundreds of different rules in different places. <p>We do not have a mandatory reporting statute like other similar jurisdictions (Different examples of mandatory reporting statutes can be found on pp 450-454 of <i>Child Abuse: Law and Policy Across Boundaries</i>).</p>
European Convention on Human Rights	No Comment on this paragraph

The UK Government incorporated this into UK law through the Human Rights Act 1998. The relevant provisions are Articles 3 and 8:	
<i>Article 3</i>	
No one shall be subjected to torture or to inhuman or degrading treatment or punishment.	
<i>Article 8</i>	
Everyone has the right to respect for his private and family life, his home and his correspondence.	
There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.	
Note that Article 8 is a limited right, which can be limited by public bodies for the greater good of either the public or an individual, if the action taken is legal, relevant and proportionate.	
Appendix A1	
Statutory expectations	
UK government statutes and guidance	
There are many statutes, guidance documents, regulations and other statutory instruments which have a bearing on safeguarding children. This is a rapidly changing area of work and new documents are constantly being issued. A few key documents are noted here.	

<p>Working Together to Safeguard Children, HM Government, 2010 This is the most important single guidance document. It is binding on the relevant statutory organizations and is regarded as good practice in voluntary organizations. There is specific guidance for faith organizations, which is incorporated in the present document. The Church in its national, diocesan and parish structure is a group of voluntary organizations. Most church schools, however, count as part of the statutory sector.¹ Guidance documents supplementary to Working Together have been issued covering a number of specialist topics. These are not all listed here.</p>	<p>This has been superseded several times – current version 2015. The Church says it is the most important document – but it quotes the wrong document.</p> <p>Reporting and acting on child abuse and neglect Government consultation</p> <p>6. There is currently no general legal requirement on those working with children to report either known or suspected child abuse or neglect. Statutory guidance, however, is very clear that those who work with children and families should report to the local authority children's social care immediately if they think a child may have been or is likely to be abused or neglected. While statutory guidance does not impose an absolute legal requirement to comply, it does require practitioners and organisations to take it into account and, if they depart from it, to have clear reasons for doing so. The existing disciplinary system for failures to do so is outlined at annex C.</p>
<p>The following documents are listed in order of publication:</p>	<p>Before this long list of largely holographic legislation that fails to deliver law that requires known or suspected abuse to be reported to the statutory authorities for independent assessment, it is worth repeating these comments from Dr Caroline Keenan (May 2009) the co author of the book mentioned in the email extract.</p> <p>What is the current law?</p> <p>To start it is important to recognise two problems in the current law relating to child abuse:</p> <ul style="list-style-type: none"> • It is a patchwork of different types of law often created as a specific reaction to a particular scandal. It has no cohesion and can be contradictory. It is, for want of a better description, the Dangerous Dogs Act writ large. • It is unwieldy. There are hundreds of different rules in different places. <p>We do not have a mandatory reporting statute like other similar jurisdictions (Different examples of mandatory reporting statutes can be found on pp 450-454 of <i>Child Abuse: Law and Policy Across Boundaries</i>).</p>

¹ See section 2.5.

<i>Children Act 1989</i> . This contains the private and public law concerning arrangements for children.	
<i>Safe from Harm</i> , Home Office circular, 1993. Advice to the voluntary sector. Although this has been largely superseded it has not been formally withdrawn or replaced.	
<i>Data Protection Act 1998</i> . Detailed guidance is available from the Information Commissioner.	
<i>Criminal Justice and Court Services Act 2000</i> . Schedule 4 is a comprehensive list of offences against children. It has been amended (added to) by the Sexual Offences Act 2003.	
<i>Sexual Offences Act 2003</i> . This consolidates the law on sexual offences, including those against children, and replaces previous legislation in the field.	
<i>Children Act 2004</i> . This increases the duties of statutory bodies to safeguard children and set up Local Safeguarding Children Boards to oversee this process. Associated with this is the Every Child Matters programme.	
<i>Clergy Discipline Rules</i> , Stationery Office, 2005. For the Code of Practice under the Clergy Disciplines Measure 2003 see the next section.	
<i>What to do if you're worried a child is being abused</i> , Department for Education and Skills, 2006. Non-statutory advice on action to be taken in individual cases. It is issued in both a full and a summary version and is updated regularly.	
<i>Safeguarding Children and Safer Recruitment in Education</i> , Department for Education and Skills, 2006. This is the equivalent document for schools to Working Together.	

