

# SAFEGUARDING CHILDREN AND YOUNG PEOPLE

The policy refers to all work undertaken by the Scotland and Shetland Districts of the Methodist Church.

Both are governed by the same Scottish national legislation, guidance and organisational systems for child and adult protection.

Safeguarding Children and Young People

Policy for the Methodist Church

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# Contents

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Joint Statement of Safeguarding Principles for the Church of England and the Methodist Church .....	5
<b>1 Introduction .....</b>	<b>6</b>
1.1 Our theological approach .....	6
1.2 Societal context .....	8
1.3 Ecumenical context .....	8
1.4 Description and definitions .....	9
<b>2 Safeguarding policy of the Methodist Church .....</b>	<b>11</b>
<b>3 Definitions of forms of harm .....</b>	<b>14</b>
3.1 Physical abuse .....	14
3.2 Emotional abuse .....	14
3.3 Sexual abuse .....	15
3.4 Neglect .....	15
3.5 Domestic violence/abuse .....	15
3.6 Spiritual abuse .....	16
<b>4 Implementing the policy .....</b>	<b>17</b>
4.1 Connexional commitments .....	17
4.2 Implementation in the district .....	17
4.3 Implementation in the circuit .....	18
4.4 Implementation in the local church .....	18
4.5 Responsibilities of trustees .....	18
4.6 Church schools .....	19
<b>5 Promoting safer practice .....</b>	<b>20</b>
5.1 Safeguarding appointments .....	20
5.2 Safer recruitment .....	20
5.3 Code of Safer Working Practices .....	20
5.4 Transport .....	21
5.5 Registration and consent forms .....	21
5.6 Health and safety .....	21
5.7 Risk assessments .....	21
5.8 Registration with the Care Commission (in Scotland) 21	
5.9 Youth work .....	22
5.10 Positions of trust .....	22
5.11 Mixed-age activities .....	23
5.12 Insurance .....	23
5.13 Hire or use of church premises by others .....	23
5.14 Record keeping and data protection .....	24

<b>6</b>	<b>Responding to concerns</b>	<b>25</b>
6.1	Reporting concerns to statutory services	25
6.2	Reporting concerns to the District Safeguarding Coordinator and Minister	26
6.3	Confidentiality/consent	26
6.4	Pastoral conversations and confidentiality	27
6.5	Past or historical abuse	27
6.6	Significant Case Reviews	28
6.7	Whistle-blowing	28
<b>7</b>	<b>Managing safeguarding concerns about church workers and members</b>	<b>30</b>
7.1	Introduction	30
7.2	Suspension	30
7.3	Breach of Trust	31
7.4	Insurance advice	31
7.5	Pastoral support	32
7.6	Communications/media enquiries	32
7.7	Criminal proceedings	32
7.8	Resignations and compromise agreements	33
7.9	Record keeping about concerns	34
7.10	Referrals to vetting and barring schemes (ISA/PVG)	34
<b>8</b>	<b>Care of adult survivors</b>	<b>35</b>
8.1	Introduction	35
8.2	What to do? – A summary	35
8.3	Pastoral and other resources	35
<b>9</b>	<b>Ministering to those who pose a risk</b>	<b>37</b>
9.1	Introduction	37
9.2	Good practice – a Covenant of Care	37
9.3	The Covenant of Care agreement/contract	37
9.4	MAPPA	38
	<b>Appendices</b>	<b>40</b>
A.	The statutory framework and relevant Church reports	41
B.	A local church safeguarding checklist	44
C.	A list of responsibilities at circuit, church and district levels	45
D.	A model Code of Safer Working Practice	50
E.	A Covenant of Care – the Sex Offender policy as set out in CPD	58
F.	Reporting Serious Cases to the Office of the Scottish Charity Reporter	63

# Joint Statement of Safeguarding Principles for the Church of England and the Methodist Church

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## Preamble

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

## Principles

We are committed to:

- the care and nurture of, and respectful pastoral ministry with, all children, young people and 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 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<sup>1</sup> 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, cooperating with the police and local authority in any investigation.

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

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

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

In all these principles we will follow legislation, guidance and recognised good practice.

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<sup>1</sup> Or membership of (PVG scheme Scotland).

# 1 Introduction

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## 1.1 Our theological approach

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 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. Christ saw children as demonstrating a full relationship with God. He gave them status, time and respect.

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 false guilt. The Church is intended to be a place where men and women, children and young people, 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 shalom; that is, of justice, healing and peace for the whole of the individual, as well as for the community.

God is present and at work in the world in many ways. A Church empowered by the Holy Spirit is 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 marginalised, 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.

Justice is part of the outworking of love. The Church must hold in tension concerns for both justice and compassion. Those who have suffered child abuse have sometimes found an unsympathetic hearing. They may be disbelieved, discouraged and damaged further. Other people tend to 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).

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.

In similar ways offenders may also be assured that they are precious to God and find healing and wholeness. Because redemption and the 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 also part of a society where collusion with violence in families, emotional abuse or certain taboos on sexual abuse often holds sway. Church people have sometimes required those who have suffered abuse to forgive but it is our calling to hold on to both justice and grace and to build safer church communities, often in challenging circumstances. We need also to understand forgiving and receiving forgiveness as lifelong processes.

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 always need support in taking responsibility for their own actions and in stopping their abusive behaviour, and, of course, the vulnerable need protecting from them. The genuine penitent will accept the need for careful arrangements, including some restrictions, for their 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.

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 with 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 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.

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.

A Christian approach to safeguarding children will therefore expect both individuals and communities to:

- create a safe environment for children and their carers
- act promptly on any complaints made
- care for those who have been abused in the past
- minister appropriately to those who have abused
- provide opportunities for healing and flourishing.

God's mission is a message of good news, of love and welcome for the poor and marginalised. The Church must take seriously both human propensities to evil but also the God-given resources of goodness, peace, healing and justice; in short, his love, his life.

## 1.2 Societal context

The abuse of children is often dominated by a press and media coverage which is sensational and misleading. Safeguarding is about the welfare and the protection of children and young people. The whole Church is engaged in this through developing and supporting good practice and responding appropriately when harm occurs. The government, local authorities, schools and the wider statutory and voluntary sectors have in recent years sought to engage in safeguarding The Children (Scotland) Act 1995 (as revised), the National Guidance for Child Protection in Scotland (2010), Getting it Right for Every Child (GIRFEC) and guidance for Child Protection Committees are some of the key elements which support the integrated and multi-agency approach to child welfare and protection in Scotland.

The Bichard Inquiry report and work on the Protection of Vulnerable Group (Scotland) Act 2007 have applied safer recruitment principles across both the voluntary and statutory sectors.

In Scotland, Local Authority Child Protection Committees give information and guidance on child protection processes to statutory organisations such as local authority services, health services and the police, as well as to the voluntary sector. Children's Commissioners have also been appointed across the UK.

Recent years have therefore been full of changes, with a roll-out of statutory requirements and a tightening of procedures across the children's workforce in all sectors.

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 also more likely to occur in families or from extra-familial relations and friends. This presents a challenge to the Church and to society to engage with safeguarding children and young people as a whole.

### 1.3 Ecumenical Context

In the churches there is a continuing growth in ecumenical agreement and cooperation 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 GB and the United Reformed Church, the Society of Friends, the Catholic Church of England and Wales (CSAS<sup>2</sup>), the Salvation Army, the Church of Scotland, the Assemblies of God and the Churches' Child Protection Advisory Service. Furthermore, these bodies enable and enhance our participation in discussions with government departments and agencies.

We have learned from each other and especially from those who have had thorough scrutiny of practice and procedures. The following key approaches<sup>3</sup> are regarded as important underpinning for our safeguarding practice:

- the child's welfare is paramount
- prevention is vital
- transparency
- accountability

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<sup>2</sup> The Catholic Safeguarding Advisory Service.

<sup>3</sup> Adapted from the Nolan principles – The Nolan Commission 2001 <http://www.cumberlegecommission.org.uk/>, as presented by Eileen Shearer at the National Organisation for the Treatment of Abusers (NOTA) Conference 2006.



- partnership with statutory authorities
- use of independent specialist advice
- the active management of risk
- a 'One Church' approach
- a culture of informed vigilance

In a Local Ecumenical Partnership, the governing body of each constituent church should decide which safeguarding policy is to be followed by the joint LEP.

#### 1.4 Description and definitions

A child is defined as anyone who has not yet reached their 18th birthday. 'Children' therefore means 'children and young people' throughout this document.

The National Guidance for Child Protection in Scotland (2010) makes clear that the priority must always be to ensure that that a vulnerable child or young person who is, or could be at risk of significant harm, receives appropriate support and protection.

Safeguarding and promoting the welfare of children is defined for the purposes of this guidance as:

- protecting children from abuse and neglect
- preventing impairment of children's health or development
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care
- undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

Child protection is a part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are at risk of suffering, significant harm as a result of abuse or neglect.

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.

#### Children in need

Children who are defined as being 'in need', under section 93(4)(a) of the Children (Scotland) Act 1995, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services (section 22 of the Children (Scotland) Act 1995), or they are disabled or affected by a disability. The critical factors to be taken into account in deciding whether a child is in need under the Act are:

- what will happen to a child's health or development without services being provided
- the likely effect the services will have on the child's standard of health and development.

Harm and significant harm

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.

The Children (Scotland) Act 1995 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 and relevant child protection agencies 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.

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. The most far-reaching of these in Scotland is a Child Protection Order (CPO) which commits the child to the care of the local authority. 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.

Each Local Authority has a responsibility to deliver services for children. The local terminology varies. This document uses the term 'Children's Services' to refer to this department of the local authority. In Scotland there is a strong emphasis on inter-agency working and the delivery of children's services but the primary responsibility for ensuring a co-ordinated and effective response to child protection rests with the Child Protection Committees.

## 2 Safeguarding policy of the Methodist Church

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The purpose of this document is to set out policy, procedures and guidance. All the procedures set out in this document are either requirements in law or as a result of Methodist policy and therefore must be followed. Should specific circumstances indicate exceptional reasons which justify a variation, then the District Safeguarding Coordinator must be consulted and any variation must be recorded.

### Discussion of the principles

The statement of principles at the front of this document is a common statement for our set of documents on the safeguarding both of children and of vulnerable adults. The rest of this document considers the implications primarily for children and young people. A separate document, *Safeguarding Adults*,<sup>4</sup> will deal with this issue. Safer recruitment policy and good practice are dealt with in a companion volume *Recruiting Safely*.<sup>5</sup> The appendices in all three contain some generic material and are also available online.

We are committed to:

- The care, nurture of, and respectful pastoral ministry with, all children, young people 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.

The safeguarding and protection of children is everyone's responsibility, not just that of parents or those who have this as part of their formal responsibilities. The term 'safeguarding' covers safer recruitment, safer practice, 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 or is at risk of harm

Procedures and formal processes, though essential, will not alone 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.

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 extends this to all matters relating to the care and welfare of children, bearing in mind that conflicts of interest can arise from time to time between the welfare of children and that of adults. Where this occurs, the welfare of children will be given priority.

We will carefully select and train all those with any responsibility within the Church, in line with safer

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<sup>4</sup> Methodist Conference 2010.

<sup>5</sup> Methodist Conference 2010.

recruitment principles, including the use of criminal records disclosures and registration with the relevant vetting and barring schemes<sup>6</sup>.

