



Diocese of
Rochester

Proclaiming the Word and Work of God

The Protection and Safeguarding of Adults when they are Vulnerable

**Diocesan Policy,
Procedures and Good Practice
for Work in Parishes**

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This document is subject to revision

 **THE CHURCH
OF ENGLAND**

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A MESSAGE FROM THE BISHOP OF ROCHESTER

Adult safeguarding not only deals with protection, but incorporates prevention, empowerment and support to enable adults when they are vulnerable to make their own decisions, maintain independence and well-being.

Vulnerable people can be harmed by all types of abuse for various reasons and in a variety of settings, including the Church and its community. Every member of the Church has a responsibility for safeguarding, and raising awareness encourages church members to be vigilant, both within and outside the Church community.

It is every adult's right to live free from abuse in accordance with the principles of respect, dignity, autonomy, privacy and equity. Experiencing abuse and neglect is likely to have a significant impact on a person's health, well-being and independence. It can prevent a person who is dependent on others for their basic needs, exercising choice and control over the fundamental aspects of their lives. The purpose of this document is intended to assist members of the church by setting out policy, procedures and best practice in respect of safeguarding vulnerable adults.

The Diocese of Rochester is committed to the safeguarding and protection of all children, young people and adults who are vulnerable and establishing a community built on love, compassion and mutual respect. This document forms part of a comprehensive Diocesan Safeguarding Strategy and as such should be read in conjunction with the following diocesan safeguarding policies:

The Protection and Safeguarding of Children (5th edition February 2012)

Careful Recruitment and Selection (1st edition February 2012)

Responding to Historical Disclosure of Sexual Abuse (1st edition February 2012)

Responding to those Suffering or who have Suffered Domestic Abuse (1st edition February 2012)

OUR THEOLOGICAL APPROACH

Throughout our lives anyone of us can be vulnerable to a wide range of pressures, concerns or dangers, but some people, by reason of their physical or social circumstances, have higher levels of vulnerability than others. It is our Christian duty to recognise and support those who are identified as being more vulnerable than ourselves.

Everyone within our church community has a responsibility to ensure vulnerable people feel welcome, respected and safe from abuse and treated with dignity. The Diocese will foster a culture that creates a Christian community through support, love and care, where good practice becomes a way of life allowing participation and empowerment for vulnerable adults. Christian communities should be places where all people are welcomed into a safe and secure environment, free from intolerance and discrimination. The Church is called by God to support those on the margins who are less powerful and without a voice in our society; failure to respect these values undermines the Christian faith.

Individuals who suffer abuse often experience a loss of self worth and dignity, feeling shame and guilt. Church is intended to be a place where people may find comfort, healing and be listened to. There is a particular responsibility for members of the church to ensure that all people are treated with respect and that any complaints against church workers are dealt with promptly and fairly. Safeguarding vulnerable adults within the Church is based on sound pastoral care and good practice.

BACKGROUND

Safeguarding Adults: A National Framework of Standards for good practice and outcomes in adult protection work, published in October 2005, expands on the guidance in No Secrets by the Department of Health and the Home Office (March 2000). The publication of No Secrets was based on the premise that some groups of adults experience a higher prevalence of abuse and neglect than the general population and that they are also not easily able to access services to enable them to live safer lives. No Secrets defined a vulnerable adult as someone *"who is or may be eligible for community care services"*. Within that group, those who *"were unable to protect themselves from significant harm"*, there is a recognition that this definition is contentious and confusing because there are multiple definitions of a vulnerable adult in use within current government policy and legislation.

In recognition of the changing context, previous references to the protection of *"vulnerable adults"* and to *"adult protection"* work are now replaced by the new term: *"safeguarding adults"*. This phrase means all work which enables an adult *"who is or may be eligible for community care services"* to retain independence, well-being and choice and to access their human right to live a life that is free from abuse and neglect.

The Mental Capacity Act 2005 provides a statutory framework to empower and protect vulnerable people who are not able to make their own decisions. This Act clearly states who can take decisions, in which situations, and how they should go about this. It enables people to plan ahead for a time when they may lose capacity. The Act deals with the assessment of a person's capacity and enshrines in statute current best practice and common law principles concerning people who lack mental capacity and those who take decisions on their behalf.

Safeguarding Vulnerable Groups Act 2006 (England and Wales) makes provision in connection with the protection of children and vulnerable adults, recognising that safer recruitment is a greater task than simply creating lists of those barred from such work or criminal record checks concerning unsuitability. Employers (including those who recruit volunteers) and voluntary organisations should develop and apply robust recruitment procedures, including checking identity, qualifications and references and enquiring into career history.

With the growing awareness of abuse suffered by vulnerable groups and the Church of England's commitment to safeguarding, in 2006 The House of Bishops published "Promoting a safe church" which gave guidance and set down a framework for safeguarding vulnerable adults.

In addition the House of Bishops in its safeguarding commitment and pastoral duty has published further documents to give an integrated safeguarding policy:

1. Protecting All God's Children (4th edition 2010)
2. Safeguarding Guidelines relating to Safer Recruitment (Interim Document 2010)
3. Responding to domestic abuse 2006
4. Responding Well to those who have been sexually abused 2011 (1st edition 2011)

P O L I C Y

A general statement of principle and intent

THE PRINCIPLES UNDERLYING THE DIOCESAN POLICY

Adults who are vulnerable will be:

Treated with respect, dignity and have their privacy upheld;

Allowed empowerment and given support in order to protect their well-being and their rights to lead as independent a life as possible;

Act in a way which supports the rights of the individual to be able to choose how to lead their life, based on self determination and personal choice.