Appendix A1	
<i>Safeguarding Vulnerable Groups Act 2006</i> . This provided the legislative framework for the Independent Safeguarding Authority (see 5.7).	
<i>Safeguarding Children from Abuse Linked to a Belief in Spirit Possession</i> , Department for Education and Skills, 2007.	
<i>Statutory Framework for the Early Years Foundation Stage</i> , Department for Education and Skills, 2007. This applies to those facilities which must register with OFSTED.	
<i>Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004</i> , Department for Education and Skills, 2007. Although this guidance, generally referred to as Section 11 guidance, is binding only on statutory bodies, it contains material helpful to voluntary bodies.	
<i>Guidance for Safer Working Practice for Adults who Work with Children and Young People</i> , Department for Children, Schools and Families for Allegations Management Advisers, 2007. This is non-statutory advice which does not supersede advice or codes of conduct produced by employers or national bodies.	
<i>MAPPa Guidance</i> , Ministry of Justice, 2009. Guidance on Multi-Agency Public Protection Arrangements for managing sexual and violent offenders in the community.	
<i>Recruiting Safely: Safer Recruitment Guidance Helping to Keep Children and Young People Safe</i> , Children's Workforce Development Council, 2009. This advice document is intended particularly for voluntary organizations and small	

employers. It is issued in a full and a summary version.	
<i>The Vetting and Barring Scheme Guidance</i> , Criminal Records Bureau and Independent Safeguarding Authority, 2010. Guidance notes on the implementation of the ISA registration process and the ‘barred’ lists. This guidance is under review, see 5.7 of main policy.	
A2 Relevant Church of England documents	No comment on this paragraph
The following documents are listed in order of publication:	
<i>A Time to Heal: A Contribution towards the Ministry of Healing</i> , Archbishops’ Council, 2000, and the associated handbook, <i>A Time to Heal: The Development of Good Practice in the Healing Ministry: A Handbook</i> , Church House Publishing, 2000.	
<i>Time for Action: Sexual Abuse, the Churches and a New Dawn for Survivors</i> , Churches Together in Britain and Ireland, 2002.	
<i>Guidelines for the Professional Conduct of the Clergy</i> , Church House Publishing for the Convocations of Canterbury and York, 2003.	
<i>Clergy Discipline Measure 2003 Code of Practice</i> , Church House Publishing, 2006.	
<i>Equipping: Core Competencies, Learning Outcomes, Evidence of Assessment for those Working with Young People on behalf of the Church of England</i> , Archbishops’ Council, 2006.	
<i>Promoting a Safe Church: Policy for Safeguarding Adults in the Church of England</i> , House of Bishops, 2006.	

<i>Responding to Domestic Abuse: Guidelines for those with Pastoral Responsibility</i> , Archbishops' Council, 2006.	
<i>Dignity at Work: Working Together to Reduce Incidents of Bullying and Harassment</i> , Archbishops' Council, 2008.	
Church of England Record Centre Records Management Guides:	
<i>Cherish or Chuck? The Care of Episcopal Records</i> , December 2009.	
<i>Save or Delete? Care of Diocesan Records</i> , revised December 2008.	
<i>Keep or Bin? The Care of your Parish Records</i> , revised April 2009. <i>Guidance Notes on Clergy Files</i> , revised March 2009.	
<i>Responding Well to Those who have Experienced Sexual Abuse</i> (working title), House of Bishops, forthcoming in 2011.	
A3 Other works consulted	
David, Nicola: <i>Staying Safe Online</i> , Grove Books, 2007.	
Offord, Deirdre: <i>Betrays of Trust: Addressing the Impact on Congregations When Leaders Abuse Their Positions</i> , Grove Books, 2009.	
A4 Managing safeguarding children in a diocese: a model of good practice	No comment on this paragraph
A4.1 An audit of safeguarding work has revealed many differences of approach to this issue. The following model is offered as one effective way of organizing and supporting such work.	

