

Basic Information

Title	Safeguarding Adults
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Status of Paper	Final
Resolutions	Can be found at the end of the Report.

Summary of Content

Subject and Aims	To produce a full safeguarding adults document, as directed by the Conference in 2009, along with recommendations for the implementation of the policy contained in it.
Main Points	<p>A joint statement of principles on safeguarding (Church of England and Methodist Church) has been negotiated and agreed. Safeguarding is everyone's business.</p> <p><i>A brief outline of contents</i> – Introduction including theology and values; definitions of forms of harm; implementation; promoting good practices; responding to concerns; procedures and model church; circuit and district policies.</p>
Background Context and Relevant Documents (with function)	<p>In 2000, the Department of Health published <i>No Secrets</i>,¹ a document developing and implementing inter-agency policies and procedures to protect vulnerable adults. This guidance provides a framework for the safeguarding of adults, including structures of investigations by local authorities of allegations of abuse.</p> <p>Voluntary organisations are asked to develop safeguarding procedures where relevant to them. There have also been other developments including The Mental Capacity Act 2005, Safeguarding Vulnerable Groups Act 2006 and the development of the Independent Safeguarding Authority from 2009.</p>

¹ Department of Health, *No Secrets* (London: HMSO, 2000).

SAFEGUARDING ADULTS:

- a policy for good practice in the care of adults when they are vulnerable
- a Methodist response to the protection of adults when they are vulnerable

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SAFEGUARDING POLICY STATEMENT FOR THE METHODIST CHURCH AND THE CHURCH OF ENGLAND²

Preamble

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

Principles

We are committed to:

- the care, nurture of, and respectful pastoral ministry with, all children, young people and adults;
- the safeguarding and protection of children, young people and all adults;
- the establishing of safe, caring communities which provide a loving environment.

We will carefully select, support and train all those with any responsibility within the Church, in line with Safer Recruitment principles, including the use of criminal records disclosures and registration/membership of the relevant vetting and barring schemes

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

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

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

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

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

1. INTRODUCTION

'Adult safeguarding incorporates the concept of prevention, empowerment and protection to enable adults who are in circumstances that make them vulnerable, to retain independence, well-being and choice and to access their right to a life free from abuse and neglect.'³

Clarification

The purpose of the Safeguarding Adults handbook is to set out policy, procedures and guidance.

All the procedures set out in this document are either requirements in law or as a result of Methodist Policy and therefore must be followed.⁴

² A copy of this text will be made available in poster format. The poster can be displayed on the church notice board to confirm the local church acceptance and commitment to the safeguarding policy statement.

³ The Association of Directors of Adult Services.

⁴ This guidance must be complied with by everyone who is working for the Methodist Church, unless specific circumstances indicate exceptional reasons which justify a variation. In those situations where there may be an exception the District Safeguarding Coordinator must be consulted and any variation must be recorded.

1.1 Our Theological Approach

Every human being has a value and dignity which comes directly from God's creation of male and female in his own image and likeness. Christians see this potential as fulfilled by God's re-creation of us in Christ. Among other things this implies a duty to value all people as bearing the image of God and therefore to protect them from harm. Christ saw all people as valuable, especially those who were vulnerable. He gave them love, attention, time and respect.

God is present and at work in the world in a multitude of ways. A Church indwelt and empowered by the Holy Spirit might especially be a place where the wonderful character of God is manifested. The Church is called to witness to that truth. As individual Christians and as part of the Church, our vocation is to reflect the character of God. We are called to welcome and care for the oppressed, the marginalised, and the victims of injustice. Safeguarding good practice concerns the development of safer expressions of care to all and underpins the love and welcome of God for all people.

Every person is equally precious to God. Each one needs the assurance that respect for this brings. Individuals who suffer abuse often experience a loss to their identity and worth; there are often feelings of shame and guilt. The Church is intended to be a place where men and women, children and young people, those who are hurt and damaged, may find healing and wholeness. It is our calling to be agents of healing and recovery in such a way that enables all who have suffered from abuse to lead lives with dignity in a context that is as safe as possible. It is about speaking words of peace. It is communication of shalom; that is of justice, healing and peace for the whole of the individual, as well as for the community.

