



The Church of England  
Diocese of Ely

# **Diocese of Ely**

# **Safeguarding Policy**

# **&**

# **Procedures**

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## **Foreword on Safeguarding from Bishop Stephen**

### **Our commitment to safeguarding vulnerable groups**

The protection and nurture of vulnerable people in our community is a commitment that needs no introduction or explanation in this diocese.

Together we strive to follow the example of Christ in reaching out to all people, in all circumstances, with a special compassion for those who may have nobody else to speak up for them.

There is ongoing reflection and discussion within the Diocesan Safeguarding Management Group about how to make our policy a practical working tool for those involved in this complex area of ministry, and your views on how to make our safeguarding work in the diocese more effective are always welcome.

I am happy to be able to commend our Safeguarding Policy to you. I hope that all the work that has gone into making the relevant parts of it easy to access, as and when you need them, will pay off in confidence and surety of purpose in our work with children and adults across the diocese.

**Bishop Stephen**  
***October 2015***



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## Section 1: Essential Information for Those Who Work With Children (0-18 years) and Vulnerable Adults

### Guidelines for Work with Children, Teenagers and Vulnerable Adults

1. As far as possible, avoid working in one-to-one situations with children or vulnerable adults. Make sure there is a colleague within earshot. Try to have a man and a woman at each mixed-age activity. Leaders of activities should not use alcohol whilst on duty.
2. Those undertaking one-to-one counselling or pastoral work must adhere to the highest standards of conduct, and should have received appropriate training. Know your own level of competence, and do not step beyond it; if a situation becomes difficult, seek advice straight away. Be clear at the start what you and the person you are working with are planning to achieve by meeting, and the limits of what you can offer. Meet at an agreed time, in a place that affords an ability to talk confidentially without being secretively 'tucked away', and let a colleague know that you are meeting, and why. If you are working with a child, make sure that the parent/carer is aware of the meeting.
3. At the first meeting, explain that the conversation will be confidential unless there are exceptional circumstances. If the person is being harmed, if they are harming others or if they know that a child or vulnerable adult is being harmed, the information will have to be passed on. If this level of confidentiality is not acceptable, try to arrange access to an appropriate anonymous telephone helpline; do not be tempted to promise absolute confidentiality.
4. When working in sensitive situations or 1:1, keep a written record of the session, properly dated (including year). Where there are potential safeguarding issues, make a written record (include date, time and signature), and seek advice.
5. Socially acceptable physical contact in a public place is quite proper and appropriate where it can be readily seen by others and is not hidden away. Physical contact should be:
  - o Minimal
  - o Intended to meet the needs of the receiver rather than the giver
  - o Understood and welcomed by the receiver
  - o Open to the scrutiny of others

It is important to respect each individual's sense of personal space. Avoid playing rough games or making provocative or 'teasing' comments, even in fun.

It is equally important not to be paranoid about responding to someone who is clearly in need of physical contact e.g. when injured or distressed. Use cautious common sense, keep contact minimal, and create an ethos of shared scrutiny and support in the workplace.

- In children's work, keep an up-to-date register of all children attending a group: home address, telephone number and names of parents/carers should be included. The register should be taken for each session, and the record of attendance should be kept on file for a minimum of three years.



- The ratio of adults to children must be sufficient to ensure safety and comply with the requirements of current Government policy and legislation. These requirements are particularly relevant to work with children under the age of eight. For the latest guidance and registration requirements, you can call Ofsted's helpline on 0845 601 4771, or speak to the Diocesan Children & Families Adviser.
- All U18s (except where an U18 is married) need to provide a parental consent form when they join a group or activity. A specimen form is provided in Section 3.
- Children may attend worship or other activities unaccompanied by an adult. Where this is the case, try to establish if parents know where the child is and what time s/he is expected home. If necessary, encourage the child to leave at the appropriate time to get home for this deadline. If a child is joining a regular activity, record his/her name, age, and address on a registration form and ask the child to bring it back signed next time. Make every effort to establish contact with the parents, particularly of a younger child, by sending information home or providing a church telephone number or email address for them to call. No child can be taken on a trip away from the church site without a parental consent form.
- With vulnerable adults, if there is a carer or key-worker, try to establish a line of communication with them. Keep a note of those who have responsibility for the vulnerable adult and who can give advice where necessary about how to include the adult's individual needs in church activities.
- The premises used should be safe and well maintained. Seek advice if necessary on the latest Health and Safety regulations, including appropriate risk assessments for activities and outings. Keep a suitably stocked First Aid kit always accessible. Where children's activities are offered, obtain a special children's First Aid kit in addition to the standard adult one. Ideally, one or more of the workers on the premises should be trained in First Aid (for children and adults). Make sure that all planned activities, on or off site, are covered by an adequate insurance policy.
- Workers must be prepared to listen attentively and supportively to those for whom they have a duty of care. If someone makes a complaint or an allegation about the behaviour of someone within the church or the community, listen carefully without making a judgement on how plausible what you are hearing might be. If a complaint is made about someone in the church, this must ALWAYS be referred outside the church for advice about how to proceed. Contact the Diocesan Safeguarding Adviser or Diocesan Safeguarding Officer for help.

### **Considerations in the pastoral care of vulnerable adults**

In church ministry, the boundaries between work and private life can be difficult to distinguish clearly. These guidelines are not for application to informal friendships arising from church membership, but rather to relationships formed when services are more formally offered by or on behalf of the church. Church workers, paid or voluntary, are expected to endeavour to uphold Christian values in both 'public' and 'private' areas of their lives.

Where possible, arrange visits to a person's home beforehand rather than 'cold-calling'. This is especially important the first time you visit e.g. at the beginning of a planned programme of visiting.



Avoid times or places to meet (including your own home) when you and the vulnerable person will be alone.

- Make clear from the outset what is being offered (e.g. bereavement counselling) and discuss with the person how s/he would like to be supported, within the structure of the service offered.
- Consider carrying a form of identity that links you to the church so that the vulnerable person can, if s/he wishes, check you out before letting you in to their home.
- On a home visit, leave a card or note with your name, role and contact number so that the person, or a carer, knows who you are and how to contact you.
- **Keep a written note** of all visits and 1:1 work with adults in a work journal or diary. Log all visits made: times, dates, the purpose of the visit and any concerns that arose.
- Include the reason for the visit or session, and a note of any concerns that arose.
- Respect a person's independence. Always knock before entering a person's room or home; consider the appropriateness of initiating or receiving physical contact when greeting someone.
- Do not assume that the use of first names rather than the more formal Mr/Mrs/Miss/Ms is acceptable; always ask.
- Someone who lacks capacity to act for him/herself in one area of life may nonetheless be quite capable in other areas; ensure participation and inclusion wherever it is possible. Remember also that, as the Mental Capacity Act 2005 makes clear, every adult who has capacity retains the right to make decisions that others may deem to be unwise.
- In conversation, consider the appropriate level of language for the needs of the vulnerable adult and be aware of any special difficulties e.g. use of hearing aids, speech impediment or learning disability. Where communication skills are impaired, ask the adult if he or she is comfortable involving a member of the family or a friend to help communication, and let the adult choose who this should be.
- Where you are seeking to find out the views of a person, or you are asking him or her to make a choice, offer clear unbiased choices and allow the person time to consider and express a decision.
- Respect the person's right to personal space and privacy. Particular consideration should be given when assisting someone to use the toilet; balance the need for physical assistance with the need for dignity and privacy, and involve the person in any decision to either assist or to leave a door unlocked etc.
- Consider the potential difficulties of home visits and discuss with fellow workers how risks to the vulnerable adult, and to the visitor(s) can be minimised. Remember to:
- Be sensitive to a person's own beliefs and faith; do not try to persuade the person to adopt your own views.



- When dealing with financial affairs, be very cautious. Honesty, integrity and transparency are all vital. Do not engage in any activity that involves a personal financial gain; do not canvass for church donations from those who may be vulnerable, e.g. the recently bereaved.
- Do not accept gifts, other than small unsolicited tokens of thanks or birthday/Christmas gifts that are of low value (i.e. an ordinary box of chocolates). Tell a colleague or your supervisor about any gift, even a small one.
- Be sensitive to any signs of a developing dependency upon you that might be inappropriate, especially where the person's vulnerability has arisen in a time of personal crisis. Where you feel an inappropriate attachment might be forming, seek advice from an appropriate source (e.g. the incumbent, the co-ordinator, Diocesan Safeguarding Adviser or Diocesan Safeguarding Officer).
- If ever you feel that you are moving out of your depth in a relationship with a vulnerable person, or you do not feel competent to deal with a developing situation, step back and seek advice. Make sure you know your routes to support if you are in difficulty.

In working on behalf of the church with an adult who is vulnerable, it would never be appropriate to promise total confidentiality. Always make clear that, although you will keep matters confidential if you possibly can, you reserve the right to share information with appropriate people if you feel someone is at risk of significant harm.

### **Social networking and use of the internet**

The speed of developments in social networking makes it impossible to design a hard-and-fast policy or guidelines in this area of the Church's activity. Facebook, Twitter and a host of other mobile messaging tools are widely used and accepted as essential for general communication.

In the Diocese of Ely, we ask those who are representing their church or the Diocese to be careful and considered in their approach to social networking and to uphold Christian principles and practice in their activities.

The use of social networking poses problems when it comes to the permeable barrier between the private and the public life. The sharing of photographs of family, personal celebrations, views on political or theological issues etc. are inappropriate in the context of 'professional' (which includes both paid and voluntary) responsibilities in church work. If you are called to account for your communications with children or other vulnerable people, you will need to show that you have maintained the highest standards of care.

Always give due care and attention to the security settings and permissions that direct your social networking sites (e.g. your status page and use of private messaging or sharing pictures).

Remember that even if you have very secure settings, those with whom you communicate may not. Think very carefully before posting information or responding to people with whom you have a professional relationship. As a general principle, use only public communications when you are



working on behalf of the church and do NOT share personal information e.g. about your activities or beliefs, unless they are directly relevant to the work you are doing for the church.

When you are using social networking in your church role, do not respond to requests to join lists, become a friend, 'like', sign petitions, 'click to agree', share photographs or engage in any personal-based activity. Keep the boundary between private and public life clear. In social networking, as in conversation, it is important to watch what you say, where you say it, and to be aware of who might be listening.