A4.2 A diocesan safeguarding children management group chaired by an independent lay person. The group might include:	
Diocesan personnel: the bishops, archdeacons, bishop's chaplain, diocesan secretary, diocesan communications officer, the diocesan children, youth and education advisers, personnel involved with clergy selection and training.	
The diocesan safeguarding children adviser.	
Professional support: diocesan registrar, representatives from local authority children's social care, police, probation, health.	
A4.3 This management group should be integrated into the diocesan structures. One way of doing this is to make it a subcommittee of the bishop's council. The group should meet formally at least once a year to review diocesan policy. Further ad hoc meetings in any permutation may be called to deal with specific incidents or decision-making. The safeguarding children professionals may, for example, meet with the adviser to discuss cases and formulate advice to the bishop following positive disclosures or an investigation. The management group should maintain an overview of the arrangements for obtaining CRB checks and ISA registration. The management group should report annually to the bishop's council or diocesan synod. Some members might form a support group for the adviser and meet on a regular basis. Consideration should be given to establishing a risk assessment panel for complex cases.	
A4.4 Archdeacons should always include monitoring the implementation of parish safeguarding children policies, procedures and good practice in their visitations at regular intervals and through questions in their Articles of Enquiry.	
The role of the diocesan safeguarding children adviser	DSA's are failed by the absence of legislation that requires suspected abuse on reasonable grounds to be reported to the LADO / children's services and

	which at the same time supports and protects those in the institution of the church who are keen to safeguard children.
A4.5 The tasks shown below will usually be undertaken by one person, but they could be divided among several. Each person's role should then be carefully defined.	
1 Development of policy, procedures and good practice guidelines should include:	
keeping well informed and up to date with the development of government policy, church policy and good practice;	
<hr/>	
⁵³ See 6.1 above.	
developing and regularly reviewing the diocesan safeguarding children policy, ensuring that it is easily accessible and understandable to licensed and paid workers and to volunteers.	
ensuring each parish has adopted and implemented the diocesan policy and procedures;	
monitoring and checking parish policies and providing advice and guidance on these;	
briefing the national adviser on all cases which go to public court or tribunal or which draw media attention.	
2 Provision of appropriate safeguarding children training for:	
the bishop	
clergy and the bishop's staff	
clergy newly ordained or joining the diocese	
new incumbents	
readers and lay church leaders	

volunteers	
children and youth workers	
PCC members	
organists, choir leaders, music group leaders	
Tower captains of bell towers	
parish safeguarding children co-ordinators	
any other person who has responsibility for children and young people.	
Evaluation, review and monitoring of the training programme	
4. Case work. The diocesan safeguarding children adviser should:	
respond to requests for advice, information and guidance for individuals in the Church who are concerned about the welfare of a child;	
provide guidance and direction where there are concerns about adults who may be a risk to children;	
support individuals when a referral to local authority children's social care or the police is necessary;	
attend strategy meetings and case conferences as requested by statutory agencies. At times this will include preparing parish personnel for such meetings and attending with them;	
support parishes during a child protection or safeguarding enquiry and afterwards. This may include ensuring support is provided for others in the parish who may be affected by such an enquiry, for example volunteers or other leaders;	
Appendix A3	
work in partnership with the statutory agencies, any of whom may make the	

initial approach or seek information to which they are entitled;	
provide advice to the bishop or other employer on the possibility of employment or redeployment of those with convictions or continuing unresolved concerns regarding harm to a child;	
provide a risk assessment process for those with blemished or positive CRB checks and others as may be needed;	
advise when an independent risk assessment should be sought;	
draw up and regularly review agreements with those known to be a risk to children.	
The nature of this work will mean that at times telephone advice will suffice. At other times the role will require meetings with individuals, the preparation of reports, or the setting up of support networks.	
5. Networking	
The effectiveness of the diocesan safeguarding children adviser is dependent on building professional relationships with statutory agencies: the local safeguarding children board (LSCB), the local authority children's social care services, the local police: in particular, the child abuse investigation unit, the public protection unit, multi-agency protection panels and the local probation service.	
A4.6 The diocesan safeguarding children adviser should be part of the national and regional network of diocesan safeguarding children advisers, any relevant local ecumenical or multi-faith forum; the adviser should be resourced to attend the Annual Conference of Church of England Diocesan and Methodist District Advisers.	
A4.7 Within the diocese, the diocesan safeguarding children adviser will be linked with significant diocesan personnel, for example, those responsible for children's work, youth work, clergy and lay workers selection and training and	

social responsibility issues.	
The adviser: professional requirements	
A4.8 The title Diocesan Safeguarding Children Adviser is used for the person giving professional advice to the bishop, clergy and parishes, but is also in general use by those who undertake all the above tasks.	
A4.9 The advice-giving part of the role must be provided by a person professionally qualified in the practice of safeguarding children. ² He or she should be able to demonstrate professional independence and have knowledge of the structures of the Church of England and sympathy for its mission.	The Bishop of course can ignore the advice, and there is no law to report known or suspected abuse.
The co-ordinator: administration	
A4.10 A diocesan safeguarding children co-ordinator may be appointed to manage the administration, working closely with one or more advisers who provide professional advice. Unlike those giving advice, the coordinator would not necessarily have to be qualified in safeguarding children. He or she must ensure that all relevant information, especially anything that may be a complaint, is passed to the adviser for action. The co-ordinator should undertake basic safeguarding children awareness training.	
Training	
A4.11 Responsibility for safeguarding children training may be provided separately.	
A4.12 The diocesan safeguarding children adviser seeks to promote best practice in safeguarding children throughout the diocese. This will include	