The Diocese will:

Ensure adults who are vulnerable receive the protection of the law and have their rights upheld, regardless of their ethnicity, gender, sexuality, impairment or disability, age, religion or cultural background;

Recognise people who are unable to take their own decisions and/or to protect themselves, their assets and bodily integrity;

Allow the individual to be heard or represented in their “best interest”.

DIOCESAN SAFEGUARDING POLICY STATEMENT

The Diocese of Rochester is committed to fostering a culture of good practice for all vulnerable groups who are part of the church community. Many vulnerable people are involved in church life and deserve a safe and secure environment in which to worship and participate. The Diocese will give high priority to all the aspects of safeguarding and support parishes in their invaluable work and pastoral care, allowing all vulnerable groups to worship and pursue their faith in safety.

The Diocese of Rochester adopts the House of Bishops' safeguarding policies and is committed to:

- ◆ Respectful pastoral ministry of adults providing support and empowerment to participate and make their own decisions.
- ◆ The safeguarding and protection of all children and adults.
- ◆ Establishing safe, caring communities which provide a loving environment where there is a culture of informed vigilance regarding the dangers of abuse.

In addition:

- ◆ The Diocesan Safeguarding Advisory Group will be chaired by an independent lay person.
- ◆ The Diocese will provide a Bishop's Adviser for Safeguarding Children and Vulnerable Adults.
- ◆ The Diocese accepts responsibility for establishing procedures for responding to allegations of abuse and for providing guidelines for good practice. These will be updated from time to time.
- ◆ The Diocese will respond without delay to every complaint, allegation and disclosure that suggests a vulnerable adult could or has been mistreated, abused, harassed, or bullied, co-operating with the statutory authorities.
- ◆ The Diocese will provide access to the Criminal Records Bureau (CRB) and Independent Safeguarding Authority (ISA) for parishes, the Cathedral, the Bishop's office and the Diocesan office for those beneficed and licensed clergy, paid workers and volunteers who need to obtain disclosure.
- ◆ The Diocese will offer training on the procedures and guidelines to clergy and those working with vulnerable groups.
- ◆ The Diocese will monitor the use of safeguarding procedures and guidelines. The Archdeacons' Visitations will provide an opportunity for this and through their Articles of Enquiry.
- ◆ The Diocese will seek to offer informed pastoral care with anyone who has suffered abuse, developing, with him or her, an appropriate ministry.
- ◆ The Diocese will challenge any abuse of power, especially by anyone in a position of trust.

- ◆ The Diocese will seek to offer pastoral care and support, including supervision and referral to statutory authorities, of any member of the church community known to have offended against a vulnerable adult.
- ◆ It is diocesan policy that anyone convicted of or who has accepted a caution, reprimand or warning for a sexual offence against a child or adult will not be permitted to work, in a paid or unpaid position which may bring them into contact with any vulnerable group.
- ◆ It is diocesan policy that all people with a blemished CRB disclosure will undergo a risk assessment from a suitably qualified person. The nature of the assessment will be proportionate to the information disclosed. Cases of a serious, complex or borderline nature will require a multi-disciplinary risk assessment panel.

PARISH RESPONSIBILITY

Our congregations can be a refuge for those who have suffered abuse and those who have abused. The Incumbent and church community are in a complex and unique position providing protection and support for two diverse groups. The Incumbent and the Parochial Church Council (PCC) are responsible for all parish activities and must satisfy themselves that everything is being done to provide a safe environment for all our vulnerable groups. They are also responsible for making sure, as far as possible, that no false accusations can be made against their workers and volunteers.

Each parish should:

- ◆ Adopt and implement a safeguarding policy for adults when they are vulnerable, accepting as a minimum the House of Bishops' policy on safeguarding vulnerable adults (Promoting a safe church 2006). In addition each parish must follow the diocesan policy, procedures and recommended good practice, while being responsive to local parish requirement.
- ◆ Accept the prime duty of care placed upon the Incumbent and PCC to ensure the well-being of all its vulnerable groups in the church community.
- ◆ Endorse the safeguarding policies annually, at the first meeting of the new PCC, so that new members are aware of their responsibilities, and confirm the existence of their parish policy on vulnerable adults using the Parish Policy Statement for Safeguarding Adults when they are Vulnerable on page 34. This must be signed by the Incumbent and a churchwarden. One copy is to be kept in the parish records, one copy sent to the Diocese and one copy displayed prominently in the church. When a parish is in a vacancy the form should be signed by the chair of the PCC and a churchwarden during the meeting at which the policy is endorsed.
- ◆ Appoint a Parish Safeguarding Adults' Representative to work with the Incumbent and the PCC to act as the key person to speak on behalf of adults when they are vulnerable. Ideally the appointed person should have some experience in this area and liaising as necessary with the Diocesan Safeguarding Adviser and Statutory Adult Services. See pages 30-31 for role outline. Some parishes may find it difficult to appoint someone to undertake this responsibility. It may be more appropriate for this to be considered as an appointment within each deanery. Each PCC is legally responsible for the activities in its own parish, however the appointment is arranged.
- ◆ The Parish Safeguarding Adults' Representative if not a member of the PCC, should report at least annually on the implementation of the safeguarding policy within the parish.
- ◆ Display in the church premises contact details of the Parish Safeguarding Adults' Representative and appropriate telephone numbers – see model form on page 33.
- ◆ Appoint a Parish Disclosure Officer (PDO). Where ever possible the PDO should be a different person from the Parish Safeguarding Adults' Representative. See

role outline in Careful Recruitment and Selection – Diocesan Guidance and Good Practice for Paid and Unpaid Workers in Parishes.