Church workers and volunteers should NOT be using their own mobile/smart phones, tablets, cameras or other devices. A church-owned phone/ computer etc. should be provided for all communications with children, youth and adults who may be vulnerable. Your own device should only be used in an emergency or when a church-owned one is not available.

When an urgent, essential message has to be sent; perhaps to inform people about the cancellation of an activity; the parents or carers of the recipients must be copied in to the message. (Remember to get these details when you complete registration forms for church groups and activities).

Where computer or other Internet devices are provided for use in public areas or by multiple users, make sure that each regular user has a unique password, and logs off whenever s/he is out of sight of the device. A 'guest' password can be used for one-off or very occasional users. It should be made very clear to all those using the Internet on a church-owned computer and/or in connection with work or activities on behalf of the church that viewing or downloading inappropriate images or material (e.g. pornography, incitement to violence, offensive or derogatory comments, extreme political views) is unacceptable and will lead to dismissal. Use appropriate filters and other measures to block access to inappropriate sites.

## Photographs

Photographs are a great way to share information about events and activities and to 'put faces to names'. However, there are a few guiding principles that should be observed when taking and storing photographs of people during church activities.

Those using their own cameras in order to take pictures for the church must be clear that the resulting pictures are not to be duplicated or stored for personal use.

1. Make sure you have everyone's permission. Where children or vulnerable adults are involved, get the permission of the parent or carer as well. There may be good reasons why an individual does not want a photo displayed or published: for example, if the person has fled a violent partner, or has foster - or adopted children whose parents are not allowed to know their whereabouts.
2. Make sure people know in advance how the photo(s) will be used e.g. will they be only on the notice board in the church hall, or will they be sent to the local paper or posted on an Internet site? Be careful to stick to what you say you are going to do; don't widen your audience without going back for further permission.
3. If you are planning to take 'roving', informal pictures during a church event, then a written information note can be included along with the advance publicity, giving people the opportunity



to let you know that they do not wish to be included in those photographs. Photographs of individuals should always be taken with permission, even if there has been a general or implied agreement to informal photographs during an event.

4. Particularly with children, do not give detailed identity indicators by labelling pictures with full names, ages etc. Ideally, take photographs of children in small or mixed age groups, with a general heading.
5. Give careful thought to storage of photographs. Use locked filing cabinets, especially if photographs accompany names, addresses and other personal identifiers. If photographs are stored on line, use password protection.
6. Do not store images/photographs of those for whom you hold a professional duty of care on your personal phone, computer or any Internet device. Use a church-owned device that is password protected and is exclusively used for church activities.

## Significant harm

‘Significant Harm’, a term which came originally from the Children Act 1989, is the threshold that changes concern and monitoring into referral to another agency. It applies to children and to vulnerable adults.

You do not have to have proof that harm has taken place already, and you should not investigate – if you feel that something is happening that could lead to significant harm, this is grounds enough for referral to a specialist agency who will know what to do.

If you are worried about possible harm to a child or vulnerable adult, you should always seek advice. You can talk to your parish safeguarding co-ordinator in the first instance, or contact Rebecca Boswell Diocesan Safeguarding Adviser or Sarah King, Diocesan Safeguarding Officer who can help you decide whether or not a referral should be made. All agencies would rather spend time looking at something that does NOT require action, than missing something that does. You will not be blamed for making a mistaken judgement.

The Diocese of Ely is committed to working with other statutory and voluntary agencies to safeguard vulnerable children and adults in our communities. Remember, your trigger for action is a concern that something is going on that MIGHT lead to significant harm, even if that harm has not already happened.

The notes below are to help you identify what might be abusive behaviour towards children or vulnerable adults. But it is not an exhaustive list: if you are worried, even if it doesn't 'fit', TELL someone.

## Working Together to Safeguard Children

Working Together 2013, the updated inter-agency guidance for safeguarding children, emphasises a co-ordinated, comprehensive assessment of a child who is believed to be at risk of significant harm. Voluntary agencies such as the Church are included in the ‘Working Together’ Guidelines, and have a responsibility to work with the statutory agencies to safeguard vulnerable children. (NB in the Diocese of Ely, we also follow the core principles of ‘Working Together’ in our care of vulnerable adults.)



Research has shown that children are best nurtured and protected when the three major domains that influence their development are working well, for example: the child's individual developmental needs are being met (this includes the need to be safe from significant harm);

- parents or carers are able to respond to the child's needs
- the influence of wider family, community and environmental circumstances is a positive one for nurturing the child.

In our safeguarding training in the Diocese of Ely we have always emphasised the need to seek advice if you are worried about a child, and not to try and investigate or work out whether the concerns you have 'fit' the definitions of 'abuse'.



## Safeguarding definitions

<p><b>Children</b></p>	<p>Anyone who has not yet reached their 18th birthday. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital or in custody in the secure estate, does not change his/her status or entitlements to services or protection.</p>
<p><b>Safeguarding and promoting the welfare of children</b></p>	<p>Defined for the purposes of this guidance as: protecting children from maltreatment; preventing impairment of children's health or development; ensuring that children are growing up in circumstances consistent with the provision of safe and effective care; and taking action to enable all children to have the best life chances.</p>
<p><b>Child protection</b></p>	<p>Part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are likely to suffer, significant harm.</p>
<p><b>Abuse</b></p>	<p>A form of maltreatment of a child. Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting by those known to them or, more rarely, by others (e.g. via the internet). They may be abused by an adult or adults, or another child or children.</p>
<p><b>Physical abuse</b></p>	<p>A form of abuse which 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.</p>
<p><b>Emotional abuse</b></p>	<p>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 a child 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 inappropriate expectations being imposed on children. These may include interactions that are beyond a 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 cyber bullying), causing children frequently to feel</p>



	<p>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.</p>
<b>Sexual abuse</b>	<p>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.</p>
<b>Neglect</b>	<p>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:</p> <ul style="list-style-type: none"><li>provide adequate food, clothing and shelter (including exclusion from home or abandonment);</li><li>protect a child from physical and emotional harm or danger;</li><li>ensure adequate supervision (including the use of inadequate care-givers); or</li><li>ensure access to appropriate medical care or treatment.</li></ul> <p>It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.</p>
<b>Young carers</b>	<p>Are children and young persons under 18 who provide or intend to provide care assistance or support to another family member. They carry out on a regular basis, significant or substantial caring tasks and assume a level of responsibility, which would usually be associated with an adult. The person receiving care is often a parent but can be a sibling, grandparent or other relative who is disabled, has some chronic illness, mental health problem or other condition connected with a need for care support or supervision.</p>



## Understanding vulnerability in adults

A vulnerable adult has the right to choose how to live and to be as independent as possible. This choice includes the right to make what others might see as unwise choices or errors of judgement, just as all adults do.

Adults also have a right to confidentiality, and the circumstances where choice and confidentiality can be overridden are much more limited than is the case when working with children. Therefore, we need to do our best to ensure that we treat vulnerable adults in our church and community with respect and dignity, seeking their consent wherever possible for sharing information about them, and making sure that we follow strict guidelines if we feel we have to share information without consent, to protect a vulnerable adult from significant harm.

Vulnerability can be temporary and short-term e.g. during a time of personal crisis, or it can be permanent or long-term e.g. where vulnerability arises from physical frailty. Old age is NOT, in itself, a marker of vulnerability, but some of the health problems that are more common in old age may make a person more vulnerable. Furthermore, vulnerability in one area of life does not necessarily mean a person is universally vulnerable: for example, a person whose physical frailty leads to a dependence upon others for physical care and mobility may still be competent in financial affairs and lead an active social life.

In the Diocese of Ely, we have not adopted a hard and fast definition of vulnerability. Instead, we encourage those who work with adults to be alert to the needs of each individual person and to the context in which they are working, with an understanding that vulnerability may occur.

Some of the factors that would generally be regarded to increase vulnerability include:

- a sensory or physical disability or impairment;
- a learning disability;
- a physical illness;
- chronic or acute mental ill health (including dementia);
- addiction to alcohol or drugs;
- physical and/or mental health issues;
- physical, mental or emotional frailty (temporary or permanent) that leaves the person unable to protect him or herself from exploitation or harm
- a permanent or temporary reduction in physical, mental or emotional capacity, brought about by life events such as bereavement or previous abuse or trauma.

**Where a person is receiving support from services offered by the church, always consider whether or not that person could be seen as vulnerable.**



## Definitions of abuse: vulnerable adults

### Physical abuse

This involves non-accidental harm caused by the use of force, ill-treatment or rough handling. It can include:

- hitting, slapping, pushing
- the use of inappropriate restraint or sanctions
- restricting freedom of movement
- the misuse of medication
- placing a vulnerable person in an unsafe environment
- any form of physical chastisement

### Emotional or psychological abuse

Emotional or psychological abuse is behaviour that has a harmful effect on a vulnerable adult's emotional health and development. Such abuse can include:

- threats of harm or abandonment
- imposed isolation, or withdrawal of support networks
- verbal abuse or other actions intended to place a person in fear
- manipulation or misuse of power;
- bullying, humiliation or harassment
- overriding the person's rights e.g. to privacy or choice, or using coercion
- deliberate isolation or deprivation of social contact.

### Spiritual abuse is a form of emotional abuse and can include

- forcing religious ideas onto a vulnerable person where there is either no capacity to engage in debate, or undue pressure to lay aside the person's own views
- inappropriate use of religious belief or practice e.g. intrusive healing or deliverance ministries to which the vulnerable person has not given informed consent. In a church setting, this might involve pressure on someone who is receiving support from a church-led service to convert to the church or to the worker's beliefs about spiritual matters. Remember that a vulnerable adult may still have capacity to make decisions in some areas if not in others; it is important not to 'take charge' unnecessarily, or rush someone into making choices.

### Financial or legal abuse

The use of a vulnerable adult's property, assets or income without their informed consent constitutes abuse. For example:

- extortion or manipulation of a vulnerable person's legal or civil rights
- misappropriation of money or goods
- misuse of finance or property, including the exploitation or fraudulent use of a person's resources
- exerting pressure on a vulnerable person to make gifts or legacies, or to change a will



- In a church context, repeated or direct requests to a vulnerable person to contribute to fundraising initiatives or to leave bequests in a will could be seen as abusive.