Justice is part of the outworking of love. The Church must hold in tension concerns for both justice and compassion. Nevertheless, those who have suffered abuse have sometimes not been heard or found an unsympathetic hearing. They may be disbelieved, discouraged and damaged further. Other people tend to side with the alleged perpetrator. This occurs in all parts of society, but it is particularly hurtful when it occurs within the Church. Such actions compound the sense of injustice that many feel. In answer to the question "What does God require of us?" the need to act justly is set alongside the need to love mercy and to walk humbly with God (Micah 6:8).

Many who have endured abuse consider that mercy towards those who have sinned is set above the need for the victims to be enabled to find justice. Both are essential. In creating humankind God made us to be together, to live in community. When one suffers we all suffer. We are all made poorer by every incidence of child or adult abuse as by all sin. In finding the grace to act righteously towards those who suffer, we also experience transformation through grace. We become better people and our churches become safer places for all.

In similar ways offenders may also be assured that they are precious to God and find healing and wholeness. Because redemption and the possibility of forgiveness are so central to the Gospel, the Church is not only well-equipped to assist in the rehabilitation of offenders but is also challenged by the issues their presence raises for us. The Church is also part of a society where collusion with violence in families, emotional abuse or certain taboos on sexual abuse often holds sway. Church people have sometimes required those who have suffered abuse to forgive; instead it is our calling to hold on to both justice and grace and to build safer church communities, often in challenging circumstances. We need also to understand forgiving and receiving forgiveness as lifelong processes.

Our congregations can be a refuge for those who have perpetrated abuse but are seeking help in maintaining a non-abusive way of life. We have also to be aware that some who abuse may see church membership as an opportunity to be close to children, vulnerable adults or vulnerable parents and carers in order to continue their abusive patterns of behaviour. Experience shows that whether penitent or not, those who abuse always need support in taking responsibility for their own actions and in stopping their abusive behaviour, and of course the vulnerable need protecting from them. The genuine penitent will accept the need for careful arrangements,

including some restrictions, for their return to church fellowship. This is in line with the Church's realistic understanding of sin and its effects and the Church's responsibility to love all God's people.

The Gospel accounts remind us of Jesus' humanity and vulnerability throughout his life. He gave up all but the power of love. He gave up wealth, security and status. He listened to and ministered to those who were powerless and vulnerable; he appointed fallible and weak disciples who needed to discover their limitations and find strength by living in God's grace with each other. Those who are humble and vulnerable themselves are often gifted with a ministry with those who are most in need, including with children and with adults who have suffered. There is therefore a challenge for the Church to encourage ministry, service and leadership in ways that promote discernment of one's boundaries and limitations, reliance on God and our brothers and sisters in Christ, thus developing compassionate, collaborative and enabling ministries which value careful listening to all.

All abuse is an abuse of power and a scourge on individuals, on our Church and in our society whenever it occurs and we must name it as such, doing everything we can to prevent it. We are to nurture children and adults as fully as we can in Christ's name.

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

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

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

1.2 The Societal Context

In recent years, society as a whole has become more aware of the extent of harm to adults, inflicted deliberately or neglectfully. In 2000, the Department of Health published *No Secrets*,⁵ a document developing and implementing inter-agency policies and procedures to protect vulnerable adults, including the creation of Safeguarding Adults Boards in each local authority area. This guidance, which is currently under review, provides a framework for the safeguarding of adults, including recommended structures for the investigation by local authorities of allegations of abuse. Voluntary organisations, such as Churches, are also asked to develop similar procedures if they are providing services, or are in regular contact with adults who might be vulnerable, and to participate in the protection of adults in a wider context. The message is that safeguarding of adults is everybody's business. There have been other developments including The Mental Capacity Act 2005, Safeguarding Vulnerable Groups Act 2006 and the development of the Independent Safeguarding Authority from 2009.

In 2002 Churches Together in Britain and Ireland produced the report *Time for Action*,⁶ which in part challenged the churches to respond more compassionately and effectively to adults who had been sexually abused. In 2007, the Methodist Conference accepted the report '*Creating Safer Space*', which affirmed the Church's commitment to best practice in respect of work with both children and vulnerable adults.⁷

⁵ Department of Health, *No Secrets* (London: HMSO, 2000).

⁶ CTBI, *Time for Action* (London: CTBI, 2002).

⁷ NOM 15 clause 5.2.4 of the report.