- ◆ Provide all authorised personnel with access to copies of parish, diocesan and House of Bishops' policies, procedures and good practice guidelines.
- ◆ Ensure that all those authorised to work with vulnerable adults or in a position of authority are appropriately recruited, trained and supported in accordance with safer recruitment documents produced by the House of Bishops and the Diocese of Rochester.
- ◆ Ensure that there is appropriate insurance cover for all activities involving vulnerable groups undertaken in the name of the parish.
- ◆ Ensure that a risk assessment is undertaken for activities (on and off parish property) involving vulnerable groups.

If working within Local Ecumenical Partnerships (LEPs), agree which denomination or organisation's safeguarding policy to follow, including where to seek advice in an urgent situation. This should be ratified both by the Bishop and other appropriate Church leaders in the partnership. In the event of a safeguarding concern, ensure that all the LEP partners are notified.

PROCEDURES

**Administration routines and other directives
that must be followed**

PROCEDURES FOR SAFER RECRUITMENT

We will carefully select and train those with any responsibility within the Church in line with safer recruitment principles, including the use of CRB enhanced disclosure. For detailed guidance on safer recruitment, please see the safer recruitment documents produced by the House of Bishops and the Diocese of Rochester.

RESPONDING TO CONCERNS RELATING TO A VULNERABLE ADULT

Procedure to be followed if there are disclosures, allegations, complaints or suspicions.

The Diocesan Safeguarding Adviser (Tel: 07787445032), must be informed as soon as possible of all incidents concerning the church and of any referrals made or being made or being considered. If an allegation concerns a member of the clergy, the Bishop must also be informed.

Acting in an emergency

Call the police and or the ambulance service without delay. Do not hesitate when calling emergency services as it is the vulnerable adult's right as a citizen to receive immediate help.

Imminent risk

Where there are adult protection concerns an immediate formal referral must be made to adult social services. If it becomes clear that a criminal offence may have been or has been committed, the police should be contacted immediately.

Referral process

Contact should be made with adult social services. Referrals may be made by telephone and backed up in writing where possible or made in writing in the first instance. Provide as much factual information as possible about the nature of the alleged abuse or neglect and the context in which you believe that it has occurred. In order for it to be addressed under the adult protection process, concerns will need to relate to an identifiable individual(s).

Less urgent situations

If you are unclear that your concern should be addressed under the adult protection process, a formal consultation process is available through the adult social services and/or by contacting the Diocesan Safeguarding Adviser.

Notify your supervisor, Parish Safeguarding Adults' Representative and/or Incumbent if you have not already done so.

Seek support for yourself from an appropriate person within the church.

What if a vulnerable adult does not want any action taken?

If the adult has capacity and they are not being unduly pressured or intimidated, they may ask you not to intervene. Their wishes should be respected, but this does not remove your responsibility to report any concerns, as other adults may also be at risk.

Abuse in a care setting

Although it may be in the process of being dealt with in-house, it still needs to be reported to the police or social services.

What should be done if one vulnerable adult abuses another?

Abuse of one vulnerable adult by another should be treated with zero tolerance and be addressed as an adult protection issue.

Domestic abuse

If there is a child within the household a referral will need to be made to either the police or children's social services. The child's welfare is paramount and where there is conflict between the wishes of the adult and the welfare of the child, it is the welfare of the child that will always be given priority.

You must never attempt to investigate the situation yourself and never speak directly to the person against whom allegations have been made.

Information sharing, confidentiality and consent

Confidentiality must not be confused with secrecy. Information will only be shared on a need to know basis when it is in the best interest of the vulnerable adult. Informed consent should be obtained, but if this is not possible and other adults are at risk, it may be necessary to override the requirement. It is inappropriate to give assurance of absolute confidentiality in cases where there are concerns about abuse, particularly in those situations when other vulnerable people may be at risk. Decisions about who needs to know and what information needs to be shared should be on a case to case basis, within the constraints of legal framework. Principles of confidentiality designed to safeguard should not be confused with those designed to protect the interest of the Church.

Record keeping and privacy

In all cases make notes as accurate as you can, they should be factual and avoid rumour or opinion. They should be signed and dated and kept in a safe secure place indefinitely.

The parish should maintain records relating to parish appointments, including a note of when a CRB disclosure was obtained. Records should be kept secure and retained after the people concerned have left the Diocese. Records relating to safeguarding issues should be kept, together with a note of the outcome. These should be retained even if the information received was judged to be malicious, unsubstantiated or unfounded.

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

Disclosures of historical abuse

When such allegations are made, they should be responded to in the same way as contemporary concerns in terms of prompt referral to the statutory agencies. If possible it should be established by the person hearing the disclosure to the whereabouts of the alleged perpetrator in order to safeguard other vulnerable people. If a formal complaint is made written statements will be required. If the case goes to trial evidence may need to be given. It is important the survivor is supported throughout the process - see Responding Well to those who have been sexually abused (1st edition 2011).

Disclosures by perpetrators of past abuse

In some cases offences only come to light after many years. In such situations it must be remembered that the perpetrator may still be a substantial risk to other vulnerable people, therefore, the police should be informed. It is necessary to tell a person who admits an offence against any child or adult that such information cannot be kept confidential.

Allegations against the church

Where allegations or suspicions are received concerning clergy, church leaders, others holding the bishop's licence, or church officers, the Bishop should be informed immediately (see chapter 7, Protecting All God's Children 4th edition) Page 29-33

Communication with the media

In the event of an incident all communication both within and outside the Diocese will be handled by the Bishop's Officer for Communications, after consultation with the Bishop, the Diocesan Secretary, the Incumbent and the Diocesan Safeguarding Adviser. Particular care should be taken regarding any public statement or public prayer.

Suspected abusers and known offenders

The term "offender" applies only to those who have a conviction or who have accepted a caution, reprimand or warning for a criminal offence.

The term "suspected abuser" is used to refer to those who have been subject to an allegation(s) which has not been formally substantiated but which appears to be reasonably well founded.

