

# **The Diocese of Exeter**

## **Bishop's Clergy Handbook - Guidelines for the Clergy**

### **Section 09 - Safeguarding Children and Vulnerable Adults**

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## **Introduction**

One of the imperatives of the Christian Faith is that we care for those who are weaker or vulnerable within society. This includes children and young people as well as adults who by reason of age, infirmity or mental capacity or illness are unaware of their rights as human beings or unable to defend themselves against any form of abuse, whether physical, social, emotional or psychological. We also have a duty of care towards all those involved in our churches who fall into the above categories. This imperative and Duty of Care are drawn together under the general title of Safeguarding.

The full details of the Diocesan Policy on Safeguarding can, at present, be found in the Manual *Safeguarding Children and Vulnerable Adults*. Updated information will be posted on the Diocesan Website and distributed to clergy and safeguarding representatives. These guidelines offer a brief summary of the duties and conduct expected of those exercising an ordained ministry within the diocese.

## **Disclosure and Barring Service**

After the General Election of 2010, the new coalition government moved to reform significant elements of the legal framework for safeguarding. This intention bore fruit, after a difficult and contentious parliamentary process, in the Protections of Freedoms Act 2012. While some of the changes set out in the Act are yet to be introduced, others were brought into force in the second half of 2012.

Of the provisions already in force, the most obvious is the merger of the Criminal Records Bureau and the Independent Safeguarding Authority. The replacement body, the Disclosure and Barring Service, maintains the same range of powers and responsibilities as its predecessors. Specifically, the provision of 'disclosures' continues more or less as previously (although the precise nature of the checks and the roles to which they relate have changed), as do the arrangements and responsibilities concerning the arrangements for people to be 'barred' from engaging in (or being engaged to carry out) 'regulated activity'.

One thing that has not changed is that the incumbent of a parish, together with the PCC, is deemed to be an 'employer' for the purposes of the Act and thereby have a duty to report to the DBS an instances where staff or volunteers have been disciplined for placing people at serious risk of harm, where they have been dismissed from their job for these reasons or who may have left their job before discipline can be completed. Such referrals to the DBS should be made in conjunction with the Diocesan Safeguarding Advisor.

Recent case reviews and reports in other dioceses have made it explicitly clear that under no circumstances should an incumbent or a PCC attempt to manage a case without the knowledge of and, where appropriate, involvement of, the Diocesan Safeguarding Adviser. The Safeguarding Adviser should be informed as soon as a complaint or other report comes to light, whatsoever the source, and includes all work with both potential victims and perpetrators.

The diocese is also committed to complying with government and national church guidelines on Safer Recruitment. All those within the diocese who work regularly with children or vulnerable adults are, therefore, required to obtain a Disclosure before taking up a post (with or without a check against the Barred List depending on the nature of the post). It is a legal offence to allow someone to start delivering 'regulated activity' without the appropriate disclosure having been received. All ordained ministers are considered to occupy a position of trust by virtue of which they are required to obtain an Enhanced Disclosure with a check against the Barred List.

No Licence or Permission to Officiate (PtO) will be issued without such a disclosure. Application should be made in good time to the Archdeacons' Offices for licensed ministry or through the Suffragan Bishops' Offices for Permission to Officiate. Readers should make application through the Readers' Office at the Old Deanery.

For clarity, all PtO's issued to ordained ministers now have an expiry date and renewal is dependent upon a satisfactory disclosure. It is therefore wise to assume that if the person is not included in any diocesan listing and does not have a certificate issued more recently than that listing, then they do not have PtO. In all cases of doubt please contact the Bishop of Exeter's Office.

## **Safeguarding Awareness**

Disclosures are only one aspect of the duty of care in terms of safeguarding. Ordained ministers are expected to offer a positive and wholesome example to members of their churches. It is therefore mandatory that they regularly attend training (currently, approximately once every three years) which is approved by the Local Authority Safeguarding Children's Board. Provision is made for such training through the Diocesan Safeguarding Unit.

It is also expected that ministers affirm and support staff and volunteers by the provision of training and supervision in matters relating to recruitment and the protection of children and vulnerable adults. If capacity is available, bespoke training events can be commissioned from the Safeguarding Unit by Parishes, Deaneries, Mission Communities and consideration can be given to events for ecumenical projects.