## **Neglect**

Neglect involves a lack of appropriate care or a failure to meet an individual's basic needs that leads to a risk of harm to a vulnerable person, and can include:

- failure to intervene where a vulnerable person is at risk of harm
- withholding appropriate personal or nursing care
- deliberately withholding food, drink or equipment (e.g. mobility or hearing aids)
- refusing or restricting access to medical or legal services
- exercising inappropriate control over a person's right to have contact with friends and family etc.

The duty to bring concerns about the care or treatment of a vulnerable adult to the attention of the appropriate agencies is relevant to everyone in the church community.

## **Sexual abuse**

Sexual abuse is the involvement of a vulnerable adult in sexual activities or relationships which are for the gratification of another person and to which the vulnerable adult has not given free and informed consent. Examples of sexual abuse can include:

- sexual comments, suggestions or innuendo
- introduction to indecent or sexually provocative material
- indecent exposure
- pressure to consent to sexual intercourse or sexual acts of any kind
- physical sexual assaults e.g. rape, indecent assault, forcing a vulnerable person to engage in sexual acts with other people.

Church workers providing a service to vulnerable adults must be careful to observe appropriate professional boundaries in the working context, and not lay themselves open to abuse of their role by 'flirting' or developing romantic or sexual relationships with those for whom they hold a position of trust.

Where any kind of sexual relationship develops between adults, the issue of 'capacity' is key to whether or not the balance of power is equal. Any sexual act carried out by one person without the informed consent of the other is abusive, whether or not it involves physical contact. Consent obtained under pressure is not regarded as free or informed consent.

The Diocese of Ely behavioural guidelines make clear that no-one should enter a sexual relationship with a person for whom they have pastoral responsibility or for whom they have a duty of care.

## **Institutional Abuse**

This involves the collective failure of an organisation to provide an appropriate and professional service to vulnerable people. It can be seen in attitudes and behaviour that amount to prejudice, ignorance, thoughtlessness or stereotyping. It also involves failing to have appropriate safeguards in place to protect vulnerable adults from harm. Institutional abuse can be deliberate or unwitting; it



can be embedded into the accepted culture and customs of an organisation or seen through the behaviour and attitudes of its representatives.

In a church context, this points to the need for a clear safeguarding policy and appropriately trained workers. It also requires that we treat people as individuals, rather than carriers of labels. A person with learning disability, for example, may find some things very difficult, but talk through with the person what s/he CAN do rather than automatically rule him/her out of certain activities.

### **What to do if someone tells you about abuse.**

Most people find it very difficult to talk about what has happened to them. If someone has summoned up the courage to talk, and has chosen you as the person s/he is going to tell, it's important to listen carefully. Now is not the moment to ask the child or adult to come back at a more convenient time, or to start an investigation. Simply, listen. Try to let the person go at his/her own pace.

Don't ask questions, don't jump in to fill awkward silences; the teller might need this silence to process what's going on inside his/her head and your questions could confuse and divert the flow. Show that you are keeping up, and understanding what's being said: nod encouragingly, make eye contact, repeat back the last thing said, and so on. If the child or adult is really struggling to keep going, or you don't understand something, use the TED formula:

- **T**ell
- **E**xplain
- **D**escribe

For example, 'Can you **tell** me about that?...Could you **explain** what you mean?....I'm not sure I understand; **describe** that to me...'

Let the teller talk for as long as s/he needs to. Once you know that this is a safeguarding matter, you don't need to gather any more details: it is time to pass on what you have been told to an experienced person.

However difficult it is to believe what you are hearing, it must be taken seriously. At the very least, keep an open mind. It is devastating to a victim of abuse when the person s/he has chosen to tell refuses to believe what is being told. Be prepared to believe the unbelievable and accept the unacceptable, while somehow remaining calm and open-minded; that's the real skill of responding to people who tell you about abuse.

Thank the person for telling you what has happened, and reassure him/her that s/he has done the right thing and that you will do your best to help. Explain that this kind of thing has happened to lots of other people before, and that's why there are people you can talk to who will know what to do. Never promise not to tell: you will probably have to share the information to keep that child or adult – or others - safe.

What happens next depends on the individual circumstances in which you find yourself and it is not possible to give exact advice. But here are some things to try and keep in mind:

- If the person telling you is a child, the information must be passed on regardless of whether or not the child wishes you to do this, although you should clearly explain what you are going to do, and why. However, with an adult you should try to seek that person's consent;



offer to make the referral on his/her behalf, or go with him/her to talk to someone. If the adult insists that they do not want a referral made, you should not be passing information on unless you think that there is something that prevents the adult having the capacity to think through the risks of their situation e.g. if there are substantial learning difficulties or mental health problems. But if you believe an adult to be at risk, and you feel a referral should be made, consult the Diocesan Safeguarding Adviser for advice about how to proceed.

- Is the person safe to go home, or is s/he in immediate danger? If there is immediate danger, call the police. Outside this emergency situation, it is usually best to take a bit of time to make sure the person will be safe and looked after overnight, and call your local children's or adults' services team. Gather as much background information as you can: the full name, date of birth, address, the names of parents or carers, the alleged abuser (if you know it) and any other children or adults in the home are basic essentials, if you have them. Whoever you call, ask advice about what to do next, and write down what they say.

Who else needs to know? Your Vicar and/or safeguarding co-ordinator should have the appropriate training and skills to help you, and should be told unless there is a reason not to. But remember that safeguarding information is always handled on a 'need to know' basis.

Sometimes you will be sharing just a part of what you know e.g. the PCC should be told that safeguarding procedures have been followed, but they don't need to know the names and details of those involved.

Make a written log of everything that has happened as soon as you can: date it (day, month, year), sign and print your name and keep it safe until it is needed by those who are handling the case. There is a logging form in Section 3 that can help you.

Who can support the person, and you, until this case is resolved? Help the person choose someone s/he feels comfortable with, and choose someone to support you, too (it doesn't have to be the same person).

Does the alleged abuse involve a worker or volunteer in the church? Report the allegation to the Diocesan Safeguarding Adviser who will refer the matter to the Police where appropriate, help to identify advice and support for the alleged victim and for you, and support your working together with the appropriate agencies outside the Church. **Never try to handle an allegation within your own church, however minor or unbelievable it may seem.**



## **What to do with second-hand or 'hearsay' information about possible abuse**

If a safeguarding concern is being brought to your attention by someone who is not the alleged victim, listen carefully to what is being said.

If possible, the person bringing the concern should write down what they have seen or heard that has worried them; if it concerns an adult, ask if they have talked to the adult and sought his/her consent to refer what's happened to the relevant agencies. This log should be signed and dated. Try to avoid leading questions that start with words like 'did he...?' or 'was it...?' These can only be answered with 'yes' or 'no'. Instead, ask questions that begin with 'Who...?' or 'What...?' or 'How...?' These are likely to collect more detailed information.

Be sympathetic and show that you are taking what has been said seriously. Try not to express your own personal feelings about what has happened. After the conversation, write down as accurately and clearly as you can your own log of what was said, and what action you have agreed together. Sign and date the document: include the time, day, month and year.

Whether or not the referral to another agency is made, the co-ordinator is encouraged to report the concern to the Diocesan Safeguarding Adviser or Diocesan Safeguarding Officer, who will support and advise the parish and liaise with other agencies as appropriate. If the vulnerable adult is in immediate danger, or needs medical attention, contact the police and/or call an ambulance (999) before contacting the Officer or Adviser.

**Under no circumstances should anyone in the parish make an attempt to investigate an allegation of improper behaviour or potential harm involving a vulnerable person.** Such allegations must be reported to the appropriate agencies: the Diocesan Safeguarding Adviser or Diocesan Safeguarding Officer can help you do this. Remember that if the allegation involves a member, employee or volunteer of the church, this must be reported to Rebecca Boswell, Diocesan Safeguarding Adviser.

## **Responding to allegations of abuse that happened a long time ago ('historical abuse')**

Often, someone who has been abused cannot talk about abuse they have suffered until many years later.

This is especially true of sexual abuse, where the victim feels ashamed, or thinks no-one will believe what s/he says. These cases are described as 'historical' and they are taken just as seriously as new cases. If someone has sexually abused or assaulted someone, it is highly probable that there will be other victims.

If the abuser is alive, whatever the age, they are likely to pose a risk to others, now and in the future. Police, Social Care agencies and the Church are well used to dealing with historical allegations. The Diocesan Safeguarding Adviser can advise and support you in this situation.

Historical allegations of sexual abuse can come as a complete shock to members of the family and community around the alleged abuser. They may refuse to believe the allegation, and can place intense pressure on the alleged victim to withdraw what has been said and on other people not to believe him/her. The safeguarding co-ordinator should ensure that all those involved have access

to support, which can come from inside or outside the church circle (but not usually from the same person, as there may be conflicts of interest).

Further Information about this can be found in The House of Bishops document,

- Responding well to those who have been sexually abused (2011)
- Working Together (2015 edition) explains of the roles of each agency in safeguarding children.

## **Supporting adults who have been abused**

Abuse in childhood can be so devastating that it may lead to vulnerability in adult life. Each abusive situation is unique and it is impossible to predict how children involved will cope when they grow up.

Some will come to terms with what happened and move on to reach their full potential; others may have their life chances irreparably damaged by the abuse, and may never recover from the effects. Some of the lasting effects of childhood abuse that may be seen in adults are depression, fear of others, inability to cope with situations of conflict, self-harm, abusive behaviour, misplaced guilt, very low self-esteem and / or an inability to relate to partners or children. However, none of these patterns in a person's life are exclusively linked to abuse.

Adults who become targets for abuse because of their vulnerability may suffer the same damage in their daily lives as adults who were abused as children. In both cases, it is important for them to find people who will take what they say seriously and act to support them. Where abuse has occurred, the person may find it difficult or impossible to react to situations that others might see as 'normal' or completely innocent e.g. sharing the peace in church services, safe hugs and other physical gestures shared between friends. Images and examples used in the service around selflessness and submission and obedience to the will of God, which many Christians take for granted, may have been twisted and manipulated in the context of abuse to wield control and fear rather than the reassurance of grace and mercy.