² Diocesan safeguarding children advisers may be qualified in various relevant professional areas,

e.g. child care social work, probation, health, education, psychology or police work, but they must have experience of directly working with safeguarding issues and have undertaken specific training in child protection. They should either hold their own professional liability indemnity insurance or this should be secured by the diocese on their behalf.

parishes and the cathedral of the diocese, and may include other diocesan linked organizations such as the Mothers Union, local theological colleges and courses, and diocesan children's events. Support may also be offered to other groups such as governors of church schools.	
Accountability	
A4.13 The diocesan safeguarding children adviser is accountable to the diocesan bishop, but may relate on a day to day basis to another member of the safeguarding children management group.	
Finance	
A4.14 The post should normally be remunerated by salary, retainer or fees and sufficient administrative support should be provided within a designated safeguarding children budget. The budget should include recognition for professional supervision and professional development. ³ When this post is provided on a <i>pro bono</i> basis all working expenses should be reimbursed and the insurance position checked.	
A5 Model code of safer working practice	
Guidelines for individual workers.	
Additional guidelines for group leaders.	

³ Certain professional advisers will be required to attend sufficient hours of additional training in order to retain their registration, e.g. with the General Social Care Council; this should include attendance at the National Safeguarding Conference annually.

Responding to child protection concerns:	
imminent risk	
what to do if you suspect a child is at risk or has been abused.	
Guidelines for good practice for church-sponsored activities for children and young people:	
special needs	
consent	
registration	
recommended staffing levels	
safe environment	
e-safety	
transporting children on behalf of the church.	
Terminology used in this code:	
The word 'child' refers to any child or young person under the age of 18.	
The term 'group leader' is used to refer to the person with overall responsibility for a group or activity, who is answerable to the Parochial Church Council.	
1 Guidelines for individual workers	
<i>You should:</i>	
treat all children and young people with respect and dignity;.	
ensure that your own language, tone of voice and body language is	
respectful;	
always aim to work within sight of another adult;	
ensure another adult is informed if a child needs to be taken to the toilet; Toilet breaks should be organized for young children;	

ensure that children and young people know who they can talk to if they need to speak to someone about a personal concern;	
respond warmly to a child who needs comforting, but make sure there are other adults around;	
if any activity requires physical contact, ensure that the child and parents are aware of this and its nature beforehand;	
administer any necessary First Aid with others around;	
obtain consent for any photographs/videos to be taken, shown or displayed;	
record any concerning incidents and give the information to your group Leader. Sign and date the record;	
always share concerns about a child or the behaviour of another worker with your group leader and/or the safeguarding co-ordinator.	
You should not:	
initiate physical contact. Any necessary contact (e.g. for comfort, see above) should be initiated by the child;	
invade a child's privacy while washing or toileting;	
play rough physical or sexually provocative games;	
use any form of physical punishment;	
be sexually suggestive about or to a child even in fun;	
touch a child inappropriately or obtrusively;	
scapegoat, ridicule or reject a child, group or adult;	
permit abusive peer activities e.g. initiation ceremonies, ridiculing or bullying;	
show favouritism to any one child or group;	
allow a child or young person to involve you in excessive attention seeking that is overtly physical or sexual in nature;	
give lifts to children or young people on their own or on your own;	

smoke tobacco in the presence of children;	
drink alcohol when responsible for young people;	
share sleeping accommodation with children;	
invite a child to your home alone;	
arrange social occasions with children (other than family members) outside organized group occasions;	
allow unknown adults access to children. Visitors should always be accompanied by a known person;	
allow strangers to give children lifts.	
Touch	
Church-sponsored groups and activities should provide a warm, nurturing environment for children and young people, while avoiding any inappropriate behaviour or the risk of allegations being made. Child abuse is harm of a very serious nature so that it is unlikely that any type of physical contact in the course of children and youth work could be misconstrued as abuse. All volunteers must work with or within sight of another adult.	
Very occasionally it may be necessary to restrain a child or young person who is harming her/himself or others. Use the least possible force and inform the parents as soon as possible. All such incidents should be recorded and the information given to the church safeguarding co-ordinator.	
All physical contact should be an appropriate response to the child's needs not the needs of the adult. Colleagues must be prepared to support each other and act or speak out if they think any adult is behaving inappropriately.	
2. Additional guidelines for group leaders	