2. VULNERABLE ADULTS

2.1 Discussion of Vulnerability

Vulnerability is a part of being human and no one is invulnerable. We refer to the Church as the 'broken body of Christ'. However in the context of this policy, vulnerability has a particular meaning. *All* people may be vulnerable at some time or times of their lives. Vulnerability can be permanent or temporary and can be of a greater or lesser degree. It can be increased by various factors including any of the following factors.

- Sensory or physical disability or impairment
- Learning disability
- Physical illness
- Mental illness
- Dementia
- Substance and alcohol misuse
- Impact of an event in life such as bereavement, the actions of others or change in living situation

Vulnerability may bring with it some difficulties in making decisions or communicating those decisions. This may range from simple decisions, such as what to choose to eat, to more complicated decisions, such as whether to participate in certain activities or where to live. The capacity to make decisions should always be presumed to exist and care should be taken to understand what choices are being made, even where this is expressed non verbally or in a different language. If the vulnerability prevents the ability to make *some* choices, it should be assumed that *other* choices are not so limited unless it is clear that this is so.⁸

2.2 Definitions

The term 'vulnerable adult' has a number of meanings used by the states in the UK and Great Britain. In order to bring into focus those adults for whom the Church should have a particular care, this is the definition which will be used in this policy:

2.2.1 Any adult aged 18 or over who, by reason of mental or other disability, age, illness or other situation is permanently or for the time being unable to take care of her or himself, or to protect her or himself from significant harm or exploitation⁹

2.2.2 The Criminal Records Bureau defines vulnerable adults as follows:

A person aged eighteen or over who receives services of a type listed in paragraph 1 below and in consequence of a condition listed in paragraph 2 below or has a disability of a type listed in paragraph 3 below:

- 1.a) accommodation and nursing or personal care in a care home
 - b) personal care or support to live independently in his or her own home
 - c) any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body
 - d) social care services
 - e) any services provided in an establishment for a person with learning disabilities
- 2.a) a learning or physical disability
 - b) a physical or mental illness, chronic or otherwise including an addiction to alcohol or drugs
 - c) a reduction in physical or mental capacity

⁸ Mental Capacity Act 2005

⁹ The definition of significant is a matter for the workers concerned. It should take into account issues such as the vulnerability of the individual, the gravity and extent of the harm, the length of time of the harm and the intention of the alleged perpetrator as well as the effect upon the individual.

- 3.a) a dependency upon others in the performance of or a requirement for assistance in the performance of basic physical functions
- b) severe impairment in the ability to communicate with others
- c) impairment in a person's ability to protect him/herself from assault, abuse or neglect.

2.2.3 The Safeguarding Vulnerable Groups Act 2006 defines a vulnerable adult as

A person who has attained the age of 18 years and

- a) is in residential accommodation*
- b) is in sheltered housing*
- c) receives domiciliary care*
- d) receives any form of health care*
- e) is detained in lawful custody*
- f) is in contact with probation services (i.e. receiving help or supervision)*
- g) receives a welfare service of a prescribed description*
- h) receives any service or participates in any activity provided specifically for persons [who have particular needs due to age; any form of disability; a physical or mental problem which will be prescribed; together with two other issues which are not relevant in this]*
- i) [receives direct payments]*
- j) requires assistance in the conduct of his own affairs.*

This is an important definition as it bears on the decision whether the worker needs to be registered with the Independent Safeguarding Authority and whether the church needs to check that registration before employing that person, whether in a paid or voluntary capacity. (See *Recruiting Safely in the Methodist Church*.)

It should be noted The Mental Capacity Act includes young people over 16 in its ambit. *No Secrets*¹⁰ in 2000, however, defined a vulnerable adult as 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 is or maybe unable to take care of him or herself, or able to protect him or herself against significant harm or exploitation'. Thus, depending on the context, the term may have different meanings. The important thing to remember is that the Church needs to safeguard vulnerable adults from abuse, harm and neglect. As for government guidance, *Safeguarding Adults* stated the emphasis should be on enabling adults to 'retain independence, well being and choice and to access their human right to live a life that is free from abuse and neglect'.¹¹ Those who consider that an adult is vulnerable should deal with situations relating to that adult within that context.

2.2.4 Scotland – definition of a Protected Adult

A protected adult is an individual aged 16 or above who is receiving certain types of services. There are four categories of services specified in the Protection of Vulnerable

¹⁰ Department of Health, *No Secrets* (London: HMSO, 2000).