It is important to recognise the vulnerability of those who are coping with an abusive past, and to ensure that pastoral care is kept within respectful, well-defined boundaries.

## **Domestic abuse (also known as domestic violence)**

Home Office guidance (2013) defines domestic abuse as: 'any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse between those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality'.

The definition includes people who are aged 16-17, in recognition of the increasing awareness that violent relationships are too commonly experienced by teenagers. Domestic abuse and violence can be perpetrated by any other person who has a blood relationship or an intimate connection with the victim, for example a son or daughter, a close friend, a partner or someone who has taken on the caring responsibility for an adult.

Most of the research deals with men perpetrating violence against women, but there is an increasing awareness and recognition of female offenders; work in this area is still developing and it may be some time before the scale of domestic violence perpetrated by women becomes clear. In the meantime, although current policies and procedures tend to emphasise violence as

perpetrated by men, remember that women can also be abusive within a relationship. Be prepared to take seriously claims of this kind.

Domestic abuse is an issue for children and adults alike: approx. 750,000 children witness domestic abuse every year, and its effects can be dramatic on their educational, social and health outcomes later in life. According to national crime statistics, murders of women by ex-partners occur, on average, about twice a week (120 per year), and suicide attempts are linked to domestic abuse in about one third of cases. Statistically, the first few weeks following an acrimonious break-up of a relationship are the most dangerous for the woman and her children.

Domestic abuse may be planned and executed systematically, or it may be an uncharacteristic loss of control from an overburdened carer of a vulnerable adult who needs support, or a partner who has anger management problems. In either case, action must be taken to report what is happening if children are involved in the relationship. Where there are no children, the consent of the victim should be sought before referring to other agencies, unless you believe the adult is unable to make a decision of this kind, in which case you should seek advice before making a formal referral.

Domestic abuse is not usually a one-off event (this would be seen as a straightforward criminal assault). It tends to be frequent and persistent and can include

- physical violence
- destruction of personal property
- isolation of the vulnerable adult from family, friends or others who would seek to support and protect
- exerting inappropriate control over the vulnerable adult's day to day life, including access to money, the telephone, food, mobility, other people etc.

Domestic abuse happens in all types of homes, all socio-economic groups, and is perpetrated or suffered by all types of people: heterosexual, gay, lesbian; professionals, non-professionals and those who are unemployed; wealthy or impoverished; practising members of faith groups and those with no religious faith at all. Statistically, the perpetrator of domestic violence is much more likely to be male than female, but this should not be taken for granted.

The prevalence of male violence and controlling behaviour in heterosexual relationships among teenagers may be where the seeds for a life of perpetrating – or expecting – violence within a relationship are sown. In 2011 NSPCC research found that among disadvantaged teenagers (identified through the various agencies working with them), approximately half the girls and a quarter of the boys thought that violence should be accepted as part of an intimate relationship.

## **Recognising Domestic Abuse**

Victims of domestic abuse may be in a situation where they believe their safety depends upon nobody finding out what is going on at home. However, if you have concerns about someone you feel may be at risk, you may be aware of the following signs:

- Regular bruises or injuries which are not satisfactorily explained ('just clumsy' or 'accident prone')
- Needing to check with a partner before committing to any activity outside the home, however minor



- A period of unusually quiet or withdrawn behaviour
- Frequent absences from work, church or other commitments, with a range of excuses
- Clothes that are chosen to conceal injuries, even on a warm day (long sleeves, polo neck tops, dark glasses inside buildings for 'tired eyes')
- An unwillingness to talk about a partner or any aspect of home life
- Frequent texts or calls from a partner when the victim is out and about (to 'check up' and stay in control)
- Excessive anxiety about being late home

## **Responding to Victims of Domestic Abuse** **'Why doesn't she leave?'**

One of the biggest fears expressed by female victims of a violent partner is that nobody will believe what she says.

This section talks about female victims of male partners, which is still the most common scenario that comes to light, but the added difficulty many men feel in reporting violence should be recognised. Men may be physically bigger or stronger than the person abusing them, and yet feel powerless to defend themselves. This heightens the sense of humiliation, and unwillingness to tell.

The perpetrator may be very plausible, publicly above reproach. The fear is exacerbated by society's general ignorance about the mental manipulation and control that can be exerted, leaving the victim isolated and totally at the perpetrator's mercy. The often expressed view that if the situation was that bad, any sensible person would have reported the crime to the police and left the relationship, misses the point.

Female victims of domestic abuse have typically given the following reasons for not leaving:

- Love of the partner, which can remain genuine and enduring in spite of horrific abuse (often linked to lack of self-esteem – ('nobody else will ever love me')
- Fear of reprisals - ('wherever you go, I'll track you down')
- Promises from the perpetrator - ('I'll never do it again'...I really mean it this time')
- Worries about the children - ('they love him... he's a good dad...it's not fair to uproot them')
- Financial dependence – all assets and access to money may be in the perpetrator's control
- Fear of being blamed by, or cast adrift from, family and friends and social networks
- Cultural and/or religious factors: fear of being shunned by the community- ('I should have tried harder... prayed more... taken vows more seriously')
- Guilt or low self-esteem - ('It's my fault. I provoke him')

If children are involved in a household where you suspect domestic violence, or if the abused adult has recognisable vulnerabilities e.g. mental health issues, physical or learning disability, you must contact Social Care or the police, depending on the urgency and seriousness of the perceived risk. However, if the adult is capable of protecting him/herself but for some reason has chosen not to, the most helpful strategy is to support the victim, over time if necessary, to make the decision for him/herself.

If you are worried that someone might be suffering domestic violence at home, don't be afraid to ask a direct question. ('Is something happening at home that is distressing you? Are you afraid of what will happen when you go home tonight?') Be willing to take seriously whatever you hear, even if it sounds implausible. Keep what you are told confidential, unless children or vulnerable adults are involved. Support the victim in making an exit plan (see below) that can be put into operation if



they ever choose to leave the relationship. Exerting pressure to operate the plan immediately is counter-productive. The victim has to be ready, and this is not something that can be rushed.

Domestic abuse has, at its core, an abuse of trust and a powerful source of control. So it is important to try and ensure that the victim starts to take back that control, and make his/her own decisions. Listen to what the victim has to say. Make suggestions if you feel they are helpful, but do not exert pressure to have them taken up. If there is a request for help, act on it immediately; offer to support the victim in going to the police, or to report it on his/her behalf, if you feel you can do this. Be prepared for the victim to change his/her mind and wish to withdraw any allegations made.

There is provision in the legislation for the police to proceed to charge and prosecution if they feel it is necessary, even if the victim has retracted his/her statement and has returned to the home. This can be very distressing for the victim. Typically, a victim may take 5 to 7 years before they are capable of making a full and final break, so a retraction should not lessen your willingness to believe what has happened, or your support. It should rather be seen as a step along the way. Date the log you have made (including the year) and store it securely in case it is needed in court proceedings at a future date.

Do not seek to mediate between a violent offender and those involved with him/her. Your safety is important, too, and in any case such attempts can often make matters worse. Also, if both parties to a violent relationship are seeking pastoral help and counselling, don't take on the job of supporting both of them. Assign a different person to each partner.

Record what has happened, and/or what you have been told, as accurately and factually as you can. Include full names, addresses and ages, if you have them, of all the people involved.

For further information and advice contact:

**Women's Aid and Refuge National Helpline (24 hr) 0808 2000 247**

*This number is free from landlines, but if a mobile is used there will be a charge which may appear on an itemised bill.*

**Information-sharing (Disclosure) and Confidentiality**

The key factor in deciding whether or not to share confidential information about a safeguarding matter, outside the confidential circle of referrals to safeguarding agencies is **proportionality**.

The important question to ask is this: Is the proposed disclosure a proportionate response to the need to protect a vulnerable person who is unable to protect him/herself in this particular situation? The amount of confidential information disclosed, and the number of people with whom it is shared, should be no more than is strictly necessary.

**Relevant Factors:**

- What is the purpose of sharing the information? What will it achieve for the person who is at risk?
- What is the nature and the extent of the information to be disclosed?
- To whom is the disclosure to be made (and do they have a duty to treat the material as confidential)?



- Is sharing the information a proportionate response to the need to protect the person who may be at risk? Will sharing this information be necessary to prevent significant harm or exploitation?

## **Confidentiality and Confession**

**NB: this has been a topic addressed in recent House of Bishops deliberations, and further guidance will be forthcoming.**

Traditionally, canon law constrains a priest from disclosing details of any crime or offence which is revealed in the course of formal confession. However, there is some doubt as to whether this absolute privilege is consistent with civil law and it may not stand up to challenge in a civil court.

Where a penitent's own behaviour is at issue, the priest should not only urge the person to report the matter him/herself to the police or local authority social care, but may judge it necessary to withhold absolution. The priest should seek advice and support from the Bishop, although the penitent's details would not be shared without their permission. The priest might also encourage the penitent to speak personally to the bishop.

Protecting All God's Children (House of Bishops), 4th edition (2010) provides fuller information about record-keeping and data protection (pp30-31) and confidentiality issues in a Church context, including medical consent (Gillick decision and Fraser guidelines) and spiritual direction (pp 33-36).



## Section 2: Specific issues Further Information

Section two contains further information about a range of specific issues and reflects situations that may arise from time to time.

If you have any suggestions for topics you would like to see covered in this section, contact Rebecca Boswell [rebecca.boswell@elydiocese.org](mailto:rebecca.boswell@elydiocese.org) or Sarah King [sarah.king@elydiocese.org](mailto:sarah.king@elydiocese.org)

### **Safer recruitment of those whose work involves children and adults who may be vulnerable**

This safer recruitment guidance includes all the following people, paid or voluntary, where their roles involve work with young children, teenagers or adults who may be vulnerable:

- all clergy who have the freehold, hold the Bishop's Licence or permission to officiate
- all ordinands before they are presented to a Bishops' Advisory Panel
- all accredited lay workers and readers who hold the Bishop's Licence or permission to officiate
- any other leaders in the Church whose office of trust gives them the opportunity or the expectation that they might have regular or unsupervised contact
- those people whose jobs involve supervising work as above
- the parish safeguarding co-ordinator(s)
- all people employed by the Diocese, Cathedral or any parish whose work may involve regular and direct contact
- all volunteers whose work or activities may involve regular and direct contact, including leaders of mixed age activities such as bell-ringers, choirs, servers
- members of religious communities and similar bodies whose ministry is likely to involve contact

### **Appointment of volunteers and employees**

- Careful selection, induction and supervision procedures should apply to all Church appointments, whether they are for paid staff or volunteers.
- Applicants should complete an application form and have an appropriate interview or focused conversation with the incumbent or leader about the role being taken on, and the individual's suitability for it.
- Along with the application form, applicants should be asked to fill in the Diocese of Ely's confidential declaration form. This asks for two referees, one of whom should, if possible,



be the current employer or someone in a managerial or supervisory role outside the church who can comment on suitability.