Under the Rehabilitation of Offenders Act 1974 some old convictions and cautions are deemed spent after a period of time, which varies according to the offence. However, for the purpose of work with children or vulnerable adults no offence is considered spent.

A CRB check containing information is termed a blemished or unclear disclosure.

Old minor and unrelated offences will not prohibit otherwise suitable people from working with children or vulnerable adults. Thus a risk assessment will be undertaken proportionate to the matter disclosed.

Ministering to people who are known sex offenders

When it is known that a member of the congregation has sexually abused a young or vulnerable person, the Diocesan Safeguarding Adviser must be consulted in order for a safe course of action to be agreed in conjunction with the relevant statutory agencies. A written agreement or contract will usually be entered into with the offender which reflects research evidence about the compulsive nature of sexual abuse.

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

Where a small support group is formed, the membership should be chosen carefully. It should include the Incumbent or a delegated representative such as a churchwarden, a Parish Safeguarding Adults' Representative and any relevant supervisor. The Diocesan Safeguarding Adviser should be consulted on the constitution of the group, and training of the group may be necessary.

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

The offender should not accept any official role or office in the Church which gives him or her status or authority; a vulnerable person may deem that person to be trustworthy.

A meeting should be convened with the offender, explaining that the appointed small group and a few others from the congregation will *need* to know the facts in order to create a safe environment for him or her. Those needing to know are likely to include the clergy, churchwardens, Parish Safeguarding Adults' Representative and any befriending volunteers. The police should be invited to the meeting, in addition to the probation service and social services, if they have a role.

Consideration should be given to whether, with the offender's agreement, the congregation should be told. The advantages and disadvantages of this course of action should be carefully considered, including the offender's need for protection as a vulnerable adult.

It must be made clear that no one else apart from those identified on the agreement will be informed of the facts without the offender's knowledge. The highest levels of confidentiality should be maintained unless there is a breach of the agreement and it is necessary to inform others for the purpose of safeguarding.

The group should offer support and friendship as well as supervision.

They should endeavour to keep channels of communication open.

Those with pastoral responsibility will need to discuss with the group appropriate ways for the offender to develop and grow as a Christian without putting him or herself and others at risk.

It will be necessary to establish clear boundaries, both to protect young or vulnerable people and to lessen the possibility of the offender being wrongly accused of abuse.

The Diocesan Safeguarding Adviser should assist in drafting a written agreement, which might include the following elements:

- attend designated services or meetings only;
- have an approved chaperone on specified occasions;
- sit apart from young and vulnerable people;
- stay away from areas of the building in which vulnerable groups meet;
- attend a house group where there are no young or vulnerable people;
- decline hospitality where there are young or vulnerable people;
- never be alone with young or vulnerable people;
- never work or be part of a mixed-age group;
- take no official role in the Church; and
- never work with young or vulnerable people

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

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

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

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

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

If the agreement is breached, the police or the probation service should be informed. In some cases it may be possible to restrict attendance at church. If the person

cannot be banned because they live in the parish, the advice of the Diocesan Registrar should be sought and a high level of supervision maintained. It may be necessary, following consultation with the police, to inform other relevant organisations that the person presents a risk.

If the person leaves the church for another church, then the police should be involved and a new agreement should be made. If the person leaves without informing anyone where or whether they might attend for worship, the police should be informed.

Whenever possible, the agreement should be drawn up as a two-way covenant. The church will agree to levels of support and appropriate access to worship etc while the offender agrees to the appropriate behavioural guidelines included in the agreement.

R E C O M M E N D E D G O O D P R A C T I C E

This section provides advice on good practice which is the main way that vulnerable groups are protected. The advice should be followed as closely as possible. If changes are made for practical purposes, these should be equally safe.

Conduct relating to individual workers

- All church workers (paid or unpaid) should conduct themselves in accordance with the reasonable expectations of someone who represents the Church. They are expected to uphold Christian values throughout their lives.
- They should work in a non-abrasive manner that respects the right and abilities of individuals to enjoy privacy, dignity, independence and choice.
- They should recognise that the right to self determination can involve risk and ensure that such risk is understood by all concerned and minimised whenever possible.
- They should assist in creating an environment within the church that can include everyone.
- They should take care to observe appropriate boundaries between their work and their personal life.
- They should be aware of the dangers of dependency in pastoral and professional relationships and seek advice or supervision when these concerns arise.
- They should recognise their limits and not undertake any ministry that is beyond their competence or role (e.g. therapeutic counselling, deliverance ministry, counselling victims of abuse and domestic violence, or their perpetrators, or giving legal advice). In such instances the person should be referred to another person or agency with appropriate expertise.
- They should avoid behaviour that could give the impression of inappropriate favouritism or the encouragement of inappropriate special relationships.
- They should treat those with whom they minister or visit with respect, encouraging self-determination, independence and choice.
- Pastoral relationships may develop into romantic attachments and such situations should be handled sensitively. Workers need to recognise such a development and make it clear to both the person concerned and a supervisor or colleague. Alternative arrangements should be made for the ongoing pastoral care of the person concerned.
- They should not undertake any pastoral ministry while they are under the influence of drink or non-prescribed drugs.
- It is never appropriate for workers to take advantage of their role and engage in sexual activity with anyone with whom they have a pastoral relationship. Workers should be aware of the power imbalance inherent in pastoral relationships.

Financial integrity

Financial dealings must always be handled with integrity. Those with authority for such matters should maintain proper systems and not delegate that responsibility to anyone else.

- Church workers (paid or unpaid) should not seek personal financial gain from their position beyond their salary and/or recognised allowances.
- They should not be influenced by offers of money.
- They should ensure that church and personal finances are kept apart and should avoid any conflict of interest.
- Money received by the church should be handled by two unrelated lay people.
- Any gifts received should be disclosed to a supervisor or colleague where it should be decided whether they could be accepted.
- Care should be taken not to canvass for church donations from those who may be vulnerable, e.g. the recently bereaved.