¹¹ Department of Health, *Safeguarding Adults* (London: HMSO, 2006).

Group Act (PVG Act). The exact nature of these services¹² is set out in section 94 and regulations, but in summary they are:

A service by a person carrying on –

- a support service;
- an adult placement service;
- a care home service; or
- a housing support service

as defined in Part 1 of the Regulation of Care (Scotland) Act 2001.

3. VALUES UNDERLYING THE POLICY¹³

Christian communities should be places where all people (children and adults alike) feel welcomed, respected and safe from abuse. The Church is particularly called by God to support those at the margins, those less powerful and those without a voice in our society. The Church can work towards creating a safe and non-discriminatory environment by being aware of some of the particular situations that create vulnerability. Issues which need to be considered include both the physical, emotional and spiritual environment and the attitudes and actions of workers.

A person who might be considered vulnerable has the right in common with all people to:

- be treated with respect and dignity and with recognition of abilities and gifts;
- have their privacy respected;
- be able to lead as independent a life as possible and make their own decisions;
- be able to choose how to lead their life;
- have the protection of the law;
- have their rights upheld regardless of their ethnicity, gender, sexuality, impairment or disability, age, religion or cultural background;
- be able to use their chosen language or method of communication;
- be heard.¹⁴

Adult vulnerability must be recognised as a human condition that affects people's ability to participate and the Church's response to that. The Churches must seek to live out our calling to value all people and the contributions we can all make.

¹² FROM PVG CONSULTATION ON DRAFT GUIDANCE NOVEMBER 2009

Healthcare services:

- *Provided or secured by the NHS or provided by independent operators, (which concern the treatment, care and support of, and provision of advice and assistance to individuals in relation to their health and well-being)*

Community care services:

- *provided or secured by a council under the Social Work (Scotland) Act 1968 or the Mental Health (Care and Treatment)(Scotland) Act 2003, or services for which the council has made a direct payment*

Welfare services:

- *encompassing caring and support activities being performed in the voluntary and private sector that do not come under any of the first three categories*
- *this includes any service which provides support, assistance, advice or counselling to individuals with particular needs, AND*
- *is provided in the course of work to one or more persons over the age of 16,*
- *is delivered on behalf of an organisation,*
- *requires training to be undertaken by the person delivering the service,*
- *has a frequency and formality attached to the service, and either*
- *requires a contract to be agreed between the service provider and the recipient of the service prior to the service being carried out, or*
- *is personalised to an individual adult's needs*

¹³ Adapted from the Church of England publication *Promoting a Safe Church* (London: Church House Publishing, 2006).

¹⁴ The Human Rights Act 1998 includes Article 2 'The right to life', Article 3 'Freedom from torture' (including humiliating and degrading treatment) and Article 8 'The right to respect for family and private life'.

4. FORMS AND SIGNS OF HARM

Harm is that which results from abuse, neglect, bullying and harassment. It may take the following forms:

- 4.1 Physical abuse**, including hitting, slapping, pushing, kicking, misuse of medication, restraint, or inappropriate sanctions. It may include the inappropriate use of medication and the impairment or an avoidable deterioration in health. This can obviously be suspected if the person is seen to have injuries, particularly if these recur or are in the same place on more than one occasion or are without explanation. It may be that the person indicates that she or he does not want to be with a certain person.
- 4.2 Emotional or psychological abuse**, including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks. This may occur directly or indirectly by telephone or internet. This may be seen in a person becoming quiet or withdrawn or conversely becoming aggressive or angry for no apparent reason. They may show a change in characteristic such as becoming helpless or tearful. It should be noted that such signs may also be seen in those who are physically abused or sexually abused. All forms of abuse have an emotional component.
- 4.3 Sexual abuse**, including rape and sexual assault or sexual acts to which the vulnerable adult has not consented, or could not consent, or was pressured into consenting.
- 4.4 Financial or material abuse**, including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits. There are also material signs to watch out for, such as a sudden change in a person's finances, not having as much money as usual to pay for shopping or regular outings, or getting into debt. Watch out for any official or financial documents that seem unusual, and for documents relating to their finances that suddenly go missing.
- 4.5 Neglect and acts of omission**, including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating. This may be seen as a person looking unkempt or dirty and their personal hygiene being compromised. Their weight may alter.
- 4.6 Discriminatory abuse**, including racist, sexist, that based on a person's disability, and other forms of harassment, slurs or similar treatment. This may be observed in conversations or in reports by the person of how they perceive themselves. An example of this is where a person rubs their skin in order to remove the colour or who puts themselves down in terms of their gender or sexuality.
- 4.7 Spiritual and ritual abuse.**