Safer recruitment principles for the Methodist Church are set out in detail in the companion volume 'Recruiting Safely'. The suitability of an applicant or nominated volunteer for work with children is not only dependent upon vetting checks and criminal record disclosures. Someone who is 'cleared' may still be unsuitable and other safer recruitment principles will be applied.

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

The church accepts that, through its workers, it is responsible for children who are entrusted to them by their parents in the church building, on church property and other premises being used, and during church activities, including travel between places when organised by the church. It is not responsible for private arrangements made by parents.

The term 'church officer' is used for anyone appointed by the church to a post or role, whether they are ordained or lay, paid or unpaid.

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 needs to be recorded and acted upon. This will include referral to the police or Local Authority Children's Services wherever necessary.

We will seek to offer informed pastoral care to anyone who has suffered abuse, developing with them an appropriate ministry.

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.

If a child comes to notice as having suffered abuse in the past, church workers will notify the appropriate authorities to ensure that the matter is on record.

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. Work has been done for guidance in the care of, and work with and alongside, survivors.<sup>7</sup>

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

We are aware that some people 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

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<sup>6</sup> When implemented.

<sup>7</sup> *Tracing Rainbows through the Rain*, Methodist Conference 2006.

with any abuse.

Allegations of abuse or misconduct in relation to children by church officers will be referred to the relevant social work department in Scotland and investigated in accordance with their advice.

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

If a member of the church community comes to notice as having a conviction, caution, reprimand or warning for offences against children, or for being barred from working with children, or is considered to present a risk to children we will seek to draw up a written contract or 'Covenant of Care', where it is safe to do so, with safeguards, as explained in detail later on (See Section 9.2). Breach of this agreement or other concerns may lead to a referral to the proper authorities.

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

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.

This will involve, in particular, openness among those with a legitimate need to know, confidentiality for those not directly involved, and sharing of information with the statutory authorities.

## 3 Definitions of forms of harm

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Child abuse has many forms. There are four identified categories of abuse as described in the *National Guidance for Child Protection in Scotland* (2010): physical, emotional, sexual and neglect. Responding to abuse is contained in Section 6 below. It is important not to investigate but to seek advice.

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. They may be abused by an adult or adults, or another child or children. The categories listed here 3.1–3.4 are those recognised in statutory guidance as is domestic violence/abuse 3.5.

Church officers, employees, members and volunteers should also be aware that other forms of abuse can occur, for example:

- stranger abuse
- internet-related abuse sometimes called 'e-abuse'<sup>8</sup>
- bullying (abuse by other children)
- fabricated or induced illness
- abuse of disabled children (who are far more frequently abused than non-disabled children)
- deliberate self-harm (overdoses, cutting)
- domestic violence/abuse – *see below*
- allegations of possession by evil spirits
- child trafficking
- sexual exploitation
- forced marriage
- peer abuse – can be confused with bullying.

Government guidance is available for several of these specialist topics.

### 3.1 Physical abuse

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

### 3.2 Emotional abuse

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 insofar as they meet the needs of another person. It may include not giving the child opportunities to express their views, deliberately silencing them or 'making fun' of what they say or how they communicate. It may feature age or developmentally

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<sup>8</sup> There should be no difference in the way someone is assessed as being of risk when the offences are not of a nature involving first-hand contact. Illegal images or internet bullying and grooming are damaging to those involved and those who view them may damage or offend against others.

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 involve seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyberbullying), causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

### 3.3 Sexual abuse

Sexual abuse involves forcing or enticing a child or young person 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.

### 3.4 Neglect

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:

- 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.

### 3.5 Domestic Violence or Abuse

The terms 'violence' and 'abuse' are used interchangeably throughout this document. The Home Office defines domestic violence as 'any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality'. Although both men and women can be victimised in this way, a greater proportion of women experience all forms of domestic abuse, and are more likely to be seriously injured or killed by their partner, ex-partner or lover.<sup>9</sup> This definition is similar to that set out in the National Strategy to Address Domestic Abuse in Scotland (2000).

Domestic violence affects both adults and children within the family.<sup>10</sup> Domestic violence has an impact on children in a number of ways:

- a) Children are at increased risk of physical injury during an incident, either by accident or because they

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<sup>9</sup> See Methodist Conference Report 2005, Domestic Abuse.

<sup>10</sup> Some 200,000 children (1.8%) in England live in households where there is a known risk of domestic abuse or violence. Prolonged and/or regular exposure to domestic abuse can have a serious impact on children's safety and welfare, despite the best efforts of parents to protect them.

attempt to intervene.

- b) Children are greatly distressed by witnessing the physical and emotional suffering of a parent.
- c) Exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress which may express itself in anti-social or criminal behaviour.
- d) Children in violent households are significantly more likely to be exposed to other forms of child abuse.

Although separating from a violent partner should result in women and children being safe from harm, the danger does not automatically end. It should be recognised, that the point of leaving an abusive relationship is the time of highest risk for a victim.

Domestic abuse also affects children because it impacts on parenting capacity.

- a) A parent (in most families, the mother) may have difficulty in looking after the children when domestic violence results in injuries or, in extreme cases, death.
- b) Exposure to psychological and emotional abuse has profound negative effects on women's mental health resulting in a loss of confidence, depression, feelings of degradation, problems with sleep, isolation, and increased use of medication and alcohol. These are all factors that can restrict the mother's capacity to meet the developmental needs of her child.
- c) Belittling and insulting a mother in front of her children undermines not only her respect for herself, but also the authority she needs to parent confidently.
- d) A mother's relationship with her children may also be affected because, in attempts to avoid further outbursts of violence, she prioritises her partner's needs over those of her children.

The impact of domestic violence on children increases when directly abused, when witnessing the abuse of a parent, or colluding (willingly or otherwise) in the concealment of assaults. This constitutes abuse of children and must be reported to the authorities.

No age group is particularly protected from or damaged by the impact of domestic violence. Key to the safety of women and children subjected to violence and the threat of violence is an alternative, safe and supportive residence.

### 3.6 Spiritual abuse

Spiritual abuse is not covered by the statutory definitions but is of concern both within and outside faith communities including the church. Aspects of spiritual abuse can be recognised under the four categories of abuse such as emotional abuse or physical abuse (e.g. forced healing rituals).

Within faith communities, harm can be caused by the inappropriate use of religious belief or practice. This can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, obtrusive or forced healing and deliverance ministries<sup>11</sup> or rituals, any of which may result in children experiencing physical, emotional or sexual harm.<sup>12</sup> If such inappropriate behaviour becomes harmful it should be referred for investigation in cooperation with appropriate statutory agencies. Careful teaching,

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<sup>11</sup> It will also include abuse linked to a belief in Spirit Possession. [There is statutory guidance on this issue available from the Department of Children, Schools and Families including the 'Every Child Matters' website.]

<sup>12</sup> This has been adapted with permission from material issued by the Churches' Child Protection Advisory Service.



supervision and mentoring of those entrusted with the pastoral care of children should help to prevent harm occurring in this way. Other forms of harm include the denial of the right of faith or the opportunity to grow in the knowledge and love of God.

Although wider than the definition of spiritual abuse, the National Guidance for Child Protection in Scotland (2010) gives guidance on ritual abuse and abuse by organised networks or multiple abusers.

## 4 Implementing the policy

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A list of who takes responsibility at each level of church life as a result of the above commitments is provided in Appendix C. The list of responsibilities and commitments indicates clearly that all members, employees, office holders and volunteer workers at all levels of church life play a significant role in implementing safeguarding procedures.

In Scotland the Office of the Scottish Charity Regulator and Methodist Insurance both require all local bodies to have a safeguarding policy in place. Each district, circuit and church will produce a safeguarding policy, relating to work with both children and adults. Model policies are provided separately in the Safeguarding Handbook. These models represent the minimum that is required: they can be supplemented for local situations as appropriate.

It is important to recognise that it is people who protect and not only procedures. The aim is to create a culture of informed vigilance at all levels in the Church by:

- raising awareness of the issues involved in protecting 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
- caring appropriately for those in the church community who have abused children.

All those working with, or in direct and regular contact with, children in a paid or unpaid capacity will be carefully recruited and checked for membership of the PVG Scheme in Scotland<sup>13</sup> and their backgrounds checked at the appropriate level through a criminal records check. These checks will also be carried out on those supervising people working with children and on those whose representational ministry, office or status gives them the opportunity or the expectation for regular or unsupervised contact with children.

### 4.1 Connexional commitment

The Methodist Church as a Connexion has an obligation to support churches and those working with children and young people in exercising their primary responsibility for those entrusted to them.

### 4.2 Implementation in the district

The Chair and the District Policy Committee should provide support and oversight for circuits, superintendent ministers and all ministers in implementing safeguarding in churches and circuits.

In particular each district should :

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<sup>13</sup> Protection of Vulnerable Groups vetting scheme.

provide a structure to manage safeguarding issues and practice in the district with a suitably qualified and experienced multi-disciplinary District Safeguarding Advisory Group (DSAG), including an independent chair. The Chair of District or their nominee shall be a member of the group and attend regularly. The members of the group do not have to be members of the Methodist Church but the majority of the team should be either Methodist or members of a church in partnership or covenant with the Methodist Church.

provide access to a process of local risk assessment reports on individuals so that the Chair, the Connexional Safeguarding Adviser or others can evaluate and manage any risk posed by individuals and their work or activities within the church.

provide access to training and support on safeguarding matters to churches, circuits, district organisations and those who work at district level in collaboration with the Training Officers.

#### 4.3 Implementation in the circuit

The circuit and the Superintendent should provide support and oversight for Church Councils and ministers in implementing safeguarding as stated above and ensure that activities with children, both within the circuit and in local churches, are provided according to good practice and safeguarding procedures.

#### 4.4 Implementation in the local church

Churches and circuits may wish to join together to implement the policy and procedures, but it is important to remember that legal responsibility will continue to rest with the individual churches. It should be noted that people working in isolated situations can be vulnerable and care should be taken to implement the policy in full.

#### 4.5 Responsibilities of trustees

The responsibility for implementation lies with the relevant trustee body; that is, the Church Council and Circuit Meeting as delegated to the person with pastoral charge.

It is the relevant church body and the minister with pastoral charge who is also responsible for ensuring:

- a) Allegations concerning church workers and office holders are responded to immediately and according to good practice procedures (as outlined in this policy and Recruiting Safely) including referral to the statutory authorities.
- b) Reports of abuse (including allegations) are referred to the statutory authorities according to good practice procedures (as outlined in this policy).
- c) Standing Orders are implemented in obtaining vetting information.
- d) Standing Orders are implemented on appointments to office (who may not hold an office, role or responsibility) 010 and training upon appointment.
- e) Standing Orders are implemented in relation to sex offenders in the church (SO690f).
- f) Safeguarding good practice is followed and complementary pastoral care in all instances of child or adult abuse and trauma, including pastoral provision for the needs of survivors of abuse (see *Tracing Rainbows through the Rain*, Methodist Conference, 2006) and careful ministry to those who pose a risk to children.

In respect of these responsibilities it is also the responsibility of the Trustee body, with the minister in pastoral charge carrying out the responsibility with support and guidance from appropriate advisers:

- a) to refer cases to the Independent Safeguarding Authority or Disclosure Scotland where allegations lead to disciplinary action or someone resigns pending this
- b) to make a report to both the the Office of the Scottish Charity Regulator and the relevant Insurance company in respect of serious safeguarding matters. This should always occur in those cases involving possible reputational or financial risks. (See appendix F for further guidance.)