In addition to the above the group leader should:	
ensure any health and safety requirements are adhered to;	
undertake risk assessments with appropriate action taken and record kept;	
keep register and consent forms up to date;	
have an awareness, at all times, of what is taking place and who is present;	
create space for children to talk – either formally or informally;	
liaise with safeguarding co-ordinator over good practice for safeguarding;	
always inform the safeguarding co-ordinator of any specific safeguarding concerns that arise. The safeguarding co-ordinator will liaise with the diocesan safeguarding adviser;	
liaise with the PCC.	
3. Responding to child protection concerns	
Do not try to deal with any child protection concern on your own. Always tell your group leader and safeguarding co-ordinator. Agree between you <i>who</i> will take <i>what</i> action and <i>when</i> .	
If you are not sure if child abuse is involved, or if you have concerns about a child and you need someone to talk things over with, then again you should contact your group leader or safeguarding co-ordinator. The Local Authority Children's Social Care Duty Officer can also be a source of advice.	"Should"?
Always make notes about a possible child protection incident or disclosure as accurately as possible, as soon as possible. These should cover what has happened, in what context, and anything that seemed particularly significant. Quote the child's words exactly where possible. Try if possible to note from the register the child's full name, age, date of birth, address, telephone number and GP. Remember to sign the record and add your name, role, date of incident	"Should" cover?

and date of the recording.	
The following are all important points which will help anyone faced with this difficult situation:	
ensure all notes are kept in a safe place;	
if a child asks to talk in confidence do not promise confidentiality – you have a duty to refer a child/young person who is at risk to the statutory agencies;	
always explain that you may have to get other people to help;	
stay calm;	
listen to the child attentively;	
maintain eye contact;	
allow the child to talk, but do not press for information or ask leading questions;	
tell the child that they are not to blame for anything that has happened;	
reassure the child that they were right to tell;	
let the child know that other people will have to be told and why;	
try to explain what will happen next in a way the child can understand;	
reassure the child that he or she will continue to receive support during the difficult time to come.	
Imminent risk	
If you encounter a child in a situation where the child is in imminent danger, you should act immediately to secure the safety of the child. Seek the assistance of the police and then make a referral to Local Authority Children's Social Care.	"Should act immediately"? Why not 'must.'
If a child needs emergency medical attention, this should be sought immediately and directly from the emergency services. Parents, if available,	"Should" be sought immediately? Why not 'must.'

should be kept fully informed.	
What to do if you suspect a child is at risk or has been abused Agree with your group leader who will make the referral.	There must be a procedure that defines who reports what, to whom, when and how. This policy suggests agreement. What if there is no agreement? The person who has the concern is perfectly allowed to make a referral themselves. Everyone in the organisation needs to be aware they can refer. This policy does not make that clear.
Make an immediate telephone referral to the Local Authority Children's Social Care. Make it clear from the first point of contact that you are making a child protection referral.	And also to the LADO.
Describe the event or disclosure and give information about the child and family, for example the child's name, date of birth, address, telephone number and GP if known.	
Follow up your telephone call with a completed referral form (sometimes available on the Local Authority web site) or letter. If there is no acknowledgement within 48 hours, chase it.	
Remember that the child & family should, wherever possible, be informed about and consent to the referral <i>unless this would put the welfare of the child or another person at further risk</i> . If you have serious concerns, the absence of consent should not prevent a referral. The Duty Social Worker will give you advice over this if necessary.	
Be prepared to have further discussions with the social work team or the police investigation team.	
Say if you do not want your details disclosed to the family.	
For out of hours referrals, call the Emergency Social Work Team or where urgent, the police.	
Be prepared to have further discussions with the social work team or the police	

investigation team.	
Say if you do not want your details disclosed to the family.	
For out of hours referrals, call the Emergency Social Work Team or where urgent, the police.	
4 Guidelines for good practice for church sponsored activities for children and young people	
Special needs	
Welcome children and young people with special needs to the group. Try to make the premises, toilets and access suitable for people with disabilities. Ask the parent about how best to meet the child's special needs, and do not see this as the responsibility only of the child's parent. If premises are being designed or refurbished, take the opportunity to anticipate the possible special needs of future children and adults; advice is available. Disability legislation requires organizations to take reasonable steps to meet the needs of disabled people and this includes children.	
Consent	
Consent needs to be from a parent or person with parental responsibility. It can be from the child or young person if he or she has sufficient age and understanding in relation to the specific issue. So, for example, while parental consent is always required for a group residential holiday, a teenager would usually be able to consent to the photos from the holiday being displayed in church. You should record who has given consent for any specific activity.	