- **ALWAYS check references rigorously and carefully.**
- If the decision is made to appoint, the appointment should be confirmed in writing. All appointments are subject to a satisfactory Disclosure and Barring Service (DBS) disclosure and a probationary period.
- A written letter of appointment should make this clear, whether the role is paid or voluntary. Until a response is received from the DBS, the successful candidate should not begin work.
- Once a satisfactory disclosure has been obtained from the DBS, the candidate should be formally commissioned and may start work. S/he should be issued with a copy of the parish safeguarding policy and guidelines for working with vulnerable groups.
- Further Information can be found in the House of Bishops' Policy, 'Protecting All God's Children' (4th edition, 2010)

## Appointment of youth workers: special considerations

- The fluid and informal nature of a lot of successful youth work is recognized and appreciated. This advice note is not intended to cause alarm.
- However, young or inexperienced youth workers, if recruitment and supervision procedures are not carefully followed, can find themselves in a situation where their naivety costs them a career with children and youth and a blemished DBS.
- It is not advisable to appoint young men or women under the age of 21 to be youth leaders with youth groups of 14+ years.
- The appointment of any youth worker under the age of 21, and the proposed induction and supervision arrangements, should be discussed with the Diocesan Safeguarding Adviser.
- Where the age of the youth leader is quite close to the youth with whom s/he works, it can become difficult for the youth leader to maintain the professional distance that is essential to the work.
- This becomes especially problematic in cases where a relationship begins to develop between the youth leader and one of the youth group members.
- **A gap of at least five years between the ages of the youth worker and the oldest child in the youth group is strongly recommended.**
- There are two criminal offences in law to note in work with teenagers. It is a criminal offence for any adult to 'groom' a young person under 16 with the intention of developing a friendship or professional duty of care into a sexual relationship.
- It is important for all those who work with teenagers, including youth workers, to take care that their relationships with youth are kept within professional boundaries and that their



behaviour does not give cause for concern in the families or community around young people in their care.

- Where someone is employed in a position of trust, as defined by the current legislation, it is also a criminal offence to groom for, or engage in, a sexual relationship with teenagers aged 16 - 18 in his/her care, even though they are over the age of consent.
- While the criminal penalty does not, under current legislation, cover those in volunteer posts, this is likely to change. In any case, the Diocese adopts the statutory agency standards in its expectations of those representing the Church.
- For further information, see also the guidelines for work with children and teenagers in section one.

## The Disclosure & Barring Service (DBS)

- The Disclosure and Barring Service (DBS) helps employers make safer recruitment decisions and prevent unsuitable people from working with vulnerable groups, including children.
- It replaces the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA). The DBS is an executive non-departmental public body of the Home Office.
- The implementation of the Protection of Freedoms Act 2012 introduced changes, in line with the Government's intention to reduce the need for criminal records checks and to scale them back to what they describe as 'common sense levels'.
- Government changes implemented so far include:
  - **New Guideline for checking an applicant's identity.** Further information can be found in Section 3 Forms and Templates or from the Diocesan Safeguarding Officer.
  - **An emphasis on supervision.** The definition of supervision is an activity where the supervisor (who has him / herself been safely recruited) is always able to see the supervised worker's actions during his / her work. Supervision **must** be on-going e.g. not for a few weeks during a probationary period and then tailing off. If you are uncertain whether this level of monitoring can be maintained continuously – for example, providing cover for all holidays and sickness absence by the supervisor - then the role is not a supervised position and a DBS check is necessary.
- It is important to note that supervised roles can still put volunteers in a position of trust.

## Introduction of two types of Enhanced Check:

- The '**Enhanced without barred list**' check is for positions that meet the threshold, frequently quoted by the Government, where the level of contact is greater than the sort of casual contact a person might have with, say, a local shop keeper
- The '**Enhanced with barred list**' check is for those positions where a worker has a significant level of involvement with children and/or vulnerable adults.



### Note

- People with roles within the church, supervised or unsupervised, are often seen as trustworthy, being in positions of trust.
- It is acknowledged that roles within the church can often change from being casual, with little contact with children and vulnerable adults, to a role of significant contact due to illness, holiday cover or changes in the number of volunteers.
- Therefore, the Diocese of Ely will **always** carry out 'Enhanced with barred list' checks – unless it can be clearly shown that would not be suitable for a particular role.

### Single Certificate

- Disclosure Certificates will now be sent only to the applicant.
- Enhanced DBS certificates will include details of convictions and cautions (including youth cautions, reprimands and warnings) recorded on the Police National Computer (PNC).
- In addition to information from the PNC, an Enhanced certificate may also include information taken from police records that a chief officer of a police force considers relevant to the application and/or details of whether an individual is included on one or both of the two lists barring people from working with children and/or vulnerable adults.

### Tighter relevancy test for information held locally by police

- 'Additional Information' will no longer automatically be sent to the Diocesan Safeguarding Officer as part of the Enhanced DBS application process.
- This is the information from police that is not shown on the applicant's copy disclosure but is sent separately, where applicable, to the counter-signatory.
- The police still retain the right to share information under their common law powers, but the test for whether information will be shared has changed from 'might be relevant' to '**reasonably believed to be relevant**'.

### Barred Lists – Test for Regulated Activity

- Under changes to legislation the DBS can only bar a person **who is or has been, or may in future be**, engaged in **regulated activity** with children and/or vulnerable adults.
- Without this connection to regulated activity the DBS is unable to place a person on a barred list.
- It is still a criminal offence for a barred person to seek work with children and/or vulnerable adults and it is also a criminal offence for an employer or voluntary organization to employ, or use as a volunteer, someone who appears on one or both of these barred lists.
- This makes the careful use of DBS checks a vital part of any activity offered by churches or local voluntary groups.



- The House of Bishops regards the DBS check as a compulsory part of the recruitment process; DBS checks have been adopted in the Diocese of Ely as a necessary requirement for certain posts involving work with children or vulnerable adults.
- A DBS check must be completed in the following circumstances:
  - Where contact with a child or children (U18) meets the frequency test of once a week, 4 days in a 30 day period or overnight and/or is **substantial** or **1:1** or **unsupervised**;
  - Where contact with a vulnerable adult involves helping with washing, dressing, eating, drinking, toileting, or teaching someone to do one of these tasks; helping with cash, bills or shopping; helping with day-to-day affairs (e.g. power of attorney) for a non-relative/friend, where help is needed because of age, illness or disability;
  - Driving someone to receive health personal or social care as part of a service provided by church.
- None of these activities are subject to the frequency test; they can be 'one-off' events.

**Please note that any adult could suffer a temporary period of vulnerability and therefore anyone who works in a pastoral support/counselling role is required to complete a DBS check.**

- If you are not sure whether or not a particular role involves a DBS check and why, information can be found in the safeguarding co-ordinators' pack.
- All safeguarding co-ordinators will receive a copy of the coordinators' pack upon registration with the Diocesan Safeguarding Officer.
- Positions that qualify for a DBS check are exempt from the provisions of the Rehabilitation of Offenders Act 1974.
- This means that the DBS check could uncover ALL criminal convictions, whether or not they involve children and vulnerable adults, from a caution upwards, regardless of how long ago they happened.
- Only fixed penalties, such as speeding tickets, will be left off.
- The check may also reveal dealings with police/social workers from years ago, **if it is felt to be relevant to the post being applied for.**
- For this reason, those filling out the DBS forms should be advised ALWAYS to tell the priest who checks the form about anything that might come up on the search.
- A criminal record does not necessarily prevent the applicant taking up the post (see 'Clear and Blemished Disclosures').



## How the DBS process works in the Diocese of Ely – Launch of on-line paperless DBS Checks in 2015

- The Diocese of Ely, after running a pilot for on-line DBS checks for 3 months, made the decision to totally switch to this paperless system in 2015 using the services of Access Personal Check Service (APCS).
- **APCS** is a registered body with the DBS and it administers the online system, giving the diocese access to on-line application and external validation for when an applicant is unable to provide sufficient proof of ID or their current address.
- Each parish/benefice will be registered with APCS, identifying ID Checkers who will administer the system.
- Each ID checker will be given a range of unique numbers to be given to applicants needing a DBS check.
- For information on how to register your parish and ID checkers contact the Diocesan Safeguarding Officer.

### A brief overview of how the new system works

- If you are offered a paid or voluntary position with children or vulnerable adults in the Diocese of Ely, the offer will be made subject to a DBS check.
- You will be asked to fill in a 'confidential declaration' form (see information below), for church use and to complete an on-line DBS application.
- You will be given a User ID number and the website address. The list of documents you will need to have at hand for this process can found in Section 3 Forms and Templates.
- Once you have logged into the system, completed the form and clicked 'submit' the application is received by APCS.
- APCS will then send an e-mail to your ID checker to inform them that an ID check is now required and giving a link to this section of the application form.
- The ID check is carried out and information added to the on-line application. (An ID checking form can also be found in Section 3 Forms and Templates).
- Once the ID checker has submitted their part of the application it goes to APCS for checking and then on to the DBS for processing.
- Once the DBS has run the application through the Police National Computer (PNC) and carried out local police checks they will issue you with a DBS certificate.
- The DBS also contacts APCS with the result of the check, indicating whether the certificate is clean or blemished (contains information regarding possible convictions, cautions, warning's etc). It will, however, **NOT** indicate what the blemish is.