#### 4.6 Church schools

Methodist schools, both controlled and aided, are part of the statutory sector and are not covered by these provisions.

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.

Even when there is a strong link between a church school and a church, and particular individuals may hold roles in both, care should be taken to distinguish and fulfil the different legal responsibilities of schools and churches and to share relevant information where appropriate, especially information which would promote safeguarding and prevent abuse.

## 5 Promoting safer practice

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### 5.1 Safeguarding appointments

The following appointments within the Methodist church aim to ensure that good safeguarding practice is embedded throughout the Church:

At church/circuit level: Safeguarding Representatives

This person should be a member of the Church Council/Circuit Meeting, *or* have the right to attend at least annually, to report on implementation of the safeguarding policy. They should also have the right to attend the circuit staff meeting to discuss urgent confidential concerns and report to the Circuit Superintendent.

At district level: Safeguarding Advisory Group and Coordinators

The group will provide expert advice at a local level for the Chair, Superintendents, ministers or other church leaders as required.

At connexional level: Safeguarding Adviser

The adviser offers support to the District Safeguarding Advisory Groups, individual advisers or Coordinators through regular communications and information, a regular conference for professional development and networking, maintaining website pages, overseeing Connexional training strategies and the quality of safeguarding training and regular liaison with relevant agencies including government departments and other churches at national and Britain-wide levels.

There is no requirement for those coordinating or advising in Safeguarding at any level of the Church that they be members of the Methodist Church. This gives scope for the most appropriate people with relevant professional backgrounds to be appointed, especially when considering the appointment of chair of the District Safeguarding Group, members of the District Safeguarding Group and the Coordinator.

This is possible and appropriate because the responsibility for Safeguarding remains with the person with Pastoral Charge and with the relevant trustee body, such as the Church Council. The Safeguarding group, advisers and coordinators, who should be appropriately experienced and qualified, give advice on implementation of policy and good practice. This advice should normally be followed, but they are not responsible for the decisions.

### 5.2 Safer recruitment<sup>14</sup>

Safer recruitment is key for safeguarding. A companion policy (Recruiting Safely, Methodist Conference 2010) has been produced which sets out the framework for safe recruitment of employees and volunteers. Guidance on the implementation of the Protection of Vulnerable (Scotland) Act 2007 in the

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<sup>14</sup> 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 continue unchanged. See the Methodist safeguarding website page for up to date information.

Methodist Church is available .

### 5.3 Code of Safer Working Practices

Every circuit should prepare (using the model in Appendix D as a guide), and every church working with children should adopt a Code of Practice including conduct for church workers with children and young people which covers the issues mostly likely to arise.

. In Scotland, national guidance, including advice on how to respond to allegations/concerns of abuse, is available on the Scottish Government's child protection website - [www.childprotectionscotland.org](http://www.childprotectionscotland.org).

### 5.4 Transport

Transport arrangements to or from church activities are the responsibility of parents if they make arrangements among themselves but are the responsibility of the church if the church or church activity organises them. Transport or travel between church activities will usually be the responsibility of the church. It should be clearly understood by all concerned at which point responsibility for the child is passed from parent to church worker and at which point it is returned. More detail is available in the model Code of Safer Working Practice (Appendix D)

### 5.5 Registration and consent forms

Contact details and special requirements should be noted for all children who regularly attend church activities and registers kept, including mixed-age activities. Written parental consents should also be obtained for special activities e.g. off premises or the taking/using of photographs.

### 5.6 Health and safety

It is the responsibility of the Church Council to ensure that proper health and safety processes are in place.

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 and at least once a year and the results noted and reported to the Church Council.

If specialised activities are to be undertaken, risk assessments should be made, appropriate instructors engaged and their credentials confirmed. However, even when specialised instructors have been engaged, the church or other church body retains the duty to supervise the children.

### 5.7 Risk assessments

Risk assessments of new and existing activities should be made, in order to identify hazards and take action to minimise risk. The same approach should be taken if buildings are hired for church activities involving children.

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

Risk assessments for individual workers are covered by the document *Recruiting Safely*.

### 5.8 Registration with the Care Commission (Scotland)

In Scotland, a service which provides care for children on non-domestic premises for a total of more than 2 hours per day and on at least 6 days per year, must register with the Scottish Commission for the Regulation of Care and work to the relevant national care standards. Information is available at [www.carecommission.com](http://www.carecommission.com).

### 5.9 Youth work

There are now statutory duties and codes of practice 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.

All work with those under 16 must be adequately supervised. 16 and 17 year olds do not require the same level of supervision but should still have an adult in charge. Those of 18 and older are legally adults and can be considered for work with younger children. However, it is usually appropriate to require a minimum three-year difference between the age of the youth worker and that of the children they supervise.

Youth workers should be trained.<sup>15</sup>

Guidance for camping, residential trips and youth groups meeting in someone's home are available on the Methodist website.<sup>16</sup>

### 5.10 Positions of trust

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 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):

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;

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;

they should not expose themselves or others to material which is sexually explicit, profane, obscene,

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<sup>15</sup> CORE skills training for children and youth work.

<sup>16</sup> Under Church Life/Safeguarding/Resources and documents.

harassing, fraudulent, racially offensive, politically inflammatory, defamatory, or in violation of any British, European, or international law.

It is contrary to the policy of the Methodist Church for those in a position of trust, including ministers, local preachers and youth workers among others, to have sexual relationships with those aged 16 or 17 for whom they are responsible. A breach of this is likely to be considered as a disciplinary matter. It will be referred to the relevant social work department 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 Disclosure Scotland for possible barring.

#### 5.11 Mixed-age activities

Care should be taken to ensure that children in mixed-age activities such as choirs, music and drama groups are appropriately supervised. Criminal record disclosure checks or PVG Scheme registration are not required for adults in those groups who do not have specific responsibility for children.

Separate changing facilities should be provided where necessary for adults and children, and the different sexes and children should be supervised only by those authorised to do so.

#### 5.12 Insurance

The groups concerned with this document will be insured through a number of different companies whose policies will be subject to various terms, conditions and exceptions. However, the majority of churches, church groups, etc. will be insured with the Methodist Insurance who have made the following statement in respect of those policies they have issued for:

- (a) churches, in use for worship
- (b) youth groups.

##### **Methodist Insurance statement:**

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

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

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

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

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

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

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

#### 5.13 Hire or use of church premises by others



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' by both parties is a standard insurance condition.

The hiring body (i.e. the organisation hiring the premises) 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 carries full liability insurance for this.

The hiring body should abide by their own child protection or safeguarding policy if they have one, otherwise by that of the church.

For both one-off and regular hirings it is recommended that a written hiring agreement be used. A full model lettings/licence agreement, including the declaration, is available from Methodist Legal Office.

If the hiring body is required to register with Care Commission then the owner should ask to see the registration certificate and record that it has been seen.

Where uniformed organisations meet that are not authorised by the church e.g. Guiding and Scouting organisations (even when they are sponsored), these organisations should be regarded in the same way as other users and hirers. They have a responsibility to abide by their own safeguarding policy.

#### 5.14 Record keeping and data protection

Recent *Guidance of Best Practice in Retaining Records in the Methodist Church* has been developed and is available on the Methodist Church website.

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 countries without adequate protection.

Circuits and districts should maintain a record of church workers employed sufficient to be able to respond to *bona fide* enquiries. This should include start and finish dates, dates of CRB checks and PVG Scheme registration, all posts held and next post when known, training completed. There should be a flag on any database if a safeguarding concern 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 area.

The record of safeguarding concerns should be kept indefinitely, even if the matter turned out to be

malicious, unsubstantiated or unfounded. *See also 7.9.*

Records of known offenders against children should be retained indefinitely together with a copy of the agreement and reviews.

Nothing in the Data Protection legislation seeks to limit the appropriate disclosure of information in order to protect an individual who either is or may be at risk. What matters is that the process of information sharing is done properly.

Further advice is available from the Connexional Data Controller or the Connexional Safeguarding Adviser.

## 6 Responding to concerns

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### 6.1 Reporting concerns to statutory services

If somebody believes that a child may be suffering, or be at risk of suffering, harm, then they should always refer their concerns to relevant social work department. In addition, the police, the NSPCC and in Scotland, the Scottish Children's Reporter Administration (SCRA) have powers to intervene in these circumstances. While those making referrals should seek, in general, to discuss any concerns with the family and, where possible, seek their agreement to make referrals to the social work department, this should only be done where such discussion and agreement-seeking will not place a child at increased risk of harm.

A referral should be made for any concern of harm, not just harm arising on church premises or from a church worker.

A referral should also be considered if domestic abuse/violence 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 violence as this may trigger further abuse. Seek advice from the District Safeguarding Coordinator or telephone the specialist police unit.<sup>17</sup>

The National Guidance for Child Protection in Scotland (2010) sets out some general principles for information sharing in relation to the management of reports of alleged abuse.

The District Safeguarding Coordinator should always be advised when a referral is made to a social work department.

In each Local Authority there are published 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. No one should be deterred from making a referral because they are unsure about the formal procedure. Any telephone call or letter should be treated by the social work department as a referral, with guidance about how to proceed from then on.

The matter may proceed to a strategy meeting, a case conference, and services may be offered or legal proceedings begun. Ministers 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 District Safeguarding Coordinator and inform the Superintendent or Chair of District 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

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<sup>17</sup> The child or family protection unit.

registrar or District Safeguarding Coordinator.

## 6.2 Reporting concerns to the District Safeguarding Coordinator and minister

The District Safeguarding Coordinator and minister should be informed if any one or more of the following things occur:-

- a) There has been an incident where an adult member or child has been or is being abused or mistreated by someone connected with the church, such as a member of staff, volunteer or trustee (church council member).
- b) There has been an incident where someone has been abused or mistreated and this is connected with the activities of the church.
- c) Allegations have been made that such an incident may have happened, regardless of when the alleged abuse or mistreatment took place.
- d) There are grounds to suspect that such an incident may have occurred.
- e) Where there is a current allegation of abuse against a child or children (under 18).
- f) Where someone in the church has been suspended or dismissed from work, or investigated or arrested for allegations of abuse against children.
- g) Where a child is, or children are, considered to be at risk of harm or at significant risk of harm.
- h) Where a person who is a member or regular attendee is known to have been convicted of sexual offences against children, or is currently or has been recently (in the past year) subject to investigation for any offence against a child, or where there have been investigations or convictions for domestic violence.

Ministers and Superintendents are responsible for good practice and management of Safeguarding issues in the local church and circuit. In each case cooperation on these matters should include a decision as to who should liaise from the district safeguarding group and who should take a lead in liaising with the statutory authorities. That is – be clear as to who does what, including who attends meetings and who feeds back to whom. The minister and/or superintendent is responsible for ensuring that this communication happens.

## 6.3 Confidentiality/Consent

Guidance on sharing information about the possible abuse of a child is as follows:

*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. (our emphasis)*

*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 judgement on the facts of the case, there is sufficient need in the public interest to override that lack of consent.*

*You should seek advice where you are in doubt. If you have any concerns at all, you should not tell the*

*child or family before seeking advice.*

*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.<sup>18</sup>*

There are situations where safeguarding officers will be bound to share information with the authorities or other organisations who 'need to know' according to statutory guidance and their professional standards. For guidance on difficult decisions in individual cases the Connexional Safeguarding Adviser may be consulted.