Insurance

The PCC should make sure that they have adequate insurance cover, including public liability insurance, to cover all their activities both on and off site.

The Ecclesiastical Insurance Group states:

"Ecclesiastical considers that the implementation of the House of Bishops Policy Document by all church organisations is essential for the maintenance of liability insurance in relation to the issues it addresses".

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

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

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

- Notification should be directed to: The Claims and Risk Services Director, Ecclesiastical Insurance Group, Beaufort House, Brunswick Road, Gloucester, GL1 1JZ. It should be marked Strictly Private and Confidential. Failure to notify the Insurers could prejudice any cover by the insurance policy.
- Parishes insured by other companies should follow a similar procedure.

Church premises and health and safety

Church premises should be inspected at least once a year to ensure that health and safety standards are being adhered to and that anyone with a disability can participate. Try to make the premises, toilets and access suitable for people with disabilities. If premises are being designed or refurbished, take the opportunity to anticipate the possible special needs of future children and adults. Disability legislation requires organisations to take reasonable steps to meet the needs of disabled people and this includes children. The inspection and actions should be recorded in writing to the PCC.

See Disability Discrimination Act of 1995 and 2005.

See Diocesan website for Health and Safety guidance documents.

A first aid kit should be maintained on site and one available for off site activities. The contents of the first aid kit should be stored in a waterproof container and clearly marked. Each group should designate one worker to check the contents and restock on a regular basis.

An accident book should be available for both on and off site activities and all accidents recorded.

All staff and volunteer workers should be encouraged to have some first aid knowledge and the church should encourage access to first aid training. A list of first aiders in the church should be compiled and kept available.

Good hygiene should always be practiced. Disposable protective gloves and a disposable apron should always be used when dealing with broken skin, body fluids and faeces. Confidentiality regarding an individual's HIV or hepatitis status should always be maintained.

Log book

It is good practice to keep a log book for any untoward incidents/occurrences.

Activities and risk assessments

A risk assessment of new and existing activities should be undertaken by the leader of the group, in order to identify hazards and take action to minimise the risk. The assessment and action taken should be recorded in writing and sent to the PCC.

Risk assessments should also be undertaken for all activities including travel arrangements. See pages 37-38 for model activity check list/ risk assessment forms.

A registration document should also be kept of participants and workers for each activity.

Transporting vulnerable adults on behalf of the church

Transporting vulnerable adults on behalf of a church is a regulated activity and CRB checks are required.

Unless the transport, travel or escort arrangements are formally organised by the PCC the arrangement will be classed as a private agreement.

Cars must be in a roadworthy condition and drivers need to have comprehensive insurance and ensure that their insurance covers the giving of lifts relating to church activities.

Drivers must comply with the law in relation to seat belts and at no time should the number of those travelling in a car exceed the usual passenger number.

All those who drive vulnerable people on church-organised activities should be over 21 and should have held a full and clean driving licence for at least two years.

Any driver who has an unspent conviction for any serious road traffic offence should not transport vulnerable people on behalf of the church.

Minibus or coach

Appropriate arrangements, for example, regarding insurance and driving qualifications, should be made by those driving minibuses on behalf of the church.

Workers and helpers should sit among the group and not together.

Before using a minibus, ensure you know the up-to-date regulations for its use and have had a trial drive.

A mini-bus with seat belts must be used.

An escort must always be taken.

Home/residential visiting

A record of the visit should be kept including date, time, place, reason for visit and outcome. Wherever possible do not visit alone.

Day centres/clubs

If food is regularly prepared on the premises, the facilities must be checked by the Environmental Health Officer and Environmental Health guidelines adhered to i.e. appropriate staff or volunteers possessing a Food Hygiene Certificate. See Health and safety check list on pages 35-36.

Where a vulnerable adult is known to lack capacity they must be accompanied by an advocate or responsible carer who cannot be expected to be part of the helper ratio. Helpers should not be expected to undertake lifting and handling or personal care of adults.

Staffing ratios

No specific staffing ratios are given in this policy as at all times consideration should be given to the level of dependency and capacity of any vulnerable adults and the activities being undertaken. Lone working is discouraged for the safety of both the vulnerable adult and the worker.

APPENDICES

DESCRIPTIONS AND DEFINITIONS

Definition of a Vulnerable Adult

The concept of vulnerability is very complex; therefore in order to apply a definition for those in the church community the following may be helpful although it is not the definition of a vulnerable adult as given in the Safeguarding Vulnerable Groups Act 2006:

“A person aged 18 or over who is or may be in need of community care services by reason of mental or other disability, age or illness and who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation” (Definition taken from No Secrets’ March 2000 Department of Health).

This could include people with learning disabilities, mental health problems, older people and people with a physical disability or impairment. It is important to include people whose condition and subsequent vulnerability fluctuates. It may include victims of domestic abuse, hate crime and anti-social abusive behaviour.

It is important to understand that a vulnerable adult may be abused by another vulnerable adult.

Adult mistreatment/abuse

As defined by the Department of Health’s No secrets March 2000:

“Abuse is a violation of an individual’s human and civil rights by any other person or persons.”

Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to or exploitation of, the individual. In a church context it could be any misuse of a pastoral or managerial relationship. Harm is what results from mistreatment or abuse.

Physical abuse

This may include:

Hitting, slapping, scratching;

Pushing or rough handling;

Assault and battery;

Restraining without a justifiable reason;

Inappropriate and/or unauthorised use of medication;

Deprivation of food, clothing, warmth and health care needs; and

Inappropriate sanctions.