- APCS will forward confirmation to the Diocesan Safeguarding Officer that the checking process has been completed and whether the certificate is clean or blemished – again there will be no blemish information provided.
- If the certificate is clean the Diocesan Safeguarding Officer will e-mail the ID checker to confirm the process had successfully completed and that the appointment may go ahead.

### **Blemished Disclosures**

- If the certificate is blemished the Diocesan Safeguarding Officer will contact the ID checker and ask them to view the certificate, to record the blemish on the single certificate form (which can be found in the co-ordinators pack) and to provide the Diocesan Safeguarding Officer with the blemish information.
- The Diocesan Safeguarding Adviser will be informed. She will need to decide whether the information suggests the applicant may be unable to take up the post.
- Any discussion will usually involve the parish priest, the applicant and the Adviser, but may also involve outside agencies.
- Confidentiality is a high priority at all times in these discussions. The Diocesan Safeguarding Adviser, with help from other safeguarding professionals if necessary, will make a decision about whether or not the post can still be offered to the applicant.
- Minor offences and/or convictions from years ago, for example, will not carry as much weight as serious violence and/or more recent convictions.
- If the appointment cannot be offered, the reasons will be explained to the applicant, and s/he will be able to talk the situation over with the Diocesan Safeguarding Adviser.
- If the applicant believes the information held by the DBS is inaccurate, s/he has the right to challenge the DBS directly, but the parish or diocese cannot do this on an applicant's behalf.
- **NB Anyone refusing to share the information on their disclosure certificate with the safeguarding co-ordinator or Diocesan Safeguarding Officer will not be able to take up a role in the parish/diocese.**

### **How Much Does a DBS Check Cost?**

- The total cost of a DBS check for a paid employee is £47.99 (DBS fee £44 plus APCS admin fee £3.99).
- However, for volunteers the cost is only £3.99 as the DBS check is free.
- The Diocesan Board of Finance has agreed to meet the £3.99 admin fee for all applications processed during 2015 and will continue to meet the cost for all clergy applications.
- As in previous years, parishes will be asked to reimburse the £44 for applications processed for any parish workers (employees) receiving payment.



- For the purposes of definition, anyone receiving payment for a position, other than reimbursement of expenses, is regarded as 'employed'.

### **Confidential Declaration form**

- Every applicant will be asked to complete a confidential declaration form which is a self-declaration form for use by the church.
- The confidential declaration form asks for two referees who have known the applicant for two years or more. At least one of these should be the employer, if s/he is employed.
- **The applicant should not ask a close friend or relative for a reference.**
- For lay workers and volunteers, the confidential declaration form and the references are kept securely by the church offering the post.

### **Frequency and 'Portability' in DBS checks**

- Disclosure information is only accurate on the day it is issued. The older the disclosure, the less it can be relied upon.
- The Diocese of Ely has adopted good practice guidance in renewing DBS checks for existing posts every five years.
- The Diocesan Office will inform all clergy when a new DBS check is due; the parish safeguarding coordinator is responsible for keeping the DBS checks for lay people up-to-date.
- As a general rule, the Diocese of Ely does not accept 'portability' of DBS disclosures that an applicant brings from another post, because of the very strict rules governing the sharing of any sensitive information provided by the police (as explained above).

### **For clergy and paid employees of the Diocese, portability is rarely an option, and a new DBS must be obtained.**

- However, in exceptional circumstances an existing DBS clearance may be accepted temporarily for volunteers e.g. where a person is stepping in at short notice to replace someone who is sick, or an event is threatened without an extra number of volunteers.
- You must contact either the Diocesan Safeguarding Adviser OR Diocesan Safeguarding Officer if you have pressing reasons for wishing to accept portability of a DBS disclosure.
- You will be asked to provide confirmation (which will be logged) that the requirements for portability have been met:
  - The worker has been known in the church where s/he will work for at least 6 months
  - The current DBS certificate is less than 12 months old;
  - The check was undertaken for the same or similar role, and for the same target group (e.g. a DBS will not be portable from children to vulnerable adult work, or from a youth club to an Under Fives group);



- The DBS check was an 'enhanced check', not a 'standard' one
  - The check was completely clear;
  - The subject of the check still works for the same employer who initiated the original check;
  - The applicant's identity is verified.
  - The employer who initiated the check is providing a reference;
  - A Confidential Declaration has been completed
  - You have seen the original DBS disclosure (NOT a copy) and have the date it was issued and the number.
- The agreement to accept portability will be logged, with relevant names, dates and details, on file at the Diocesan Office.

**Please note: references must always be taken up (whether or not you are considering portability). The reference request letter must include a specific reference to the work involved (see Section 3 for a sample reference request letter).**

- If the portability requirements are not met, you will have to make sure that the person is properly supervised by someone who does have an acceptable DBS check.

### **DBS Update Service**

- The DBS launched the Update Service in June 2013.
- For a small annual subscription of just £13 (free for volunteers), applicants can have their DBS certificate kept up-to-date and take it with them from role to role, where the same type and level of check is required.
- For further information please go to the DBS website
- **An ID and current address check will still need to be carried out and the original certificate seen prior to using this service. A form for this purpose can be found in the coordinators pack**

### **Storing Information and Data Protection Legislation**

- Records that deal with safeguarding matters have an exemption under the Data Protection Act 1998 and should NOT be destroyed.
- The information should be kept on a confidential file, with a note of the outcome, and securely stored. Usually, only the incumbent and/or the parish safeguarding coordinator would have access to the file.
- **The information should be kept even if the case was judged to be malicious, unsubstantiated or unfounded.**
- This must be done in order to provide accurate information for any bona fide enquiries in the future, or in connection with a reference; it will also show that the allegation has been



properly considered, should it re-surface, and this can be an important protection for someone who has been mistakenly or maliciously accused.

**NB any allegation against a paid or volunteer worker in the church, or a regular worshipping member, which involves the possible risk of harm to a child or a vulnerable adult must be referred to the Diocesan Safeguarding Adviser (as well as to the police, if it is alleged a crime has been committed).**

- Non-safeguarding information may sometimes be sensitive, even where there is no reason to believe someone is at risk, and it is important to know when it is, and when it is not, appropriate to keep personal information about someone on file.
- The Data Protection Act 1998 requires that any personal data, whatever its purpose, should be:
  - ‘Processed fairly and lawfully’ (get consent in advance wherever possible)
  - ‘Obtained and used for specific purposes’ (e.g. to refer someone to Social Care or other services)
  - ‘Adequate, relevant and not excessive’ (write a factual account, with reasoned opinion based on the facts where appropriate)
  - ‘Accurate’ (make clear who saw what, and when; if your record contains ‘hearsay’ information, identify it)
  - Kept for as long as necessary (Any information relating to the DBS application process should be shredded after 6 months BUT sensitive safeguarding information should be kept indefinitely, even if the subject of the information dies)
  - Processed in line with a person’s rights (there should be openness and confidentiality, EXCEPT in safeguarding cases, where information does not always have to be shared)
  - Held and stored securely (agree where the information will be stored, and in what form; agree who has access to the information; use a locked, secure cabinet)
  - Not transferred to countries outside the UK without adequate protection (always consult the Diocesan Safeguarding Officer before doing this)

### **What to do with confidential files during a vacancy or inter-regnum**

- Confidential safeguarding files should never be destroyed when an incumbent or safeguarding co-ordinator leaves post.
- The safeguarding co-ordinator should hand all files to the incumbent, who can keep them securely until a new co-ordinator is appointed.
- If the incumbent is leaving and there is no safeguarding co-ordinator in post, all safeguarding files should be handed over to the Diocesan Office for safekeeping.
- Where possible, the files should be hand delivered; otherwise, a signed-for postal service should be used.
- The Diocesan Safeguarding Officer will pass on any current concerns to the Diocesan Safeguarding Adviser to manage during the inter-regnum, and all files will be handed back to the parish once the new incumbent is installed.



## Implementing your safeguarding policy and the role of the parish safeguarding coordinator

- The parochial church council (PCC) carries the legal liability for safeguarding children and vulnerable adults in the church.
- The PCC should adopt the Diocese of Ely policy, but the policy can be adapted or amended to make it more relevant to the needs of the local church and community.
- Where substantial changes are considered, the Diocesan Safeguarding Adviser should be consulted.
- Each PCC or benefice should appoint a safeguarding co-ordinator who will take responsibility for policy implementation.
- **The safeguarding co-ordinator has an essential role in safeguarding.**
- S/he should be a lay person who has an interest in working with children and/or vulnerable adults and who has the appropriate skills to advise and support those who work with them.
- Ideally, s/he should have some experience from a professional or voluntary background and be prepared to attend regular safeguarding training as provided by the Diocese, if training is not already undertaken as part of other employment.
- Where there are separate co-ordinators for children and vulnerable adults, there must be an established arrangement for regular meeting and sharing of information, as there is often an overlap in the work.

## The safeguarding co-ordinator role

- The safeguarding co-ordinator is responsible to the incumbent and the PCC; the co-ordinator and the incumbent should work together to implement and monitor the parish safeguarding policy.
- It is not usually recommended for the incumbent to take on the role of safeguarding co-ordinator.
- As the co-ordinator is the first point of contact for all safeguarding concerns, it is important that s/he has a sound knowledge of the Diocesan Safeguarding Policy, the appropriate boundaries of confidentiality, and how to make and keep safeguarding records.
- S/he should also be willing to keep up to date with changing requirements in legislation and policy, and take responsibility for ensuring that the updates and amendments to the Diocesan Safeguarding Policy that will be sent out from time to time are incorporated into the parish policy.
- The safeguarding co-ordinator is supported by the Diocesan Safeguarding Adviser and Diocesan Safeguarding Officer.



- **The Diocesan Safeguarding Officer is the first point of contact for advice and support on any issue arising from the co-ordinator's work.**
- Upon appointment, the co-ordinator should register with the Diocesan Safeguarding Officer, who will provide a safeguarding co-ordinator's pack that will guide him/her through the responsibilities of the post and the support and training available from the Diocese.
- The Diocesan Safeguarding Officer will keep the names and contact details of the co-ordinator(s), at the Diocesan Office on a data base. She should be notified of any changes to the contact information supplied.