See also download document 'Information Sharing in the Methodist Church' – [www.methodist.org.uk/churchlife/safeguarding/](http://www.methodist.org.uk/churchlife/safeguarding/)

#### **6.4 Pastoral conversations and confidentiality**

It is possible that relevant information may be disclosed in the particular context of a pastoral conversation. The Methodist Church does not have authorised liturgies for the sacraments of individual confession and absolution. A minister is not prevented from disclosing details of any crime or offence which is revealed in the course of a pastoral conversation or a confession within that context. The requirements about information sharing apply, as set out above.

Wherever possible ministers and others engaged in pastoral conversations on behalf of the church<sup>19</sup> should explain the limits of confidentiality in pastoral relationships to those they are offering pastoral care. This should ideally occur at the beginning of a pastoral relationship or meeting. A similar approach should be adopted for Spiritual Direction and formal supervision or mentoring arrangements conducted on behalf of or by officers of the church.

Where a person's own behaviour is at issue, the minister should urge the person to report it to the police or children's social care. In addition, they may offer to accompany the person to the authorities. It is important that, if a person wants to discuss matters concerned with confession in a pastoral conversation in order to be assured of absolution, evidence of repentance and a willingness to behave differently both need to be demonstrated.

Ministers should also be aware that convicted offenders can sometimes come forward with new information. There is no bar in law to prevent ministers passing on such information to the authorities.

Any relevant information should be passed to the authorities to prevent abuse or to solve a crime.

#### **6.5 Past or historical abuse**

In the course of their work, especially in worship and pastoral care, many ministers, other church officers and those offering pastoral support in the church, will find themselves hearing disclosures from adults of abuse that happened to them when they were children.

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<sup>18</sup> *What to do if you're worried a child is being abused*, 2006, Appendix 3, section 2.

<sup>19</sup> Including pastoral visitors.

There is no single, correct procedure for dealing with a disclosure of historical 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 their experiences can be a powerful healing event. The pastoral care of the person who has been abused should be a priority. A referral to the police will not always be necessary unless the individual wishes to report the offence; however, they should be encouraged and supported to do so. In all cases the District Safeguarding Coordinator should be consulted.

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, then a referral to the social work department must be made. This can be either by the person hearing the complaint/disclosure or by the safeguarding children coordinator – 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/disclosure or the safeguarding children coordinator should make a referral to the social work department. The timing of any such communication needs to be carefully judged in order to support the survivor on their journey of disclosure whilst if at all possible not creating a sense that all initiative has been removed from him or her completely. Support and consultation should always be obtained. No one should try to cope with this alone.

In some cases the subject of the allegation will prove untraceable or may have died. The church will still need to examine its actions at the time and consider whether they were appropriate in the light of what was known and good practice. A record should be made and filed in an appropriate place. For advice, the District Safeguarding Coordinator should be consulted.

## 6.6 Significant Case Reviews

In Scotland, Child Protection Committees undertake Significant Case Reviews whenever a child dies or is seriously injured and abuse or neglect is known or suspected to be a factor. The purpose of these Reviews is to:

- establish whether there are lessons to be learnt from the case about the way in which local professionals and organisations work together to safeguard and promote the welfare of children
- identify clearly what those lessons are, how they will be acted on, and what is expected to change as a result
- as a consequence, improve inter-agency working and better safeguard and promote the welfare of children.

Significant Case Reviews are not inquiries into how a child died or who is culpable. That is a matter for coroners and criminal courts, respectively, to determine as appropriate.

Ministers and other church officers could find themselves invited to contribute to a Significant Case Review if they had sufficient individual knowledge of the child. They should cooperate. They should consult the District Safeguarding Coordinator or the Connexional Adviser who can advise on the process.

## 6.7 Whistle-blowing

To fulfil their commitment to safeguard and promote the welfare of children, all organisations that 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.

In addition to situations where there may be a perceived risk, whistle-blowing be necessary to highlight more general problems with unacceptable practice, performance or behaviour.

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

Volunteers and members of a congregation should be encouraged to acknowledge their individual responsibility to bring matters of concern to the attention of the minister, the Superintendent, Church Safeguarding Coordinator or a member of the Church Council. Alternatively the Chair of District or the District Safeguarding Coordinator should be contacted.

# 7 Managing safeguarding concerns about church workers or members

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## 7.1 Introduction

This section considers the situation when it is alleged that a church officer, employee, member or volunteer 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
- behaved in a way that indicates that he or she is unsuitable to work with children.

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

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

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

All allegations of this kind must be reported to the social work department in Scotland. The District Safeguarding Coordinator must also be consulted. The social work department may arrange for an investigation by the statutory authorities which may be in conjunction with a disciplinary investigation by the employer.

For the purposes of this procedure it makes no difference whether the person is paid or a volunteer. If the person is a minister then the Chair of District, the Connexional Safeguarding Adviser and the Connexional Team member with responsibility for the Complaints and Discipline process must be involved.

## 7.2 Suspension

### 7.2.1 Lay employees

It may be necessary to suspend an employee as a precautionary measure, at the appropriate rate of pay for paid staff (usually full pay), pending further investigation and a hearing, if:

- their presence might impede a proper investigation
- their presence might cause an unacceptable risk until the matter has been resolved. This could be related to, for example, a *prima facie* case of loss of cash or property, violence against a child or colleague, etc.



In cases where there is a *prima facie* case of serious misconduct both the Lay Employment Adviser<sup>20</sup> and the Connexional Development and Personnel Office should always be consulted immediately if the church officer is employed, and the District Safeguarding Coordinator if the allegation concerns a child or risk to children. In such cases it is essential that the line manager suspending the church employee has the appropriate authority to suspend on behalf of the Church Council or other employing body and that the procedure for serious misconduct or alleged serious misconduct for the particular staff group/office holders are followed.

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

At the time of suspension the worker should be asked if they undertake any other paid or voluntary work with children. They should be informed that their other employer will need to be informed and this should be carried out. The investigation will follow, but where matters are referred to the police their investigation must take precedence and any internal investigation will follow after the police have concluded the matter and it has been to court.

The Complaints and Discipline procedures as set out in Section 11 of Standing Orders should be followed in all cases involving church members unless they are also employees, in which case employment law usually takes precedence.

#### **7.2.2 Ministers and members of the church**

In the case of ministers and members of the Methodist church the provisions of the Complaints and Discipline procedure contained within the Standing Orders of the Methodist Church will need to be followed. Each Circuit has a Local Complaints Officer and for the district this function is usually undertaken by the Chair of District. If it is these people who are being complained about the Connexional Team members responsible for the Complaints and Discipline process must be consulted.

N.B. Issues of abuse or harm, inappropriate behaviour, bullying, persistent neglect of safeguarding or health and safety procedures with children or young people must also be referred to the relevant statutory agency as soon as possible. The police may suggest the most appropriate timing of suspension. Their advice must be followed.

#### **7.2.3 Other volunteers who are not members**

Best practice such as that set out in Children's Workforce Development Council *Recruiting Safely*<sup>21</sup> guidance should be followed.

### **7.3 Breach of Trust**

There is an offence of 'Breach of Trust' which applies to those working in the statutory sector (e.g. education) where they have been found to have a sexual relationship with someone aged 16 or 17. This

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<sup>20</sup> All lay employment procedures, including discipline procedures are available on the Methodist website.

<sup>21</sup> [www.cwdcouncil.or.uk](http://www.cwdcouncil.or.uk)

offence does not apply in the voluntary sector.

Such behaviour is highly inappropriate, even when a youth worker is only slightly older. They are a worker/leader and this could be an abuse of power. Those in any position of responsibility who commit a breach of trust in this way should be considered for disciplinary measures for misconduct or gross misconduct. If coercion in such a relationship was involved with *any* age group this should be referred to the police as it could be a criminal matter.

#### 7.4 Insurance advice

The Claims Manager of the insurance company should be informed immediately. This task can be undertaken by either the superintendent minister, Chair of District or the District Safeguarding Coordinator, the minister or other employer. Advice should be sought about the insurance position and any steps needed to be taken to safeguard it. The Claims Manager will also need to be kept in touch with developments. Any person accused of abuse where they have the benefit of insurance should also inform their insurance company.

#### 7.5 Pastoral support

During the investigation the child or young person and their family will need support. A separate person should be found to support the alleged offender. People involved in support should be uninvolved with the investigation or disciplinary proceedings and may be chosen from outside the circuit or district to ensure neutrality. The police advise that it is important that these parties should not communicate with each other about the allegation so that evidence is not contaminated. In the case of allegations against a minister the Superintendent or Chair of District will need to manage the impact of the investigation on the circuit<sup>22</sup> and, at times, neighbouring circuits.

#### 7.6 Communications/media enquiries

These situations always require sensitive pastoral care together with the wider congregation and community. This will include overseeing appropriate communications of the situation to the congregation, advice upon which should be sought from the Connexional Communication Office. (The Connexional Communication Office should also be advised and should handle any media enquiries. No information should be released to the media or prepared for circulation or announcement in the relevant area unless it has been authorised by the Connexional Communications Office.)

In addition, the Connexional Safeguarding Adviser should be informed of any situation which goes to a criminal court or tribunal, or reaches the media.

#### 7.7 Criminal proceedings

An investigation may result in various actions. It may be shown that the person has no case to answer or they may be charged with an offence and the the Procurator Fiscal Service (PFS) in Scotland, asked to consider prosecution. The person may admit the truth of the allegation and accept a police caution.

In order for the PFS to sanction a prosecution they have to believe that there is more than a 50% chance

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<sup>22</sup> See Deirdre Offord: *Betrayals of Trust: Addressing the Impact on Congregations When Leaders Abuse Their Positions*, Grove Books, 2009.

of gaining a conviction and also that it is in the public interest to prosecute.<sup>23</sup>

If it appears likely or is known that criminal proceedings will be brought then disciplinary action other than suspension is normally stayed until the conclusion of those proceedings. Consideration must be given to protecting the interests of victims where there is a risk of contact through church activities.

Requests to produce file material in court should be referred to the Legal Officer for the Connexional Team to avoid inappropriate disclosure of personal information which may be protected by the Data Protection Act 1998.

Ministers and others should be aware of the potential risks of providing a character reference in criminal matters. They should avoid commenting on matters under investigation unless invited by the investigating team at a formal meeting or in a confidential discussion with the District Safeguarding Coordinator. They should restrict themselves to known facts and first-hand knowledge.

The statutory agencies undertaking the investigation should be asked to provide a report which can be used in disciplinary proceedings, for other decision-making or for future reference. The report, which should be agreed with their legal advisers, should include any statements which parties have agreed can be used for this purpose, a factual account of the investigation and an assessment of any continuing risk. It is helpful if the District Safeguarding Coordinator can agree the terms of the report at the beginning of the investigation.

There are many reasons why a particular case may not come to court, or why there may be a finding of 'not guilty' in a criminal court case. This does not mean there is no remaining concern. There may remain evidence of inappropriate or misguided behaviour which needs to be addressed. The advice of the statutory agencies should be sought about any continuing risk to children. It may still be appropriate in some circumstances and in accordance with legal advice to continue disciplinary action. If there remain unresolved matters of concern, a professional risk assessment should be carried out to try to ascertain whether it is safe for the person to continue work which brings them into contact with children. Depending on the outcome of the assessment it may be necessary to introduce a regime of conditions; training and supervision; to refer the person to Disclosure Scotland in order to be considered for listing on the Children's List (where the individual concerned was undertaking regulated work with children within the PVG Scheme); to re-deploy the person in another post; or to terminate employment. The District Safeguarding Coordinator should always be involved in these difficult decisions.