Sexual abuse

This may include:

Sexual activity which an adult cannot or has not consented to or has been pressured into;

Sexual activity which takes place when the adult client is unaware of the consequences or risks involved;
Rape or attempted rape; and
Sexual assault and/or sexual harassment.

Non-contact abuse such as taking inappropriate images of the adult, voyeurism or pornography is also considered sexual abuse.

Emotional or psychological abuse

This may include:

Verbal abuse;

Humiliation and ridicule;

Threats of punishment, abandonment, intimidation or exclusion from services;

Isolation or withdrawal from services or support networks;

Deliberate denial of religious or cultural needs; and

Failure to provide access to appropriate social skills and educational development training.

Financial abuse

This may include:

Misuse or theft of money;

Fraud and/or extortion of material assets;

Misuse or misappropriation of property, possessions or benefits; and

Exploitation or pressure in connection with wills, property or inheritance.

Neglect and acts of omission

This may include:

Ignoring medical, nutritional or physical care needs;

Failure to allow access to care or equipment for functional independence;

Failure to give prescribed medication;

Failure to allow access to appropriate health, social care or educational services;

Neglect of accommodation, heating, lighting etc;

Failure to provide privacy and dignity; and

Professional neglect.

Discriminatory abuse

Discrimination on any grounds of age, sex, race, colour, language, culture, religion, politics, sexual orientation, disability or hate crime.

Domestic abuse

Home Office Definition 2004:

“Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are, or have been intimate partners or family members, regardless of gender or sexuality”.

If there are children in the household they are witnesses to the abuse and are considered to be emotionally abused at least, whether or not they are in the same room. They may also be directly affected by abuse.

See Responding to domestic abuse - House of Bishops 2006

Self neglect or self injury

Self-neglect is any failure of an adult to take care of him or herself that causes, or is reasonably likely to cause within a short period of time, serious physical, mental or emotional harm or substantial damage to or loss of assets. Self-neglect can happen as a result of an individual's choice of lifestyle, or the person may be depressed, have poor health, have cognitive (memory or decision making) problems, or be physically unable to care of themselves. Often, the cases which give rise to the most concern are those where a vulnerable adult refuses help and services and is seen to be at grave risk as a result. If an agency is satisfied that the vulnerable adult has the capacity to make an informed decision, then that person has the right to refuse services.

Institutional abuse

It means that someone who has been institutionalised is being abused. Examples could be prison inmates, mental health patients, residents of care homes. The abuse or omission of care is usually caused by the people looking after them.

Spiritual and ritual abuse

Spiritual abuse is not covered by the statutory definition but is of concern both within and outside faith communities including the Church. It can be as simple as denying access to worship through to inappropriate use of religious belief or practice. This can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, or intrusive healing. Such inappropriate behaviour should be referred for investigation in co-operation with the appropriate statutory agencies.

Mental capacity

Mental capacity is not a universal concept and therefore has to be applied in a specific context:

Every adult has the right to make his or her own decisions and it must be assumed they have capacity to do so, unless it is proved otherwise;

It is the right of an individual to be supported to make their own decisions - people must be given all appropriate help before anyone concludes that they cannot make their own decisions;

An individual must retain the right to make what might be seen as unwise or eccentric decisions;

Any action taken on behalf of an individual who lacks capacity must be in the "best interest" of that individual;

Assessing lack of capacity – The Mental Capacity Act 2005 sets out a single clear test for assessing whether a person lacks capacity to take a particular decision at a particular time. It is a "decision-specific" test. No one can be labeled 'incapable' as a result of a particular medical condition or diagnosis. Section 2 of the Act makes it clear that a lack of capacity cannot be established merely by reference to a person's age, appearance, or any condition or aspect of a person's behaviour which might lead others to make unjustified assumptions about capacity.

Criminal offences

Criminal offences are assault, whether physical, psychological or sexual, theft, fraud or other forms of financial exploitation, and certain forms of discrimination, whether on racial or gender grounds. Alleged criminal offences differ from all other non-criminal forms of abuse in that the responsibility for initiating action invariably rests with the State in the form of the police and the Crown Prosecution Service (private prosecutions are theoretically possible but wholly exceptional in practice). Accordingly, when complaints about alleged abuse suggest that a criminal offence may have been committed, it is imperative that reference should be made to the police as a matter of urgency. Criminal investigation by the police takes priority over all other lines of enquiry. Neglect and poor professional practice also need to be taken into account.

The role of the Bishop's Adviser for Safeguarding Children and Vulnerable Adults

The Bishop's Adviser for Safeguarding Children and Vulnerable Adults, in consultation with the Diocesan Safeguarding Advisory Group and appropriate Diocesan officers will be responsible for:

Developing and regular reviewing the Diocesan Safeguarding Policies, Procedures and Good Practice Guidelines, ensuring that it is easily accessible and understandable to licensed and paid workers and to volunteers.

Assisting each parish with the implementation of the diocesan policy and procedures, providing advice and guidance on these.

Monitoring of annual declarations from parishes in conjunction with the Diocesan Safeguarding Advisory Group and Archdeacons.

Providing advice on a regular basis to clergy, paid staff, PCCs, Parish Safeguarding Representatives and volunteers about good practice in order to limit the opportunities for abuse and to diminish the risks of wrongful accusations being made.

Responding to requests for advice, information and guidance from individuals in the church who are concerned about the welfare of a child or a vulnerable adult.

Providing guidance and direction where there are concerns about adults who may be a risk to any vulnerable person/group.

Providing advice and support to clergy, paid staff, PCCs, Parish Safeguarding Representatives and volunteers when a referral to social services or police is necessary.

Working in partnership with the statutory agencies, building professional relationships and effective communication.

Attending strategy meetings and case conferences as requested by statutory agencies. At times this will include preparing parish personnel for such meetings and attending with them.