Registration	
A registration form should be completed for every child or young person who attends groups or activities. The form should be updated annually and include the following:	Should be completed? Or must?
Name and address,	
Date of birth,	
Emergency contact details,	
Medical information,	
Any special needs including activities that the child is unable to take part in.	
Consent for emergency medical treatment,	
Consent for photographs and videos if relevant.	
Separate consent should be obtained for one-off events and activities, for example swimming, and also for outings, weekends away, etc.	Separate consent should be obtained? Or must?
All personal details and consent forms must be stored securely.	
Any group that includes children who are under six years old and that meets regularly for more than two hours in any one day or for more than fourteen days a year must register their group. Please contact your local branch of OFSTED for advice.	
Recommended staffing levels	
The recommended minimum staffing levels for children's groups are given below. More help may be required if children are being taken out, are undertaking physical activities or if circumstances require it.	
0–2 yrs 1 person for every 3 children 1 : 3	
2–3 yrs 1 person for every 4 children 1 : 4	

<p>3–8 yrs 1 person for every 8 children 1 : 8</p> <p>Over 8 yrs 1 person for the first 8 children then 1 extra person for every extra 12 children</p> <hr/>	
Each group should have at least two adults and it is recommended that there should be at least one male and one female.	Should or must?
If small groups are in the same room or adjoining rooms with open access between them then it is possible to have only one adult per group, dependent on the nature of the activity.	What are the criteria for this to be permitted?
Young people who are being encouraged to develop their leadership skills through helping should always be overseen by an appointed worker who will be responsible for ensuring that good practice and safeguarding procedures are followed and the work they are doing is appropriate to both their age and understanding.	Should or must always be overseen?
Adults who assist on one or two occasions must be responsible to an appointed worker. Thereafter they should become part of the team and be properly appointed through the normal recruitment process.	Should or must be appointed through normal recruitment process?
Safe environment	
Display both the Childline telephone number in a prominent place where children and young people can see it and the Parentline Plus number for parents.	
Undertake a risk assessment for each activity and in greater detail for an unusual activity or when away from the usual location.	

Insurance, First Aid kit and fire precautions should be checked and a Health and Safety Check should be completed regularly with reference to the following minimum standards:	
Venue	
Meeting places should be warm, well lit and well ventilated. They should be kept clean and free of clutter.	
Electric sockets should be covered.	
Toilets and handbasins should be easily available with hygienic drying facilities.	
Appropriate space and equipment should be available for any intended activity.	
If food is regularly prepared for children 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 should be kept refrigerated. Drinks should always be available.	
Groups must have access to a phone in order to call for help if necessary.	
Adults should be aware of the fire procedures. Fire extinguishers should be regularly checked and smoke detectors fitted throughout the premises. A fire drill should be carried out regularly.	
Unaccompanied children and young people should be encouraged not to walk to or from your premises along dark or badly lit paths.	
A First Aid kit and accident book should be available on the premises. The contents of the First Aid kit should be stored in a waterproof container and be clearly marked. Each group should designate one worker to check the contents at prescribed intervals.	
All staff and volunteer workers should be encouraged to have some First Aid	

knowledge and the parish should encourage access to First Aid training. A list of first aiders in the parish should be compiled and kept available. All accidents must be recorded in the accident book.	
E-safety	
Ensure all electronic communications are appropriate and professional.	
If using e-technology as a group activity, ensure that an adult worker knows and understands what is happening within the group.	
Do not make any relationship with a child (other than family members) through a social networking site.	
Maintain a log of all electronic contact with individuals or groups including messaging and texting.	
Transporting children on behalf of the church	
<i>Drivers</i>	
All those who drive children on church-organized activities should have held a full and clean driving licence for over two years.	Should or must?
Drivers who are not children's workers should be recruited for the task through the normal recruitment process.	Should or must?
Any driver who has an endorsement of 6 points or more on their licence should inform the group leader and the church/parish safeguarding co-ordinator/church/circuit safeguarding representative.	Should or must?
Any driver who has an unspent conviction for any serious road traffic offence should not transport children for the church.	Should or must?
Drivers must always be in a fit state i.e. not over-tired; not under the influence of alcohol; not taking illegal substances; not under the influence of medicine	Should or must?