## 7.8 Resignations and compromise agreements

The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to cooperate with the process. Wherever possible, the person should be given a full opportunity to answer the allegation and make representations about it. The process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be regarded as

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<sup>23</sup> This provision may be amended by the new Government – May 2010

substantiated on the basis of all the information available, should continue even if that cannot be done or the person does not cooperate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person'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 person agrees to resign, the relevant church body agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference – must not be used in these cases. In any event, such an agreement will not prevent a thorough police investigation where appropriate, nor can it override an employer's statutory duty to make a referral to the Independent Safeguarding Authority or Disclosure Scotland where circumstances require it.

### 7.9 Record keeping about concerns

It is important that church bodies keep a clear and comprehensive summary of any allegations made, details of how the allegations were followed up and resolved, and of any action taken and decisions reached. These should be kept in a person's confidential personnel file 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 indefinitely. The purpose of the record is to enable accurate information to be given in response to any *bona fide* enquiries or any future request for a reference. It will provide clarification in cases where a future criminal record disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction. It will also prevent unnecessary re-investigation if, as sometimes happens, allegations resurface after a period of time.

For an allegation to be described as false, it is necessary to have evidence that disproves the allegation. This means that the allegation is unfounded.

For an allegation to be described as malicious, it is necessary to have evidence that not only disproves the allegation, but also proves a deliberate intent to deceive.

An unsubstantiated allegation is not the same as a false allegation. It simply means that there is insufficient evidence to prove or disprove the allegation. The term, therefore, does not imply guilt or innocence.

It is important to retain records where an allegation has proved to be unsubstantiated, false or malicious, so that it is on record that the allegation was known and responded to.

At the conclusion of an investigation or proceedings, a summary should be prepared noting the allegation, the enquiries made, and the outcome. Carefully considered information should be given to the person concerned in writing, and, as appropriate and possible within the limits of confidentiality and the need not to compromise possible statutory processes, to the person making the allegation and the victim or survivor.

If files are weeded when the person leaves the church, care should be taken to retain the material noted

here.

#### 7.10 Referral to vetting and barring schemes (ISA/PVG)

As stated above, one outcome of the investigation into a concern may be that a referral to the PVG Scheme in Scotland is required. This process is outlined in the PVG Scheme guidance.

# 8 Care of survivors of child abuse

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## 8.1 Introduction

An adult (or indeed a child) disclosing abuse is in a vulnerable state. Above all they need someone to listen to them – and also to believe them. They may need to be ‘heard’ in different contexts and over several years.

The pastoral situation can become very complex when an adult discloses abuse (e.g. a young person in their twenties accusing a church worker of sexually abusing them when they were much younger). In these circumstances, it would be appropriate to identify support for the different parties involved, such as another survivor to support the person making the allegations. Where a young person discloses abuse both their family and the young person may need separate or different kinds of support.

It is essential that when a survivor discloses abuse by someone who still has access to children as part of their role or, for example, as a parent or grandparent, that the survivor is encouraged gently to disclose to the authorities as soon as possible. The person who is ‘walking with them’ through this time will probably need to accompany them when they disclose. In addition, the accompanist, the person in pastoral charge or the safeguarding representative must take action to tell the authorities and the consent of the survivor should be sought in so far as possible. (See also section 6.4)

Please refer to Methodist Conference Report ‘Tracing Rainbows through the Rain’<sup>24</sup> (2006) for a fuller exploration of these issues and what the Church can do to help and support survivors appropriately.

## 8.2 What to do? – A summary

There is no quick fix for healing from abuse and it is crucial that:

Survivors are not pushed into forgiving too early. Forgiving their abuser/s is a complex process, and considerable damage can be done by treating forgiveness as something that they must do unreservedly and now.

Survivors are not put in a position of feeling even more guilty than they already do. Survivors tend to feel that the abuse was all their fault, particularly when there was more than one abuser.

Survivors are accepted as they are, however full of anger they may be. Anger can be seen as one step along the road to healing – at least if they are angry they are starting to accept that the abuse seriously affected them and this can be a good starting point to move towards healing.

Survivors are given a sense that those within the church community who know about the abuse are ‘with them’ along the road to recovery. The journey can be very long and supporters are essential.

## 8.3 Pastoral and other resources

Survivors can benefit from professional counselling if that is available, but also joining a self-help group can provide the kind of long-term support needed. Survivors helping other survivors can be powerful and effective.

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<sup>24</sup> Available on [www.methodistchurch.org.uk](http://www.methodistchurch.org.uk) as a downloadable report.

Survivors need time to work on their feelings and be able to accept that:

it was not their fault

they haven't committed an unforgivable sin

they have no need to feel guilt and shame

God loves them unconditionally.

Churches and ministers are able to provide significant pastoral support within existing resources provided boundaries are maintained. They will need to identify when the needs of survivors go beyond their expertise and the resources available at local church level. Good pastoral practice needs to be followed in relation to all survivors of child abuse. The examination or investigation of cases and professional counselling or therapy are not within the expertise and remit of the Church and must be sought from other appropriate sources.

# 9 Ministering to those who pose a risk

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## 9.1 Introduction

The purpose of providing good practice for ministering to, and providing pastoral care for, those who pose a risk is to enable them to worship and be part of a church community more safely.

For those with a criminal conviction or caution for a sexual offence against a child, Standing Order SO 010 provides specific prohibitions from offices, roles or responsibilities within the Church. The process set out below was created to support SO010 but can be used to manage all those who present a risk to children.

## 9.2 Good Practice – a Covenant of Care

The Church and Sex Offenders Report recommended setting up of ‘Support and Monitoring’ groups to manage them in churches/circuits. *(This is in SO69f and Part 2 Section 12 of the guidance section of CPD. It is reproduced as Appendix E.)*

These arrangements should be known as ‘a Covenant of Care’ and should be established in outline as part of each church’s safeguarding arrangements. The group is then available for speedy response as and when needed.

Key components of a Covenant of Care:

- Pre-release phase where applicable/ possible.

- Setting up a small group at church and/or circuit level.

- Risk assessment – this may not a formal professional risk assessment but it will be informed by these where possible.

- Writing a contract – ideally together with the person involved.

- Meeting regularly and reviewing membership, training and support for the group.

- Review the contract – at regular intervals – not less than annually, or when circumstances change.

- Training and support for group members.

- Annual report for each case to the District Safeguarding Coordinator.

## 9.3 The Covenant of Care agreement/contract

The guidance in Standing Order 69f,<sup>25</sup> also Part 2 Section 12 of the guidance<sup>26</sup> offers a framework for the agreement. This guidance is to be reviewed in 2011, but the following are additional points and do not replace the guidance as they stand.

Additional areas which may need to be dealt with in developing a contract/agreement that works:

- Residential events, especially ‘all-age’ events.

- Events in another church or church organisation, circuit or national events. A joint agreement is often

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<sup>25</sup> In Standing Orders – CPD.

<sup>26</sup> Also in CPD – at the back



desirable in these circumstances.

Finding another church or circuit when there are victims/survivors in former/current church.

Opportunities for development of the subject's discipleship safely and once they have demonstrated cooperation and trust with the agreement.

Sensitive or difficult matters for the Superintendent/minister in pastoral charge and the group to consider:

Insisting a church provides for a sex offender, when the church or minister rejected them outright.

Developing a contract where there are 'old matters', convictions or cautions on someone's record but where some sort of contract is necessary.

Deciding what cases can be 'light touch'.

Keeping interest and energy of the monitoring group.

Worship/membership, *especially* when victims/survivors are in the same church.

Sustaining the contract for years and possibly decades.

The provision of training for the members of the group and the wider church on these things.

The development of discipleship for the subject over many years.

#### 9.4 MAPPA

Guidance for the *Multi-Agency Public Protection Arrangements* states that religious communities must put in place effective arrangements, which allows them to ensure they are able to protect their community whilst allowing a sex offender to maintain their right to worship in a safe way when possible. An assessment of risk must be carried out, which should be done together with the police, probation services and/or social work department and with the District Safeguarding Coordinator. A minister or appropriate church leader will be provided with information from the statutory agencies so that they make informed arrangements. It is important that cooperation between the church and the agencies is assured at all stages. It may be necessary on occasions to negotiate a formal information-sharing protocol between the District and the relevant police area and probation area; however, there are national guidelines which recommend that this should not be necessary.

Prison chaplains should be aware of the guidance and ensure that there is good liaison between them and the District Safeguarding Coordinator when a sex offender leaves prison and wishes to worship in a church. Discussions may need to be held about which church is appropriate in light of an offender's needs or in light of their circumstances or the community. The contract referred to in the guidance below is discussed in the next section.

The relevant section of the MAPPA guidance is as follows:

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

*Where 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 practise 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.*

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

*Any breaches of the 'contract' with the offender must be reported to the offender/case manager.<sup>27</sup>*

Note that Sexual Offences Prevention Orders can also be sought to control as well as to exclude an offender's

involvement in a place of worship. In appropriate cases the District Safeguarding Coordinator should explore with the police whether this should be sought and how it should be drafted. If this arises the Superintendent should be named as the supervising officer for the place of worship.

When the offender comes to notice before release the District Safeguarding Coordinator should explore with the probation service whether specific licence conditions should be included.

Management arrangements are likely to continue to be needed even after statutory intervention has come to an end.

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<sup>27</sup> MAPPA guidance, National Offender Management Service Public Protection Unit 2009, 6.5, 70.

# 10 Appendices

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## Contents

- A) The statutory framework and relevant Church reports
- B) A local church Safeguarding checklist
- C) A list of responsibilities at circuit, church and district levels
- D) Model code of Safer Working Practice for church workers with children
- E) A Covenant of Care – the Sex Offender policy as set out in CPD
- F) Reporting Serious Cases to the Charity Commission

# Appendix A The statutory framework and relevant Church reports

## A1.1 Statutory expectations

The government considers that there are some key features of effective arrangements to safeguard and promote the welfare of children.<sup>28</sup> These arrangements will help agencies to create and maintain an organisational culture and ethos that reflects the importance of safeguarding and promoting the welfare of children. At an organisational or strategic level, these key features are having:

- senior management commitment to the importance of safeguarding and promoting children's welfare
- a clear statement of the agency's responsibilities towards children available for all staff
- a clear line of accountability within the organisation for work on safeguarding and promoting the welfare of children
- service development that takes account of the need to safeguard and promote welfare and is informed, where appropriate, by the views of children and families
- staff training on safeguarding and promoting the welfare of children for all staff working with or (depending on the agency's primary functions) in contact with children and families
- safe recruitment procedures in place
- effective inter-agency working to safeguard and promote the welfare of children
- effective information sharing.

## A1.2 Legislation, government statutes and guidance

*National Guidance for Child Protection In Scotland* (Scottish Government, 2010) provides the national framework within which statutory and voluntary sector agencies can understand and agree processes for working together to safeguard and promote the welfare of children and young people.

In addition to the national guidance, the following Government initiatives support the development of a multi-agency approach to ensuring the well-being of children and young people in Scotland:

- a) Getting it Right for Every Child (GIRFEC) - this is the Scottish Government's approach to improving the well-being of all of Scotland's children and young people. It promotes the need for a multi-agency co-ordinated approach to identifying concerns, assessing needs and agreeing outcomes for children.