Parishes are expected to have formally adopted the Diocesan Safeguarding Policies. In doing so, they have undertaken to comply with government and Church of England guidance on safer recruitment and the protection of vulnerable adults. Accordingly, any ordained minister who persistently or recklessly fails to comply with this guidance, or to

participate in training as required, would be made subject to disciplinary procedures and thereby invoke the duty of the diocese to report the matter to the Disclosure and Barring Service.

A refusal to obtain or renew a Disclosure would also attract the above sanctions. Similarly, if an incident occurred within a parish through negligence of safeguarding policies then legal and financial consequences for that parish could follow which might not be covered under insurance arrangements.

For these reasons, and to avail themselves of the support and expertise of the Diocesan Safeguarding Team, ministers are required to report all matters regarding significant safeguarding concerns to the Diocesan Safeguarding Advisor. One example would be a situation where paid staff or volunteers have concerns about actual or potential abuse of a child or vulnerable adult. Another example might be if it comes to light that an alleged or convicted offender is attending a church and might pose of risk of harm to vulnerable groups. In such a situation risk management arrangements can be sensitively put in place to ensure that we can minister safely to those who pose a risk of harm.

The Safeguarding Manual offers guidance on recognising signs of abuse and what to do if you have concerns. Whilst ministers are advised to initially discuss safeguarding concerns with the Diocesan Safeguarding Advisor there may also be occasions where referral directly to the relevant statutory agency is called for in order to ensure adequate public protection and safety.

## **Good conduct in working with Children and Vulnerable Adults**

The abuse of children can involve neglect (both physical and emotional), physical, sexual, emotional and spiritual abuse. Common signs and symptoms of abuse can be found in the Safeguarding Manual together with guidance on good practice.

The abuse of vulnerable adults can involve all of the above and might also include discriminatory abuse and financial/material abuse.

Many parish crèches and toddler groups currently fall outside the criteria for OFSTED registration but it is advised that parishes aim to work to the Ofsted recommended standards. Ofsted National Standards for Out of School Care can be consulted on-line: [www.ofsted.gov.uk](http://www.ofsted.gov.uk)

Good practice in pastoral care involves the maintenance of sensible and caring boundaries. In ministering to vulnerable adults the values of Independence, Choice, Respect and Inclusivity are the guiding principals. The diocesan guidelines do not advocate a 'hands off' approach but the following issues are worthy of consideration:

- It is recommended that those with pastoral responsibilities in a church (including ordained ministers) keep a record of all significant pastoral encounters, including brief notes. There is an element of professional judgement in this that might include not only the subject and extent of the encounter, but also whether it fits into an on-going pattern.
- Levels of personal care such as toileting must be appropriate and related to the age of the child - whilst recognising that some children have special needs

- Physical contact can be healthy and acceptable in public places, but is discouraged in circumstances where a child or vulnerable adult is on his/her own. Once again any physical contact should be age appropriate and should meet the needs of reciprocate rather than the person doing the touching.
- Children and vulnerable adults should be treated with dignity and respect in attitude, language used and actions. Provocative games or sexual innuendo should never be a feature of pastoral care or work with these groups. Respect requires confidentiality – as far as safely possible. This involves respecting the privacy of a child's or vulnerable adults personal circumstances or history. However, it should be born in mind that public protection in cases of suspected or actual abuse overrides the requirements of data protection.
- In working with children and vulnerable adults 'physical space' should be respected. Rough play is not acceptable and it should not be taken for granted that a child or vulnerable adult wants, needs or appreciates physical contact. Children in particular may feel unable to say that such contact may be unwelcome.
- If a child or vulnerable adult is invited to your home, ensure that this is with the knowledge of the leader of any activity. In the case of children the parent or guardian must be aware of the invitation and you should not be alone with the child or vulnerable adult.
- Be mindful not to create any impression of favouritism. If a child or vulnerable adult appears to have become dependent or perhaps developed a 'crush' it is imperative that a 'team' approach is taken. This should aim to help the person to build some distance and to sensitively manage the situation by sharing attention to the person with other team members.
- Avoid transporting children or vulnerable adults alone and ensure that all arrangements for transporting them are with the knowledge of the team/leadership. In the case of children ensure that parental approval has been gained.
- Avoid all behaviours which might be misconstrued by children or adults.