which may induce drowsiness.	
Private car	
Children and young people should not be transported in a private car without the prior consent of their parents or carers. This also applies to formally arranged lifts to and from a church activity.	Should or must?
All cars that carry children should be comprehensively insured for both private and business use. The insured person should make sure that their insurance covers the giving of lifts relating to church-sponsored activities.	Should or must?
All cars that carry children should be in a roadworthy condition.	Should or must?
All children must wear suitable seat belts and use appropriate booster seats. If there are insufficient seat belts, additional children should not be carried.	Should or must not be carried?
At no time should the number of children in a car exceed the usual passenger number.	Should or must?
There should be a non-driving adult escort as well as the driver. If in an emergency a driver has to transport one child on his or her own, the child must sit in the back of the car.	Should or must?
Minibus or coach	
Workers and helpers should sit among the group and not together.	Should or must?
If noise or behaviour appears to be getting out of control, stop the vehicle until calm is restored.	
Before using a minibus, ensure you know the up-to-date regulations for its use and have had a trial drive.	

5. Important Telephone Numbers			Our review ends here.
<i>(Please write in your local numbers.)</i>			
Local Agencies			
Police (all non-emergency enquiries)			
Local Police Child/Family Protection Unit			
Local Council Children's Services/Social Care			
Local Emergency Social Work Team			
Local General Hospital			
CHILDLINE	0800 1111		
PARENTLINE PLUS	0808 800 222		
Diocesan and Parish contacts			
Name		Role	Phone
Parish priest			

Group leader			
Diocesan safeguarding children adviser			
Parish safeguarding children co-ordinator			

Appendix 6 - Template Referral and terms of reference for an independent risk assessment	
<i>Name, Role of subject of assessment</i>	
Commissioner: <i>Name, role, on behalf of the Bishop</i>	
Independent Risk Assessor: <i>Name, organization</i>	
Date of commissioning:	
Target date for completion:	
1. Information relating to <i>name of subject, N</i>	
Date of birth	
Date of ordination if relevant	
Current role(s)	
Relevant history of employment and Church-related roles, including previous ministry if ordained.	
Family composition, any relevant family history.	
2. Circumstances leading to risk assessment	
Details of when concern was first raised with the Bishop, details of allegation(s).	
Details of any subsequent allegations or information during the course of the investigation.	

Details of Police investigation, and outcome. <i>Note the permissions for information sharing given by statutory agencies in relation to the subject.</i>	
Details of Local Authority concern or allegations management meetings and recommendations. <i>Note the permissions for information sharing given by statutory agencies in relation to the subject.</i>	
Subject's attitude to the concern or allegations, whether they deny them or how they have pleaded in the context of a Police charge.	
Details of previous risk assessments, and risk Safeguarding Agreements, including plan currently in place. This should specify whether the subject has been suspended or has stepped aside from role(s).	
Who has taken the decision to commission an independent risk assessment, and why. If the risk assessment involves a member of clergy it would be helpful to send a copy of the Safeguarding (Clergy Risk Assessment) Regulations 2016.	
3. Any previous concerns	
Any previous relevant concerns.	
Outcome of last Disclosure and Barring Service check.	
4. Terms of Reference	
The assessor will not be asked to make a finding of fact and where any facts are in dispute, the assessor will set out the matter and nature and extent of the dispute. The assessor will clearly differentiate between established fact and professional opinion in his or her report.	
In the light of:	
The information supplied in the referral and gathered from <i>N</i> in interview regarding the allegation of <i>xxxx</i> ;	