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<sup>28</sup> *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. This guidance is binding on specified statutory agencies and is considered good practice in voluntary bodies.

b) The Children's Charter - sets out a list of demands that children should feel entitled to make.

c) The Framework for Standards - is the detailed means for translating the commitments made in the Children's Charter into practice.

The Scottish Government endorses the UN Convention on the Rights of the Child and wherever possible, seeks to implement the the various articles within the Convention.

### **Key pieces of Scottish Legislation**

Children (Scotland) Act 1995 (as amended)

This is the primary piece of legislation which sets out the range and scope of local authority intervention in the lives of children and their families. The duties of local authorities within this legislation are, in the main, discharged by statutory social work services.

Social Work (Scotland) Act 1968 (as amended)

This is the legislation which provides the mandate for social work intervention in Scotland.

Police (Scotland) Act 1967

This Act lays down the general functions and jurisdiction of the police in Scotland.

There are a number of pieces of legislation in Scotland whichh define offences against children; these are:

- Protection from Abuse (Scotland) Act 2001 - while the primary focus of this legislation is women subjected to domestic abuse and the potential legal remedies available to them, the Act also attempts to safeguard the interests of children, i.e. through the requirement on statutory agencies to assess the impact of domestic abuse on children.
- Criminal Justice (Scotland) Act 2003 - Section 51 of this Act clarifies that it is an offence to punish a child in any manner that involves 'a blow to the head, shaking or the use of an implement.'
- Prohibition of Female Genital Mutilation (Scotland) Act 2005 - makes it an offence for a person to carry out specified female genital mutilation procedures on another person or to aid or abet another person to carry out such procedures.
- Protection of Children and Prevention of Sexual Offences (Scotland) Act 2005 - introduced a number of offences including that of 'grooming' a child under the age of 16 for sexual purposes and Risk of Sexual Harm Orders that aim to protect children and young people from persons who may not have been convicted of any criminal offence but who have engaged in some level of sexually explicit behaviour or communication in respect of a child under 16.
- Sexual Offences (Scotland) Act 2009 - translated a number of common law offences - including rape - into statutory offences and clarified the issue of consent. Sections 42-45 of the Act

introduced a new offence relating to the breach of a position of trust in respect of a child.

There are a number of pieces of legislation which cover the management of adults who may pose a risk to children; these include:

- Police Act 1997 (as amended) - Part V of this piece of legislation provides the responsibility and authority for 'disclosure checks' on individuals by local authorities or third sector organisations etc.
- Protection of Vulnerable Groups (Scotland) Act 2007 - introduces the PVG Scheme which aims to ensure that those who undertake 'regulated work with children' and/or 'regulated work with protected adults' are appropriately vetted and where necessary barred from working in these regulated positions.

<http://www.scotland.gov.uk/Topics/People/Young-People/children-families/pvglegislation>  
and

<http://www.disclosurescotland.co.uk/pdf/protecting-vulnerable-groups-scheme.pdf>

## A2 Relevant Church documents

*Constitution, Practice and Discipline of the Methodist Church*, updated each Methodist Conference

*The Church and Sex Offenders*, Methodist Conference, 2000.

*Time for Action: Sexual abuse, the Churches and a new dawn for survivors*, Churches Together in Britain and Ireland, 2002.

*Domestic Abuse, Methodist Conference report and Guidelines*, 2005.

*Tracing Rainbows through the Rain*, Methodist Conference report, 2006.

*Creating Safer Space*, Methodist Conference Report, 2007.

*Safeguarding children and young people*, new edition forthcoming, 2010.

*Safeguarding adults when they are vulnerable*, new edition forthcoming 2010.

Further resources

*Please refer to an updated list on the Safeguarding pages of the Methodist website.*

## Appendix B A local church Safeguarding Checklist

Church Council policy	What else is needed?	Who will take action?	Action reviewed – date and notes
<p>1 An overview:</p> <ul style="list-style-type: none"> <li>a) implementation/action plan</li> <li>b) review timetable</li> <li>c) allocated responsibility for this</li> <li>d) equality and diversity issues discussed</li> </ul>			
<p>2 Safer recruitment procedures:</p> <ul style="list-style-type: none"> <li>a) records of vetting processes – i.e. criminal records and ISA registration/PVG scheme membership.</li> <li>b) registration forms, references, identity</li> <li>c) the person with responsibility for the activity and volunteers</li> <li>d) reviews of probation, annual reviews, training and development</li> <li>e) the code of conduct – distributed and discussed</li> </ul>			
<p>3. Planning of activities:</p> <ul style="list-style-type: none"> <li>a) staff ratios and balance</li> <li>b) written risk assessments</li> <li>c) reviews of risk assessments</li> <li>d) responsibility for occasional events</li> <li>e) equipment</li> <li>f) transport</li> <li>g) parental permissions, including for photography</li> <li>h) e-Safety</li> </ul>			
<p>4. Training and development:</p> <ul style="list-style-type: none"> <li>a) induction</li> <li>b) arrangements for team supervision</li> <li>c) individual supervision or support</li> <li>d) review of training needs and planning</li> </ul>			
<p>5. Responding to incidents:</p> <ul style="list-style-type: none"> <li>a) Incident book</li> <li>b) First Aid</li> <li>c) Local police child protection and social work numbers</li> </ul>			

d) responsibility for referral e) responsibility for reporting to others on a need-to-know basis – including District Safeguarding Group, Charity Commission and Insurance as necessary.			
6. Who else needs to know about the policy a) where is it displayed/made available b) local ecumenical contacts c) lettings and hirers			
Other – please add			
Signed:			
Review date:			

## Appendix C A list of responsibilities/actions at Circuit, Church and District levels

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### 1. Responsibilities at Church level

Responsibilities/Actions	Person responsible
For general implementation of <i>Safeguarding</i> policies	<i>Minister in pastoral charge, with Superintendent minister</i>
For following good practice and complementary pastoral care in all instances of child abuse and trauma, including pastoral provision for the needs of survivors of abuse and careful ministry to those who pose a risk to children	<i>Minister in pastoral charge, with the Superintendent minister</i>
For ensuring that 'Recruiting Safely' procedures are followed (including registration forms and vetting procedures) for all those who work with children, young people and also work with adults when vulnerable and that records are kept	<i>Minister in pastoral charge</i>
Ensure that all office holders are aware of the terms of S.O.010 concerning the holding of office, duty or responsibility and systems have been established for sex offenders in keeping with SO690	<i>Minister in pastoral charge</i>



Ensure that all officers understand the requirements of the <i>Safeguarding</i> policies and attend suitable training	<i>Minister in pastoral charge</i>
Appoint one member of the Church Council to take responsibility for coordinating the implementation of the <i>Safeguarding</i> policy	<i>Minister in pastoral charge</i>
Appointment of a <i>Safeguarding</i> Coordinator ( <i>this person need not be a member of the Church but should have suitable skills and be in sympathy with the Church</i> )	<i>Church Council</i>
Make sure that copies of the <i>Safeguarding</i> handbooks are available for all members of Church Council to refer to. These documents will also be available from the Methodist website	<i>Church Council Secretary</i>
Give a copy of this <i>Safeguarding</i> handbook to all workers with children and young people, youth club leader etc.	<i>Church Council Secretary/Junior Church Superintendent</i>
Give a copy to all who perform duties affected by it	<i>Church Council Secretary</i>
Include <i>Safeguarding</i> on the agenda of the Church Council	<i>Minister in pastoral charge</i>
Retain confidentially copies of the any forms, letters and procedures completed during recruitment registration procedures	<i>Church Council Secretary/Minister in pastoral charge</i>
Form a working group, including workers with children and young people who prepare and review each year the <i>Safeguarding</i> policy and implementation plan for the Church	<i>Church Council</i>
Prepare a draft policy and submit to Church Council	<i>Working group</i>
Adopt the policy and implementation/action plan	<i>Church Council</i>
Identify possible sources of legal advice	<i>Church Stewards/Safeguarding Coordinator</i>
Discuss dissemination of the policy and implementation/action plans	<i>Church Stewards and others</i>
Ensure that training is taken up	<i>Minister in pastoral charge and Church Stewards</i>
Record who has attended training and when	<i>Church Council Secretary/Administrator/Safegu</i>

	<i>Safeguarding Coordinator</i>
Remind workers with children and young people to re-apply for criminal record disclosures every five years or upon change of role or responsibility, whichever is shorter and when to apply for registration or membership of the relevant vetting scheme	<i>Church Council Secretary/Minister in pastoral charge/ Safeguarding Coordinator</i>
Conduct supervision and review of workers with children and young people regularly	<i>Minister in pastoral charge</i>
Monitor the administration and implementation of Safeguarding procedures regularly	<i>Minister in pastoral charge</i>
Report incidents to the District Safeguarding Team, the insurance company and the The Office of the Scottish Charity Regulator as necessary	<i>Minister in pastoral charge</i>
Ensure the guidelines for creating a website are followed – these are published on <a href="http://www.methodist.org.uk/safeguarding">www.methodist.org.uk/safeguarding</a>	<i>Minister in pastoral charge/ Church Council</i>

## 2. Responsibilities for Circuit Meetings

Responsibility	Person responsible
Developing a policy on Safeguarding and implementation plan which affirms, encourages and supports all children and young people and the work done with them	<i>Superintendent minister</i>
Circulate copies of circuit Safeguarding policy to all Church Council Secretaries	<i>Circuit Meeting Secretary</i>
Ensure that all churches in the circuit have policies	<i>Superintendent minister</i>
Support those in pastoral charge in exercising responsibility for the implementation of Safeguarding	<i>Superintendent minister</i>
Ensure that all circuit office holders (including local preachers), complete Safeguarding Forms and vetting procedures before appointment (or approval for going 'on trial') and that records are kept	<i>Superintendent minister</i>

Ensure that all circuit office holders are aware of the terms of S.O.010 concerning the holding of office, duty or responsibility and systems have been established for sex offenders in keeping with S0690	<i>Superintendent minister</i>
Ensure circuit groups or events follow Safeguarding policy and procedures. (In the case of regular groups the guidance for Church Councils should be followed)	<i>Circuit stewards</i>
Appointing and resource a Safeguarding Coordinator	<i>Superintendent minister &amp; Circuit meeting</i>
Include information in circuit publications including any web site	<i>Person responsible</i>
Ensure that training initiatives are developed, delivered, the office holders attend	<i>Circuit stewards</i>
Ensure that adequate records are kept of all volunteers and employees' attendance at training and that records of safeguarding concerns are kept indefinitely	<i>Superintendent minister</i>
Inform ecumenical partner churches and check they have a mechanism for good practice and referral <sup>43</sup>	<i>Superintendent minister</i>
Supervise and review workers with children and young people regularly	<i>Superintendent minister</i>
Monitor and review the administration, the policy and implementation regularly	<i>Superintendent minister</i>

29

### 3. Responsibilities of the District Synod

Responsibility	Person responsible
For developing a policy on Safeguarding which affirms, encourages and supports all those who work with children and young people	<i>Chair of District</i>
For general implementation of Safeguarding policy for the	<i>Chair of District</i>

<sup>29</sup> See also ecumenical (LEP) Safeguarding checklist CTE website.