**The co-ordinator is expected to attend the annual 'coffee camp' update session for co-ordinators and this should be made clear when the post is accepted.**

- Other training opportunities designed especially for safeguarding co-ordinators will be offered from time to time and co-ordinators should be encouraged and supported in attending the training.
- They are also encouraged, if possible, to accompany the incumbent to the clergy training courses at Level 1 and Level 2.
- The responsibilities for children and vulnerable adults could be split between two co-ordinators working together, or a single co-ordinator could be appointed for both roles.
- The co-ordinator must be a member of, or be required to report annually to, the PCC.
- The annual report should include an outline of safeguarding work, but not the confidential details of individuals involved.
- For example, the co-ordinator may report that x number of child or vulnerable adult concerns have been reported to the appropriate agency, but not the names of the people referred or details of alleged abuses.
- The co-ordinator should give a summary of the issue and say who was consulted for advice.

**The church's policy should be reviewed regularly, at least every two years. The policy must be in accord with the Diocesan Safeguarding Procedures. A specimen policy for adaptation and use in the parish is provided in the co-ordinator's pack.**



## Checklist for annual PCC Safeguarding Policy Review

- A copy of the church's policy, dated and signed on behalf of the PCC, is easily available to anyone who asks to see it
- The name and contact details of the safeguarding co-ordinator is displayed in a prominent position in the church
- All those involved in pastoral care to children and vulnerable adults have been offered appropriate support and training, upon appointment and then every three years. (A regular programme of training is offered by the Diocese, but training may also be undertaken via employment or with another organisation e.g. the Local Safeguarding Children's Board which offers a range of free training opportunities for volunteers)
- The safeguarding co-ordinator has been registered onto the diocesan database and has received the Diocese of Ely safeguarding co-ordinator's pack: (contact Sarah King: 01353 652735 or sarah.king@elydiocese.org).

## Ministering to known offenders and those who pose a risk to vulnerable people

- The Church has a duty to minister to all people regardless of their background and to support their life in faith. But we must balance the duty to minister to those who pose a risk of harm with the duty to protect vulnerable people.
- Where there is a known record, or a reasonable cause to suspect that someone in the church community poses a risk of harm to children or vulnerable adults, the Diocesan Safeguarding Adviser must be informed.
- She will follow the appropriate procedure for dealing with the situation, working with the alleged risk and those affected by it and advising and supporting the incumbent and other identified people on a need-to-know basis. This is done in co-operation with statutory agencies.
- The Diocesan Safeguarding Adviser may put in place an agreement between the church and the person concerned, or request a multi-agency strategy meeting to identify and contain the risk.
- Where an offender is known, befriended and helped to lead a fulfilled life without direct contact with children or vulnerable adults, the chances of re-offending can be significantly reduced and vulnerable people are better protected. This gives the Church an important role in the prevention of abuse.
- If the offender and victim attend the same church, the offender should be supported in identifying and moving to another congregation, where the safeguarding procedures should be followed and a safeguarding agreement sought.
- **Support for the victim within the church should be put in place at the earliest opportunity.**



- Offenders should not accept any role or office in the church that gives them access to U18s or vulnerable adults without a risk assessment at an appropriate level being completed.
- In addition, the House of Bishops policy requires that those with a background of offences against children and/or vulnerable adults should not take on any role that affords status and authority on behalf of the Church, e.g. churchwarden or member of the PCC, which could be manipulated to gain access to vulnerable groups.
- A frank discussion should be held with the person who is entering into the agreement, explaining that a small group from the congregation will need to know the facts in order to help create a safe environment for him/her and for children and vulnerable adults.

**Where possible, the Diocesan Safeguarding Adviser will seek to agree the membership of the group with the person concerned, but the Adviser has the final say.**

- The group is likely to include the incumbent, the safeguarding co-ordinator and any befriending volunteers, where these are being provided.
- If there are leaders in specific areas of work with vulnerable groups, they will need to be informed that an agreement is in place and that this person should not be approached to volunteer for such work.
- The details of the offences do not need to be given.
- The supervising group should offer support and friendship as well as supervision.
- They should endeavour to create and keep open good channels of communication.
- The highest levels of confidentiality should be maintained.
- It will be necessary to establish clear and specific boundaries, both for the protection of vulnerable people and to protect the person from misunderstandings and allegations that might arise if his/her background becomes known (in the case of convicted offenders, their offences will be public record and can easily be found on public information sites).
- **The agreement will be prepared by the Diocesan Safeguarding Adviser.**
- Working with the incumbent, the Diocesan Safeguarding Adviser will identify which services, activities and groups in the church can be made available without posing a likely risk to vulnerable people.
- All those involved in the agreement should be asked to sign it, and the agreement should be carefully and strictly supervised.
- The Diocesan Safeguarding Adviser will contact all parties to the agreement to review it at regular intervals to ensure that it is still being followed.
- Any party to the agreement can request an earlier review if it is felt something in the agreement needs to be changed.



- The safeguarding agreement remains in place as long as the person is a part of the congregation, whether or not his/her name appears on the Sex Offenders Register.
- If the agreement is broken, seek advice from the Diocesan Safeguarding Adviser, who will assess the risk arising from the breach.
- The Diocesan Safeguarding Adviser may, in co-operation with other agencies, disclose confidential information, in order to protect a vulnerable child or adult who may be at risk.
- In some cases, offences only come to light after many years; these are called historical cases, and there is more about this situation in Section 1.
- In such situations great sensitivity will be required – but remember that there may still be a substantial risk to children and an agreement will still be appropriate in most cases.

**Further information can be found in ‘Protecting All God’s Children’ (HoB policy, 2010) p36;**

**The ‘Stop It Now’ helpline provides free, confidential advice to potential perpetrators of abuse and those concerned for them. Google the website or call 0808 1000 900**

## **Whistleblowing Policy**

The Diocese of Ely is committed to the highest possible standards of integrity and recognises that clergy, lay staff and volunteers are often the first to become aware of or identify serious concerns. When such concerns arise, barriers to coming forward could be in relation to misplaced loyalty to colleagues or the Church, or fear of harassment or victimisation.

The Public Interest Disclosure Act 1998 (the ‘Act’) protects workers who raise concerns from victimisation or harassment. In accordance with the Act, the Diocese of Ely welcomes staff members who have serious concerns about any aspect of the Diocese’s work to come forward and voice those concerns, in confidence, within the Diocese.

The Church of England and Diocese of Ely rely heavily upon the contribution of volunteers and recognise that they are in an important position to recognise and report concerns. While voluntary roles are not included within the Act, The Diocese of Ely encourages volunteers to use this process with the relevant principles of protection applied to them.

This policy is in place to ensure that an internal process is available to encourage and enable workers and volunteers to raise serious concerns which would not meet the criteria for a complaint in confidence and without fear of reprisals, to ensure that the Diocese of Ely continues to provide the highest standards of integrity and accountability.

### **Principles**

This policy is based on the following fundamental principles:

All Office Holders, lay staff and volunteers have the right to raise concerns about perceived unacceptable practice or behaviour.

All Office Holders and lay staff are responsible for raising concerns about unacceptable practice or behaviour, safeguarding concerns and any health and safety risks. We also invite volunteers to raise these matters.

The Diocese of Ely does not tolerate victimisation or harassment and will take action to protect Office Holders, lay staff and volunteers when they raise a concern in good faith.

The Diocese of Ely will endeavour to protect the identity of any individual who raises a whistleblowing concern and wishes to remain anonymous. However, in certain circumstances, such as any inquiry arising from the concern, the individual may be required to provide a signed statement. In certain circumstances the Diocese may have to disclose the identity of the individual without their consent, for example where there is risk to others involved. The reasons for this will be discussed with the individual.

Office Holders, lay staff and volunteers who raise concerns will be given appropriate advice and support and kept informed in relation to the progress and outcome of any inquiries.

Any malicious or vexatious allegations made by clergy or lay staff may lead to a disciplinary process for the individual concerned.

### **How to raise a concern**

The Diocese of Ely recognises the difficulties in raising a concern about the behaviour of a colleague. However, raising the concern at an early stage may protect others, prevent the problem getting worse, and prevent individuals themselves becoming implicated

Office Holders, lay staff and volunteers are encouraged to raise concerns in cases where:

- the law may have been broken
- Diocesan policies and procedures may have been breached
- there are concerns of a safeguarding nature

### **Special Note: Safeguarding**

The Diocese of Ely is committed to safeguarding the welfare and protection of children and adults at risk of harm. Concerns about the welfare of children and adults at risk of harm should be raised without delay to prevent any ongoing risk of harm.

If the individual who has a concern does not feel confident to report the matter within the diocese they are encouraged to refer directly to Cambridgeshire County Council or Cambridgeshire Police.

See further information in the Diocesan Safeguarding Policy and Practice Guidance:

- <http://www.elydiocese.org/who-we-are1/sa/>

### **Who to tell:**

Office holders, lay staff and volunteers should raise concerns initially with their incumbent, Archdeacon, line manager, volunteer co-ordinator or Parish Safeguarding Co-ordinator, safeguarding co-ordinator or Bishop.



Of course this is dependent upon the nature of the concerns and who might be involved.

Alternatively, clergy staff and volunteers may approach the following:

- Paul Evans - Diocesan Secretary
  - 01353 652702 or 07837707516
  - paul.evans@elydiocese.org
- Rebecca Boswell - Diocesan Safeguarding Adviser
  - 01353 652731 or 07904 487912
  - rebecca.boswell@elydiocese.org

Clergy staff and volunteers can call, write to or arrange to meet with either of the above. In the case of a meeting the individual raising the concern may wish to invite a supporter.

### Written concerns should:

- identify that it is a whistleblowing disclosure;
- detail the background and history of the concerns;
- give names, dates and places (where possible); and
- note the reasons why the individual is particularly concerned about the situation.

### What could happen?

This will be dependent upon the nature of the concern. The matter may be:

- investigated internally
- referred to the Police and / or other statutory agencies;
- independently investigated
- referred for consideration under the Clergy Discipline Measure

or

- a combination of the above

### Anonymous Allegations

The Diocese of Ely encourages staff, Office Holders and volunteers to identify themselves when reporting a concern. However any anonymous concerns will be investigated as far as reasonably possible based upon the information provided.