Supporting parishes during and after child/adult protection investigations. This may include ensuring support is provided for individuals in the parish who may be affected by such an enquiry, for example, volunteers or other leaders.

Briefing the national adviser on all cases which go to public court or tribunal or which draw media attention.

Providing appropriate safeguarding training for all clergy and paid and unpaid workers and any other person who has responsibility for vulnerable groups.

Evaluating, reviewing and monitoring training programmes.

Providing a risk assessment process for those with blemished CRB disclosures and advising the Incumbent of the outcome.

Drawing up and/or monitoring safeguarding agreements with those known to be a risk to vulnerable groups.

Attending all meetings of the Diocesan Safeguarding Advisory Group and be part of the regional network of diocesan safeguarding advisers.

Preparing regular reports for the Diocesan Safeguarding Advisory Group on contact with parishes and action taken.

Supporting Parish Safeguarding Representatives by keeping in touch by newsletter or similar communications.

Keeping a log of calls received from parishes.

Parish/Deanery Safeguarding Adults' Representative

Who Should Do It?

The role ideally should be undertaken by a lay person with previous experience of work with vulnerable adults. If there is no one in your parish/deanery with this background, fear not ... this person does not need to be an expert. Support is being offered from the Diocesan Safeguarding Adviser.

The following gives the basis of a possible job role and person specification for the person or persons appointed as Parish/Deanery Safeguarding Adults' Representative. It is hoped these ideas will help you to define the role you have taken on, or to find the right person for the task if you have not already appointed.

All Safeguarding Adults' Representatives are required to have a CRB disclosure certificate.

Role outline

1. The Parish Safeguarding Adults' Representative should be familiar with *The Protection and Safeguarding of Adults when they are Vulnerable* Policy, Procedures and Good Practice, and ensure that they are carried out in the parish/deanery in the following areas:
 - a. obtain a signed declaration from all current paid and voluntary vulnerable adults' workers participating in church managed activities in the parish/deanery, and to initiate CRB disclosure applications, where required, with the parish disclosure officer (PDO);
 - b. compile and update a list annually of names of paid and voluntary workers;
 - c. promote training and information on protection and safeguarding policies offered by the Diocese and encourage all volunteers and paid workers to attend such training.
 - d. be aware of the PCC's responsibility in respect of the careful selection and recruitment of paid and voluntary workers with vulnerable adults.
 - e. ensure any records are kept in a confidential and secure manner.
2. The Parish Safeguarding Adults' Representative should be available for consultation or advice where there are concerns or allegations regarding a vulnerable adult in the parish/deanery.
3. The Parish Safeguarding Adults' Representative should keep in regular contact with the Diocesan Safeguarding Adviser and remain abreast of diocesan policy, procedures and good practice, and ensure the parish/deanery is informed of any changes and developments.
4. The Parish Safeguarding Adults' Representative should be available to attend any training in safeguarding which has been recommended by the Diocesan Safeguarding Adviser.

5. The Parish Safeguarding Adults' Representative should follow the guidance given in *The Protection and Safeguarding of Adults when they are Vulnerable* when receiving an allegation or concerns regarding a vulnerable adult.

Person Specification:

Knowledge/Experience

Where possible, the Parish Safeguarding Adults' Representative should be someone with safeguarding knowledge and experience who has been, or is working with vulnerable adults.

Skills/Values/Personal qualities

- A mature person, approachable, discrete and trustworthy
- A good listener
- Able to keep confidentiality
- Non-judgemental and unshockable
- Able to be objective
- Aware of his/her own limitations, willing to seek advice/refer on
- Administrative skills
- Time available for training

MODEL FORMS FOR PARISH USE

IMPORTANT TELEPHONE NUMBERS:

(Please write in your local numbers.)

Local Agencies:

Police (all non-emergency enquiries)

Adult Social Services

Local Emergency Social Work Team

Local General Hospital

Diocesan and Parish contact

Role	Name	Phone
Incumbent		
Parish Safeguarding Adults' Representative		
Diocesan Safeguarding Adviser		

Health and Safety Check List

Name, activity and location of group.....

The following is a model check list to assist in safeguarding vulnerable adults.

1. Register

Is there an up to date register of all those in attendance including leaders and helpers?

2. Staffing and security

Are staff and volunteer ratios appropriate for the group and for the activity?

Have all staff and volunteers been appointed in line with the Safeguarding Guidelines relating to Safer Recruitment Interim Document 2010?

Are the places where the vulnerable adults meet safe and secure from unwelcome visitors?

Is any adult that is known to lack capacity escorted by a responsible person?

3. Provision for people with special needs

Is there suitable access and provisions made for people with special needs?

4. Fire safety

Are fire notices displayed informing people what to do in case of fire?

Are there suitable fire fighting appliances that are serviced regularly?

Are smoke detectors fitted?

Are all staff and volunteers aware of evacuation procedures should a fire occur i.e. fire exits and assembly point? Has this information been given to the participants and escorts?

5. First aid

Is there a designated first aider with up to date training available during all activities?

Is there an up to date first aid kit available both on the premises and for activities away from the premises?

Is there an accident book available for both the premises and for activities away from the premises?

Are all accidents recorded?

6. Has a risk assessment been undertaken of the premises and reviewed annually?
7. Has a risk assessment been carried out of the activities undertaken within the group/event and reviewed annually?
8. Is there access to a telephone on the premises?
9. Is food regularly prepared on the premises?
 If yes, have the facilities been checked by the Environmental Health Officer?
 Does anyone hold a Food Handling and Hygiene Certificate?
10. Is the venue warm, well lit and well ventilated?
11. Is the venue clean and free of clutter?
12. Are there adequate toilets and hand basins easily accessible with hygienic drying facilities?
13. Is appropriate space and equipment available for any intended activity?