district	
Support all Superintendent ministers and circuit ministers in their implementation of Safeguarding policy	<i>Chair of District</i>
Liaise closely with the Training Officers and District Safeguarding Team in ensuring adequate levels of training are provided	<i>Chair of District</i>
Ensure that all circuit office holders are aware of the terms of S.O.010 concerning the holding of office, duty or responsibility and systems have been established for sex offenders in keeping with SO690	<i>Chair of District</i>
Provide copies of Safeguarding handbooks for District Councils/Policy Committee	<i>Synod Secretary</i>
Include a statement about S.O.010(2) in District Policy Committee and Lay Employment Sub-committee agendas	<i>Chair of District/Synod Secretary</i>
Ensure that the Lay Employment Adviser/Sub-Committee has a copy of the 'Recruiting Safely' handbook and is addressing Safeguarding issues including 'Recruiting Safely'	<i>Chair of District</i>
Ensure that where there are employees or volunteers at district level they complete where relevant the recruitment and vetting procedures and that records are kept regarding these roles	<i>Chair of District/Synod Secretary</i>
Set up a District Safeguarding (children and young people) Advisory Team made up of suitably experienced <i>and</i> qualified People, including a Convenor and Chair <sup>44</sup>	<i>Chair of District/Synod Secretary</i>
Circulate the district policy to all Circuit Meeting Secretaries together with information on the District Safeguarding Team	<i>Synod Secretary</i>
Ensure that all circuits and churches create and implement their own policies	<i>Chair of District</i>
Ensure that, where there are district children and youth groups or events, the district policy is implemented. (In the case of regular groups the guidance for Church Councils should be followed.)	<i>Chair of District/Synod Secretary</i>
Ensure that those elected as representatives to Conference	<i>Chair of District</i>

comply with the terms of S.O.010	
Include information on the District Policy and Safeguarding Team contact in district publications	<i>Synod Secretary</i>
Monitor and evaluate the District policy and implementation each year	<i>Chair of District and DPC/DC</i>

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#### 4. Responsibilities of the Connexional Team

Responsibility	Person/s responsible
For ensuring that the Safeguarding policy is implemented, monitored and evaluated and the Methodist Church complies with the Law	<i>Designated team members with responsibility for implementing the policy and procedures, with the Secretary of the Conference</i>
Develop policy in the light of changing Methodist understanding and practice	<i>Designated Team members, with the Secretary of the Conference</i>
Respond to government initiatives concerning child protection	<i>Connexional Safeguarding Adviser</i>
Work with other denominations to both establish and support policy and best practice	<i>Connexional Safeguarding Adviser</i>
Oversee implementation of training strategy, and raising awareness	<i>Connexional Safeguarding Adviser</i>
Provide information needed to assist communications and systems	<i>Connexional Safeguarding Adviser with Communications office, including Publications</i>
Ensure that training initiatives are developed and delivered	<i>Discipleship and Ministries, with TOs and the Connexional Safeguarding Adviser</i>

<sup>30</sup> This team may be combined with a District Safeguarding Adults Advisory Team – see ‘Safeguarding Adults when they are vulnerable in the Methodist Church’ handbook.

Promote good practice in safeguarding procedures in all areas of the Church's life; monitor and evaluate implementation and procedures	<i>District Chairs and Connexional Team</i>
Review, amend and adopt appropriate Standing Orders	<i>Law and Polity Committee and the Conference</i>
<i>Those who should be aware of the provisions of Methodist Safeguarding policy and procedures [See also Safeguarding checklist for LEPs to be found on Churches Together web sites]</i>	<i>Local Ecumenical Partners</i>
MAYC regional/national events, Youth Council, and the participation schemes and work Connexionally funded	<i>Methodist Children and Youth office</i>

1. Guidelines for Individual Workers
2. Additional guidelines for group leaders
3. Responding to child protection concerns
  - imminent risk
  - what to do if you suspect a child is at risk or has been abused
4. Good practice guidelines 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
  - Important telephone numbers

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 Church Council/Circuit meeting.

For guidance and good practice support resources and free downloadable forms for work with children, visit: [www.childrenandyouth.org.uk](http://www.childrenandyouth.org.uk)

## 1. Guidelines for Individual Workers

You should:

Treat all children and young people with respect & dignity.

Ensure that your own language, tone of voice and body language is respectful.

Always aim to work with or within sight of another adult.

Ensure another adult is informed if a child needs to be taken to the toilet. Toilet breaks should be organised 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 incidents of concern 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 representative.

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 whilst 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 organised 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 whilst 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 or Circuit Safeguarding Representative.

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 & 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 representative over good practice for safeguarding.

Always inform the safeguarding representative of any specific safeguarding concerns that arise. The safeguarding representative will liaise with the district safeguarding coordinator.

Liaise with the church council/circuit meeting.

## 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/or safeguarding representative. Agree between you *who* will take *what* action and *when*.

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 representative. The relevant Local Authority social work department in Scotland can also be a source of advice.

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 and date of the recording.

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 Services.

If a child needs emergency medical attention, this should be sought immediately and directly from the emergency services. Parents, if available, 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 or safeguarding representative, who will make the referral.

Make an immediate telephone referral to the social work department. Make it clear from the first point of contact that you are making a child protection referral.

Describe the event or disclosure and give information about the child and family e.g. 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 unless this would put the welfare of the child or another person at further risk. 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.

#### 4. Good practice guidelines 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 organisations 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/young person if he/she has sufficient age and understanding in relation to the specific issue. So for example, whilst 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:

Name and address

- Date of birth
- Emergency contact details
- Medical information
- Any special needs including activities which the child is unable to take part in
- Consent for emergency medical treatment
- Consent for photographs/videos if relevant.

Separate consent should be obtained for one off events and activities e.g. swimming and also for outings, weekends away, etc.

All personal details and consent forms must be stored securely.

Any group that includes children who are under 6 years old and that meets regularly for more than 2 hours in any one day or for more than 14 days a year must register their group. Please contact your regional office of the Care Commission in Scotland 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
3 – 8 yrs	1 person for every 8 children	1 : 8
Over 8 yrs	1 person for the first 8 children then 1 extra person for every extra 12 children	

Each group should have at least 2 adults and it is recommended that there should be at least one male and one female.

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.

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.

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.

#### Safe Environment

Display both the *Childline* telephone number in a prominent place where children & 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 hand basins 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 have some First Aid knowledge and the church or circuit should encourage access to First Aid training. A list of first aiders should be compiled and kept available.

All accidents should be recorded in an 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

##### Drivers

All those who drive children on church-organised activities should have held a full and clean driving licence for over two years.

Drivers who are not children's workers should be recruited for the task through the normal recruitment process.

Any driver who has an endorsement of 6 points or more on their licence should inform the group leader and the church/circuit safeguarding representative.

Any driver who has an unspent conviction for any serious road traffic offence should not transport children for the church.

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 which may induce drowsiness.

#### Private Car

Children & 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.

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.

All cars that carry children should be in a roadworthy condition.

All children must wear suitable seat belts and use appropriate booster seats. If there are insufficient seat belts additional children should not be carried.

At no time should the number of children in a car exceed the usual passenger number.

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.

#### Minibus/Coach

Workers/helpers should sit amongst the group and not together.

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.

#### IMPORTANT TELEPHONE NUMBERS:

(please write in your local numbers)

#### LOCAL AGENCIES

Police (all non-emergency enquiries)	
Local Police Child/Family Protection Unit	
Local Council social work department	
Local Emergency/Out of hours Social Work Team	
Local General Hospital	

CHILDLINE	0800 1111
PARENTLINE PLUS	0808 800 222

## DISTRICT CONTACTS

District Safeguarding Coordinator	
District Children and Youth Adviser	

CHURCH and CIRCUIT CONTACTS (please write in your local numbers):

Name	Role	Phone
	Superintendent minister	
	Minister	
	Group Leader/organiser	
	Safeguarding children representatives: Circuit – Local Church	

## Appendix E A Covenant of Care – the Sex Offender policy as set out in CPD

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*This policy is due for formal review in 2011.*

### Standing Orders

#### Section 69 INVOLVEMENT OF SEX OFFENDERS IN THE LOCAL CHURCH

As to undertaking work with children and young persons, and as to appointment to any office, post or responsibility or engagement under a contract, see S.O. 010.

690 Arrangements for Involvement.

- (1) When a person who has been convicted of or has received a simple or conditional caution in respect of a sexual offence worships in a Local Church or seeks to become involved in its life, he or she may only do so in accordance with the provisions of clause (2) below.

- (2) (a) The Local Church in question, acting by the minister in pastoral charge, must establish a small group, which will include that minister, to provide appropriate support to the person concerned. In establishing the group, the minister should whenever possible act together with the Church Council or, if that cannot be done, the church stewards. The provisions of Standing Order 607 shall not apply to the group.
- (b) The group so established must undertake a risk assessment (where possible with outside assistance) in order to minimise the risk to others presented by the person concerned and to determine on what terms he or she may attend for worship and become involved in the life of the Local Church.
- (c) The person concerned must agree to enter into a written contract setting out the terms determined in accordance with sub-clause (b) above and the contract must be signed and dated by him or her and by the members of the group.
- (3) When a written contract has been made with a person under the provisions of clause (2) above, its terms must be regularly reviewed by the group. The group may at any time require the person concerned to agree any variation which it believes necessary for the avoidance of risk.
- (4) The guidance approved by the Conference from time to time shall be followed in carrying out the requirements of clauses (2) and (3) above.  
For the current guidance, see Book VI, Part 2, Section 12.
- (5) A person to whom clause (1) above applies shall not be placed on the community roll maintained by the Local Church in accordance with Standing Order 054(7) before signing a contract in accordance with clause (2) above.

#### 691 Changes in Church Representatives.

The members of any group established under Standing Order 690(2)(a) above shall be responsible collectively for ensuring that:

- (i) the minister in pastoral charge of the Local Church is aware of any circumstances making a change in the membership of the group necessary or appropriate; and
- (ii) information is passed on and pastoral support continues to be provided when there is a change of minister in pastoral charge of the Local Church or of other members of the group.

Changes in the membership of the group shall be made by the minister in pastoral charge and Standing Order 690(2)(a) shall apply so far as circumstances permit.

#### 692 Transfer.

- (1) If a person to whom Standing Order 690 applies and whose name is on the community roll of a Local Church (whether or not as a member) removes from one Circuit to another, the minister in pastoral charge of that Local Church, in carrying out his or her responsibilities under Standing Order 055, shall ensure that the recipient minister or probationer is aware of the existence and terms of the contract made in accordance with Standing Order 690.
- (2) A minister or probationer receiving notice that a person removing from one Circuit to another has made a contract with a Local Church in accordance with Standing Order 690 shall ensure that the provisions of that Standing Order are applied again if the person concerned wishes to attend worship or to become involved in the life of a Local Church in the new Circuit.
- (3) If a person to whom Standing Order 690 applies and whose name is on the community roll of a Local Church (whether or not as a member) ceases to attend worship or to be involved in that Local Church but wishes to attend worship or be involved in another Local Church within the same Circuit, the minister in

pastoral charge of the first Local Church shall ensure that the minister in pastoral charge of the second Local Church is aware of the existence and terms of the contract made in accordance with Standing Order 690 and the second minister shall ensure that the provisions of that Standing Order are applied again.

## Guidance Part 2 Section 12 THE CHURCH AND SEX OFFENDERS

### Procedures Necessary for Offenders to be Involved in a Church Community

The Conference of 2000 adopted a report, *The Church and Sex Offenders*. Included within it, in the section on 'Practical Implications', was a set of suggested procedures (at Section 7b) to be followed where an offender seeks to be involved in a church community. The Conference resolved (Conference Agenda 2000, Resolution 38/3(a)) that the procedure set out in section 7b of the report be adopted as the practice of the Methodist Church when a person who has been convicted of or has received a formal caution in respect of a sexual offence seeks to become part of a local church community. It also referred to the Methodist Council the question of whether the procedures set out in that section required to be set out in Standing Orders.