### Or contact:

- Children and Young People's Social Care
  - 0345 045 5203
  - referral.centre2@cambridgeshire.gov.uk
- Adult Social Care
  - 0345 045 5202
  - careinfo@cambridgeshire.gov.uk
- Cambridgeshire Police
  - dial 101 or 999 in an emergency
- Independent, free, expert help and advice in relation to whistleblowing is also available from Public Concern at Work
  - 0207 404 6609 or <http://www.pcaw.co.uk/>



## Safeguarding complaints policy and procedure

The Diocese of Ely takes complaints about our work and quality of service in all aspects of safeguarding seriously. We view complaints as an opportunity to learn and improve the support that we offer to parishes. If you are not satisfied with the service you have received, please follow the process below.

Our aims are:

- to provide a fair procedure which is clear and easy to use
- to be open about how we will deal with complaints
- to ensure that all complaints are investigated in an equitable and timely way
- to resolve complaints as near to the point of service delivery as possible
- to learn from the process and thereby improve our service.

For the purpose of these procedures, a complaint is any formal expression of dissatisfaction, either verbal or written, about any aspect of the safeguarding service provided to you at a diocesan level. These procedures apply in relation to all safeguarding issues involving children or adults at risk of harm.

All information will be handled sensitively, sharing information on a 'need to know' basis and in accordance with the diocesan data sharing and confidentiality policy and procedure.

Overall responsibility for this procedure and its implementation lies with the Diocese of Ely through the Diocesan Safeguarding Management Group (DSMG). This policy will be reviewed periodically as required.

### Complaints procedure

A complaint is an expression of dissatisfaction with our service, whether justified or not, which calls for a response. The complainant must be the person directly affected by the issue and not a third party.

In many cases, a complaint is best resolved by the person responsible for the issue that is being complained about. If the complaint has been received by that person, we expect that all reasonable efforts will have been made to resolve it swiftly if possible and appropriate (informal resolution). However we appreciate that this isn't always possible or appropriate and therefore have the following three step process in order to deal with all such cases.

#### Stage One

Initially, the complaint should be made to the Diocesan Secretary. This should be in writing. Any subsequent telephone conversations will be recorded in writing and shared with the complainant to ensure accuracy and transparency. The complaint will be acknowledged and responded to within two working weeks (i.e. 10 working days) and a copy of this complaints procedure will be supplied.

Within this timescale, the Diocesan Secretary will do the following:

- make all necessary and appropriate enquiries to establish the substance of the complaint and any attempts already made to resolve the matter informally
- form a view and decide who the best person to respond to the complaint would be



- initiate discussions or meetings with the complainant to fully understand their issue, seek clarity and be clear on what would constitute a resolution for them
- arrange any necessary mediation between the parties and any necessary, subsequent action(s).

It is hoped that an acceptable resolution can be found and the complaint can be concluded to the complainant's satisfaction at this level. However if this is not the case, the complainant must inform the Diocesan Secretary within two working weeks (i.e. 10 working days) of his/her wish to initiate Stage Two. Stage Two will only be initiated by mutual agreement but, if this remains disputed, the Diocesan Secretary has the final word.

## **Stage Two**

At stage two, the details of the complaint and actions taken at stage one will be passed to the Independent Chair of the Diocesan Safeguarding Management Group (DSMG).

The Independent Chair will:

- acknowledge receipt of the stage two complaint and that s/he is reviewing details within two working weeks (i.e. ten working days)
- make it clear when a response can be expected. The aim will be for complainants to receive a definitive reply within four working weeks (i.e. 20 working days). If this is not possible because, for example, an investigation has not been fully completed, a further communication will be sent with an indication of when a full reply will be given.
- review all documentation and the actions taken so far and discuss with the complainant the situation from their perspective and why resolution has not yet been reached. All conversations will be recorded in writing and shared with the complainant for accuracy and transparency
- discuss the same with the Diocesan Secretary and other Safeguarding professionals, if appropriate, and consider what, within the framework of diocesan policy and if necessary, the law, could be a way forward to resolve the issue at hand
- where necessary, take advice from the Diocesan Registrar in order to formulate a response for the complainant and any necessary action.

The reply (within 20 working days where possible) to the complainant will inform them of the action(s) taken to investigate the complaint, the conclusions from the investigation, and any action taken as a result of the complaint.

Again, hopefully the complaint can be resolved at this level, but if not then the complainant must notify the Independent Chair of the DSMG within two working weeks (i.e. 10 working days) that s/he wishes to make a formal appeal against the outcomes, i.e. initiate Stage Three.

## **Stage Three – Appeal**

If the complainant remains dissatisfied after the stage two process has been completed, they have the right to advise the Independent Chair of their desire to appeal to the Churches' Child Protection Advisory Service (CCPAS) as the independent appeal body. CCPAS work with the Diocese in an independent advisory capacity and will hear the appeal.



Once the Independent Chair of the DSMG has notified CCPAS of the need for stage three to be initiated, CCPAS will acknowledge the request for appeal within two working weeks (i.e. 10 working days). The process and actions undertaken at stages one and two will be reviewed and the appeal chair may choose to talk to / meet with the parties concerned to gain clarification on the issues.

A final decision and any action deemed necessary will be communicated to the complainant and the Diocese within six working weeks (i.e. 30 working days).

### **Statistical monitoring and learning from complaints**

The number and outcome of any complaints will be reported at least twice each year to the DSMG to identify any trends which may indicate a need to take further action.

### **Recording complaints**

We will log all complaints we receive so that we can monitor the types of problems, the best way to sort them out and how long we are taking to deal with them. This also helps us to take a closer look at how we can improve our own service delivery.

We will handle your information in line with data protection legislation.

## **‘Sarah’s Law’: the Keeping Children Safe Disclosure Scheme**

- In July 2000, eight year old Sarah Payne was murdered by Roy Whiting, who was convicted and sentenced to life imprisonment.
- It was revealed that Whiting already had a conviction for abducting and indecently assaulting an eight year old girl. The case led to a high profile campaign, spearheaded by The News of the World and Sarah’s parents.
- Its aim was to persuade the Government to allow controlled access to information about sex offenders living in the community, so that parents could be made aware of an offender in their local area. Sarah’s parents were certain that such a law would have saved their daughter’s life.
- After trials in four pilot areas (including Cambridgeshire) as the Child Sex Offender Disclosure Scheme, approval was given for national use.
- This procedure is now properly called the Keeping Children Safe Disclosure Scheme, but it is known informally as ‘Sarah’s Law’, in memory of Sarah Payne.

### **How the scheme works**

- The vast majority of sexual abuse comes from people who are well known to the victim.
- The Keeping Children Safe Disclosure allows parents, other family members, carers or any other interested parties to request information about an individual who has contact with the child/ren.



- For example, a single mother may want to be reassured about a new partner, or parents may wish to check out a neighbour who is taking an interest in their family.
- Anyone can make an application to the police for information. However, if there is something on record, the information will only be disclosed to the person who is best placed to protect the child – not necessarily the same person who started the process.
- For example, a friend, or neighbour, or grandparents may apply for disclosure of information under the scheme, but any information to be shared would be more likely to go to the parent(s), and would not be shared more widely.
- The scheme is accessed by contacting the police. You can go into a local police station or you can telephone 101 and ask to be put through to the Keeping Children Safe Disclosure team. A police officer will guide you through the process.
- For further information. 'Keeping Children Safe – Your Right to Ask' can be downloaded from the Home Office website. It contains details of the scheme, describes the process and gives some example scenarios.

## **Clare's Law (the Domestic Violence Disclosure Scheme)**

- This disclosure scheme operates in a similar way to Sarah's Law and came into effect nationally in March 2014.
- It was a response to the murder of Clare Wood by her partner George Appleton after it was revealed that he had a history of domestic violence that was unknown to Clare's family.
- The 'Clare's Law' leaflet can be downloaded from the Cambridgeshire Police website.

**Call 101 or go into your local police station if you wish to speak to the Domestic Violence Disclosure team.**

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**Diocesan Safeguarding Adviser - Rebecca Boswell 01353 652731**

**[rebecca.boswell@elydiocese.org](mailto:rebecca.boswell@elydiocese.org)**

**Diocesan Safeguarding Office - Sarah King 01353 652735 [sarah.king@elydiocese.org](mailto:sarah.king@elydiocese.org)**



## Section 3: Appendices, Forms and Templates

Here you will find listed all the forms and back-up documents you need for safeguarding work in the parish.

If you would like to suggest or share something that you think would be useful for this section, contact the Diocesan Safeguarding Officer, Sarah King, 01353 652735 or [sarah.king@elydiocese.org](mailto:sarah.king@elydiocese.org). These forms can all be downloaded from the Safeguarding pages on the Ely Diocese website.

### List of items to download:

- Specimen Safeguarding Statement for Children and Vulnerable Adults
- Safeguarding co-ordinator Registration Form
- Checklist for Leaders of Regular Groups/Activities for Children and/or Vulnerable Adults
- Pictures, Computer Images and Social Networking Permission Form
- Volunteer Agreement form
- Overseas/overnight/residential trips: Supplementary Permission Form
- Volunteer Drivers: Checklist and Permission Form
- General parental permission form
- Parish guidance for making and keeping safeguarding records
- Logging a concern about a Child or Vulnerable adult
- Safer Recruiting in the parish
- Guidance for activities seen to be eligible for a criminal record check
- Model Volunteer Job Role
- Blank specimen application form (please use and modify to suit the position you are wishing to fill)
- Confidential Declaration form
- List of Documents for DBS checks
- Letter to be sent to a Referee
- Reference form to be sent to a Referee
- Handling and storage of DBS certificate information
- Policy statement on the recruitment of ex-offenders
- Working Together: the Local Safeguarding Board

### Whistle Blowing and Complaints

- Whistle blowing Policy
- Safeguarding complaints policy and procedure

### Download complete set of items:

- Download complete set of items

### Useful Links

- Protecting all God's children  
<http://www.churchofengland.org/media/37378/protectingallgodschildren.pdf>
- Keeping Children Safe – Your Right to Ask  
[https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/97895/keeping-children-safe-guidance.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/97895/keeping-children-safe-guidance.pdf)
- Cambridgeshire LSCB -<http://www.cambslscb.org.uk/>