Signed.....

Designation..... Date.....

This should be stored

ACTIVITIES CHECK LIST FORM

Group:

Activity:

Destination:

Dates:

Are all leaders CRB checked?

How many helpers are CRB Checked?

Method of transportation:

Register of attendees including leaders and helpers

Knowledge of medical conditions which may require first aid on the day, e.g. asthma

Guidance/procedure policy to assist in untoward occurrence i.e. illness, injury

Person responsible for first aid kit and incident book:

.....

Insurance

Group/party leader signature

Printed name

Signature of person authorised by PCC

Printed name

RISK ASSESSMENT FORM

<u>Activity/Action</u>	<u>Potential Hazards</u>	<u>Control Measures</u>	<u>Action Plan in Place for Untoward Occurrences</u>

Model agreement with offender

PRIVATE AND CONFIDENTIAL

An Agreement between JK and the churches of St Luke's benefice

18 January 2012

St Luke's and St Andrew's Churches agree to the following:

1. To welcome JK into the fellowship of our church.
2. To encourage him to grow in his faith in Christ.
3. To help him live out his new life in Christ.
4. To assist him in his desire not to reoffend.
5. To guard against JK being wrongly accused of any offence.
6. To provide a local support group of Revd AB, Mr CD, Mrs EF and Mr GH who will meet regularly with JK to provide pastoral support and challenge where appropriate. This will be convened by CD and will meet monthly until the first review, and bi-monthly or at JK's request thereafter. Proper notes shall be maintained and a copy of these lodged with EF or her successor as Parish Safeguarding Adults' Representative, and the Incumbent.
7. To allow JK to practise the organ at either church by arrangement with the Incumbent and in the presence of the Incumbent or another person nominated by him.

To this end, the following people will know about JK's past offences and will offer fellowship, support, and supervision: Revd AA (Incumbent), Revd AB, Revd IJ, Mrs KL, Mrs MN and Mr CD (and their successors as Churchwardens), Mr PQ and Mr RS (and their successors as Churchwardens), Mr GH, Mrs EF.

No one else will be informed about JK's past offences, unless there is a perceived risk to children or any other member of the public. Appropriate levels of confidentiality will be maintained.

JK agrees to the following:

1. To sit apart from young or vulnerable people at church services and meetings.
2. To stay away from areas of the church where young or vulnerable people meet.
3. To ensure that he is never alone with young or vulnerable people.
4. To accept the supervision and guidance of members of the support group (see above).

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5. Not to accept any official role in the church which gives him authority over others.
6. If visiting without Mrs K, not to visit the homes of church members without invitation and giving prior notice to the Incumbent or Revd AB.
7. Not to volunteer for any role that would involve responsibility for any young or vulnerable people.
8. Not to initiate any unsupervised contact with young or vulnerable people.
9. To attend a cell group regularly as directed by the Incumbent.
10. To inform the Incumbent (or if the Incumbent is unavailable, the Parish Safeguarding Adults' Representative, or failing that, another member of the Review Group) and the Diocesan Safeguarding Adviser of any arrangement to play the organ or be involved in any musical activity at another church within the diocese.
11. To inform the Diocesan Safeguarding Adviser (if unavailable the Parish Safeguarding Adults' Representative) of any arrangement to play the organ or be involved in any musical activity at a place of worship outside the diocese, or of another religious denomination.
12. To inform any place of worship at which an arrangement has been made to play the organ or be involved in any musical activity that JK is subject to an agreement with this parish.
13. To inform the Diocesan Safeguarding Adviser of any jobs or volunteer work applied for at other churches.

If this agreement is broken by JK he understands that this may result in further measures being taken and the police or probation service being informed.

The operation of this agreement will be monitored by TU or her successor as Parish Safeguarding Adults' Representative. TU will also be responsible for convening review meetings.

Review points

This agreement will be reviewed after three months, and thereafter every six months and at other times as determined by the Diocesan Safeguarding Adviser, or as requested by probation or police colleagues with the consent of the Diocesan Safeguarding Adviser. JK may request a review at any time.

Reviews will take the form of a face-to-face meeting with JK and at least two members of the following group and will be recorded. A copy will be given to JK and a copy placed on the confidential file and supplied to the Diocesan Safeguarding Adviser.

Review group

AB, TU, PQ or her successor as Churchwarden, GH or his successor as Churchwarden, VW (or his successor in the police public protection unit), XY (or his successor in the probation service), CD.

Reviews will also take place at the following milestones:

- 1. On completion of an approved sex offender treatment programme, when subject to the receipt of a satisfactory report consideration will be given to JK being allowed to volunteer as an occasional organist for weddings, funerals and other occasional services.
- 2. When discharged from probation, when consideration will be given to JK being used as a regular volunteer organist for any service, subject to the advice of the professional colleagues working with JK.
- 3. When JK’s name is removed from the sex offenders register.

Signed (Revd AB, Incumbent)

Date

Signed (Mr JK)

Date

In the presence of:

.....

References:

House of Bishops Promoting a safe church (2006)

House of Bishops Protecting All God's Children (4th edition 2010)

House of Bishops Safeguarding Guidelines relating to Safer Recruitment (Interim Document 2010)

House of Bishops Responding to domestic abuse 2006

House of Bishops Responding Well to those who have been sexually abused (1st edition 2011)

Safeguarding Adults: A National Framework of Standards for good practice and outcomes in adult protection work (October 2005)

No Secrets by the Department of Health and the Home Office (March 2000).

Mental Capacity Act 2005

Kent County Council: Multi-Agency Safeguarding Vulnerable Adults - Adult Protection Policy Protocols and Guidance for Kent and Medway Amended July 2011