In a further report upon the issues in 2002, the Methodist Council recommended that it would be appropriate for those procedures to be referred to in Standing Orders but included in full in this Guidance Section. The Conference of 2002 adopted that recommendation, and Section 7b is therefore reproduced below. Section 69 of Standing Orders deals with the subject and S.O. 690(4) refers to the procedures set out here.

The 2008 Conference directed that the language of this Section be amended to make it gender-neutral.

The notice of motion<sup>\*</sup> describes the church as 'a community of love, forgiveness and reconciliation, committed to the restoration of broken people and communities.' It clearly has a role to play in offering pastoral support and care to those in the Local Church and community who have committed sexual offences. What is more, a relatively high proportion of sex offenders have been involved in the life and worship of the prison chapel and would hope to continue their involvement in Christian worship and fellowship on release. Indeed, many sex offenders see the church as having a significant part to play in helping them rebuild their lives. Like everyone else, such offenders have much both to receive and contribute within the life of a Local Church community and their participation in the worship and fellowship of a local church enables faith to grow and develop. For the protection of the church community, survivors, and particularly children and young people, but also for the protection of the offender (who needs not to be put in situations where he or she could be vulnerable to accusation or to the opportunity to re-offend) it will be important that the basis of their involvement in a Local Church is clearly understood and stated.

We suggest Methodist churches should adopt the following procedure:

#### i. Pre-release

Where the offender is approaching release from prison, it will be important wherever possible for the chaplain of the prison to be in contact with the minister of the Local Church and Circuit where the offender hopes to settle on release. If the circuit minister is aware of the arrival of a sex offender but has not heard from the prison chaplain, the minister should try to make contact with the chaplain, who may be able to describe the treatment received by the offender and the kind of programme that will be in place to help him or her return to the community. It may be possible for a visit to be arranged so that the minister can meet



the chaplain and the offender. It will also be crucial for those responsible in the Local Church to be in contact with the local risk management panel, the offender's probation officer and the police, so that any agreement regarding involvement in the Local Church is known about and seen as part of the multi-agency, multi-disciplinary approach to the oversight of the offender upon release from prison. In approaching and seeking to work with secular agencies there may be some initial suspicion and it may help to provide the agency with a copy of the Methodist Church's procedure or even this whole report, to demonstrate the Church's willingness to work together with other agencies in the responsibility for sex offenders and the protection of potential victims. *[The Conference of 2000 referred to the Methodist Council the question of how the procedure might be published for use in the Church and in a form which could be made available to risk management panels, probation services, the police and other agencies.]*

For known sex offenders already living in the community and involved in the life of the church, the same provisions should be made.

#### ii. Setting up a small group within the church

A small group should be set up, consisting of approximately five persons, including the minister, persons who have agreed to offer pastoral support for the offender and accompany them in worship and other church activities, someone with expertise or experience in this field and someone to represent the wider church community. The group should acquaint itself with any therapeutic programme the offender has undergone or will continue to be part of. The group should meet the offender, their probation officer and other appropriate people so that clear boundaries can be established for the protection of children and young people and to reduce the likelihood of false allegations or suspicions. This group will, at best, operate alongside other agencies in a multi-agency approach to the offender's rehabilitation.

#### iii. Carrying out a risk assessment

One of the first tasks of the small group will be to carry out a risk assessment. This will involve looking at the church building and activities with a view to identifying potential risks that will need to be guarded against or which could lead to the offender being vulnerable to allegations. The offender's probation officer or another member of the risk management panel may be willing to help with this assessment as part of their arrangements for the offender. Having identified the potential risks the group needs to consider how they can be minimised either by a change in practice or by monitoring or restricting the offender's participation in any particular activities. The results of the risk assessment will lead to the creation of an agreed 'contract' with the offender.

#### iv. Writing a contract

When the boundaries and terms of involvement have been discussed and agreed with the offender, they should be written into a contract (see below). While a written contract sounds very formal, sex offenders can be manipulative and test boundaries. A written contract clarifies the terms on which the person is involved in the life of the church. The contract should involve the person's family and partner who may also be attending church and need to be informed. It might begin by setting out the pastoral support and care being offered by the church and then move on to other conditions, such as some of the following examples:

- \* I will never allow myself to be in a situation where I am alone with children/young people
- \* I will attend meetings/house groups as directed by the small group
- \* I will sit where directed in the church and will not place myself in the vicinity of children and young people

- \* I will not enter certain parts of the building designated by the small group, nor any area where children's activities are in progress
- \* I will decline invitations of hospitality where there are children in the home
- \* I accept that 'x' and 'y' will sit with me during church activities, accompanying me when I need to use other facilities. They will know that I am a Schedule 1 offender/registered with the police under the terms of the Sexual Offences Act 2003
- \* I accept that 'z' will provide me with pastoral care
- \* I accept that there are certain people who will need to be told of my circumstances in order for them to protect the children/young people for whom they care
- \* I accept that contact will need to be made with my probation officer, who will meet with church leaders or members of the small group as and when necessary
- \* I understand that if I do not keep to these conditions, then I may be banned from attending the church, and in such circumstances the church leaders may choose to inform the statutory agencies (eg probation and social services) and any other relevant organisation, and the church congregation
- \* I understand that any other concerns will be taken seriously and reported
- \* I understand that this contract will be reviewed regularly every \_\_\_\_\_ months and will remain for an indefinite period.

*(adapted from Guidance to Churches: protecting children and appointing children's workers, Churches' Child Protection Advisory Service).*

The document needs to be signed and dated by the offender and by the church representatives.

#### v. Small group to meet regularly

The small group should continue to meet the individual from time to time to review the arrangement and address any concerns. If boundaries are not being kept, or if the contract is not being kept in other ways, it is important to address the problem. (In extreme cases, where boundaries continue not to be kept, it may be necessary to prohibit the offender from coming on the premises.) When officers or ministers change in the church it will be important to ensure continuity of awareness and provision of pastoral support for the offender.

#### vi. Making people aware – who needs to know what?

A sex offender coming to join a congregation may not want people to know his or her history. One of the important matters for the small group and the offender will be an agreement on who needs to know. Without agreement on this, it will not be possible for the offender to join the congregation. Key people, especially those responsible for leading children's and young people's groups, need to know that the person is attending the church, that he or she should not be having contact with the children and that he or she should never be on his or her own with children and young people.

There is much to be said for explaining the circumstances to the whole congregation, to promote understanding and support for the individual but also to ensure that church members do not unwittingly allow children contact with the individual concerned. However, this needs to be weighed against any need for confidentiality or pastoral sensitivity. It will be important to obtain advice from the statutory agencies and the risk management panel. The need to know must be balanced with the danger that the offender may be hounded out of the community (to his or her detriment and to the greater danger of other children if he

or she decides to maintain a lower profile next time around).

Always we should promote awareness within the church of what would happen if a sex offender joined the congregation. It could be explained that from time to time this might happen and, if it does, then the procedures are as described in this report (i.e. that people who need to know because they work with children in the church are informed; the church liaises with other concerned agencies; a small group will link with the offender; there will be a contract; arrangements will be reviewed regularly.) This information is particularly important to survivors. They are likely to ask (and need to know) how they will be kept safe. Who can they go and talk to if they feel frightened, worried or hurt?

*[\* The 'notice of motion' refers to a resolution adopted by the 1997 Conference in these terms:*

*The Conference directs the Methodist Council to establish a working group with relevant expertise and experience to consider the ways in which appropriate and informed pastoral support and care may be given to those in the Local Church and community who have committed sexual offences, and to bring specific recommendations to the Conference of 1998.*

*The Conference does this, recognising that as a community of love, forgiveness and reconciliation, committed to the restoration of broken people and communities, it must be sensitive to the feelings and needs of existing and potential sufferers from abuse, as well as the needs of offenders.]*

## Appendix F Reporting Serious Cases to the Office of the Scottish Charity Regulator – requirements

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This is a summary of the guidance on the Charity Commission website, for more details see [www.charitycommission.gov.uk/investigations/rsinotes.asp#3](http://www.charitycommission.gov.uk/investigations/rsinotes.asp#3)

Similar guidance is available in Scotland on the website of the Office of the Scottish Charity Regulator (OSCR) – [www.oscr.org.uk](http://www.oscr.org.uk)

A report should also be made to the insurance company when such incidents arise that are likely to involve liability, i.e. financial or reputational risks.

It is Methodist Church policy that statutory agencies should always be notified first, especially when there is a serious risk of harm or risk of serious harm or in checking out whether this is the case. This should occur even if the facts are not clear. It is not our role to investigate in matters that are of a criminal nature. If in doubt you must speak with the relevant social work department in Scotland.

Others parties including insurance and OSCR, or other agencies that 'need to know' must also be informed (on a confidential basis) in short order, including the Connexional Safeguarding Adviser and the Media office, when necessary. The minimum information that is needed by the other party should be disclosed, in proportion to the seriousness of the concern. The Charity Commission and Insurance company confidentiality policies can be checked.

Notification should usually be made without disclosing the full names/details of the people involved.

A summary of duties from the Charity Commission:

Trustees must comply with the legal duties of charity trustees in the administration of a charity. Trustees have a general duty to take reasonable steps to assess and manage risks to their charity's activities, beneficiaries, property, work or reputation.

We aim to ensure that our regulation of charities is proportionate and focused on risk. Serious incident reporting is one of our key tools. It ensures that we can provide assistance at the earliest opportunity, targeting our resources where the risks are highest and helping to put charities back on a secure footing where necessary.

Annual Returns declaration

If your charity has an income over £25,000 you must, as part of the Annual Return, sign a declaration that there are no serious incidents or other matters relating to your charity over the previous financial year that you should have brought to our attention but have not. It is an offence under section 11 of the Charities Act 1993 to

provide false or misleading information to the Commission. If you sign the declaration on the Annual Return we will take this as your confirmation that there are no serious incidents you should have told us about.

By reporting serious incidents you show that you are aware of difficulties that have arisen and that you have taken appropriate action. This is very important because safeguarding the assets of the charity and the charity's beneficiaries are key responsibilities. If a serious incident that has not been reported becomes known to us at a later date, we may consider taking action against the trustees.

#### Best practice

As a matter of best practice, any serious incident that has resulted or could result in a significant loss of funds or a significant risk to a charity's property, work, beneficiaries or reputation should be reported to us immediately, not just on completion of the Annual Return. This will enable us to offer you guidance as soon as possible and protect the charity and its beneficiaries.

#### Suspensions, allegations and incidents of abuse or mistreatment of beneficiaries

You should report this if any one or more of the following things occur:-

There has been an incident where the beneficiaries of your charity have been or are being abused or mistreated while under the care of your charity or by someone connected with your charity such as a trustee, member of staff or volunteer.

There has been an incident where someone has been abused or mistreated and this is connected with the activities of the charity.

Allegations have been made that such an incident may have happened, regardless of when the alleged abuse or mistreatment took place.

You have grounds to suspect that such an incident may have occurred.

As well as reporting to the Charity Commissioners, you should also notify the relevant regulator or statutory agency responsible for dealing with such incidents.

We realise that the sector is diverse and that defining the beneficiaries and people connected to the charity may not be straightforward. If you are not sure whether to report an incident, please contact us.