<i>N's</i> response to the allegations;	
<i>N's</i> reflection on their behaviour at the time of the allegation;	
any pattern of inappropriate behaviour by <i>N</i> demonstrated during this period or subsequently; and	
<i>N's</i> personal circumstances since the period of these allegations:	
Whether <i>N</i> presents a risk to children, young people and/or vulnerable adults who they may have contact with in a position of trust i.e. vulnerable by position;	
how any risk identified should be best managed;	
whether <i>N</i> is safe to continue in <i>role</i> and/or the potential role(s) of <i>xxx</i> .	
If it is felt that <i>N</i> should be permitted to continue in one or more of these roles, to identify any future implication such as additional safeguarding training, support, therapeutic help or treatment to assist him/her in his or her roles/future ministry.	
5. The process of assessment	
A meeting will take place between <i>N</i> and <i>name of the DSA, Diocesan Safeguarding Adviser</i> , who is referring the assessment on behalf of <i>the Bishop</i> . The purpose of the meeting is to discuss the process of assessment and share the Terms of Reference.	
<i>DSA</i> will complete the referral paperwork and submit <i>to independent assessor/organisation</i> for formal commissioning. <i>DSA</i> will also forward other documentation to <i>independent assessor</i> when received. This will consist of <i>e.g. reports from the Police, minutes of the Allegations Management Meetings and minutes from the Church Core Group meetings</i> .	
<i>Assessor</i> , through <i>DSA</i> , will contact <i>N</i> and arrange to meet with them. <i>Insert details of assessment process, e.g. an assessment</i>	

<p><i>normally consists of 6 hours of interview divided into 2 sessions. The assessor may consider it necessary to speak to other relevant people or this may be requested of him/her. Assessor</i> will consider all available documentation and liaise with <i>commissioner</i> for clarification if required. <i>Assessor</i> will then write a full report covering the issues raised in the Terms of Reference and make recommendations to <i>the Bishop accordingly</i>.</p>	
<p><i>Assessor</i> will give a copy of the draft report to the <i>Bishop</i>, who will then give a copy of the report to <i>N</i>, with redaction of content which cannot be shared, explaining why it has been redacted (e.g. consent has not been obtained to disclose a third party's information). <i>N</i> will then have 14 days to make written submissions to the assessor on the draft assessment. The assessor then has 14 days of receiving the questions to respond. <i>N</i> then has a further 14 days of having received the assessor's answers to make further submissions and comments on the draft assessment in light of the assessor's answers. The Safeguarding (Clergy Risk Assessment) Regulations 2016 provide further detail on this process.</p>	
<p>The assessor, having amended the draft assessment as he/she thinks appropriate in light of <i>N's</i> submissions, must give the final report to the <i>Bishop</i> for consideration. <i>The Bishop</i> will give <i>N</i> a copy of the final report (redacted if necessary, together with an explanation (as in d) above). In addition, the Bishop will give a copies to the DSA and the Chair of the Diocesan Safeguarding Advisory Panel. If the Bishop considers it appropriate to do so he/she can also give a copy to the local authority, the police and such other person as the bishop considers appropriate: <i>Names and roles</i></p>	

<p>The Bishop, having received the final report, will meet with the subject to discuss the opinions and recommendations in the final version of the report and any action which the bishop proposes to take in response to the assessment. The Bishop must give written notification of any action he/she proposes to take and the reasons for such action. Within 14 days of receiving this notification the respondent can make written submissions in relation to the Bishop's proposals and the Bishop must share these with the DSA and the Chair of the Diocesan Safeguarding Advisory Panel. Having reviewed his/her proposed action in light of the submissions, the Bishop must decide what action to take and give written notification of the decision and reasons for it. In deciding this action the Bishop must pay due regard to the advice of the Diocesan Registrar, the DSA and the Chair of the Diocesan Safeguarding Advisory Panel</p>	
<p>A copy of the full assessment report will be held in a sealed envelope on <i>N's</i> personal file, with restricted access to named individuals, and on <i>N's national/diocesan</i> safeguarding file which has restricted access to the <i>national/diocesan</i> safeguarding team.</p>	<p>Record where appropriate the making of a referral under SVGA 2006 where the services of a minister or church officer @c., have been dispensed with.</p>
<p>Signed: <i>Name, role</i></p>	
<p>Date:</p>	

<p>A7Membership of the revision group</p>	
<p>Stephen Barber (chair): Safeguarding Children Adviser, Diocese of Oxford</p>	

Peter Baldwin: Safeguarding Children Adviser, Diocese of Birmingham	
Yvonne Criddle: National Safeguarding Diversity Officer	
Judith Egar: Legal Adviser, National Church	
Elizabeth Hall: National Safeguarding Adviser (from July 2010)	
Julian Hodgson: Safeguarding Adviser, Diocese of Derby	
Pearl Luxon: National Safeguarding Adviser (until July 2010)	
Yvonne Quirk: The Bishop of Ely's Safeguarding Adviser	
Jill Sandham: Safeguarding Adviser, Diocese of Southwark	
Jean Skinner: Safeguarding Adviser, Diocese of Newcastle	
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