In the church context there has been developing realisation that spiritual abuse is another form of harm. The Church of England *Guidelines for the Professional Conduct of the Clergy*¹⁵ cautions those who minister to beware of abusing their position. In *Domestic Violence and the Methodist Church – the Way Forward*,¹⁶ there is evidence of spiritual abuse issues.

¹⁵ *Guidelines for the Professional Conduct of Clergy* (London: Church House Publishing, 2003).

¹⁶ A report accepted by the Methodist Conference 2002.

Churches need to be sensitive so that they do not, in their pastoral care, attempt to 'force' religious values or ideas onto people, particularly those who may be vulnerable to such practices. Within faith communities harm can be caused by the inappropriate use of religious belief or practice: this can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, or intrusive healing and deliverance ministries, which may result in vulnerable people experiencing physical, emotional or sexual harm. Other forms of spiritual abuse include the denial to vulnerable people of the right to faith or the opportunity to grow in the knowledge and love of God.¹⁷

If such inappropriate behaviour becomes harmful it should be referred for investigation in the usual way. Careful supervision and mentoring of those entrusted with the pastoral care of adults should help to prevent harm occurring in this way.

4.8 Domestic abuse

The Methodist Church prefers 'domestic abuse' as a term to domestic violence, for it reflects a wider and less restricted view of this issue.¹⁸ Other agencies may prefer the term 'domestic violence' as does the Home Office in the following description.

The Home Office describes domestic violence as¹⁹

"Domestic violence is any threatening behaviour, violence or abuse between adults who are or have been in a relationship, or between family members. It can affect anybody, regardless of their gender or sexuality."

The violence can be psychological, physical, sexual or emotional. It can include honour based violence, female genital mutilation, and forced marriage.

Whatever form it takes, domestic violence is rarely a one-off incident. Usually it's a pattern of abusive and controlling behaviour through which an abuser seeks power over their family member or partner.

Domestic violence occurs across all of society, regardless of age, gender, race, sexuality, wealth or geography. Women are more likely than men to be victims of domestic violence, and children are also affected – they can be traumatised by what they've seen, and there is a strong connection between domestic violence and child abuse.²⁰

4.9 Forced Marriage

Guidelines on forced marriage are set out in *Multi-Agency Practice Guidelines: Handling Cases of Forced Marriage* H M Government 2009 from which the following extracts have been taken

"Marriage shall be entered into only with the free and full consent of the intending spouses."²¹

"Forced marriage is a form of child/domestic abuse and violence against women; it should form part of existing child and adult protection structures, policies and procedures."

In line with other publications on domestic abuse, these guidelines focus mainly on women's needs and not men's. This is because 85% of cases referred to the Forced Marriage Unit involve women and the consequences for women are different than those for men.

¹⁷ Adapted from the Church of England publication *Promoting a Safe Church* (London: Church House Publishing, 2006),

¹⁸ This is explained in more detail in the 2005 Conference report.

¹⁹ <http://www.homeoffice.gov.uk/crime-victims/reducing-crime/domestic-violence/>

²⁰ Further guidance is offered on domestic abuse within the domestic abuse guidelines produced by the Methodist Church and available at www.methodistchurch.org.uk

²¹ Universal Declaration of Human Rights, Article 16(2).

Although these guidelines focus on women, much of the guidance applies to men facing forced marriage – and men should be given the same assistance and respect when they seek help.

4.9 Institutional abuse

This type of abuse is seen where an institution is inherently discriminatory toward a particular group. It may occur in a care home where the residents are routinely referred to in a derisory fashion or where their privacy and dignity is routinely compromised. An institution may then be unable to safeguard residents from emotional or even physical harm and neglect. The Church as an institution is not exempt from perpetrating institutional abuse.

It should be noted that the various forms of abuse and harm can overlap.

5. IMPLEMENTING THE POLICY

5.1 Implementation in the local church

The local church needs to ensure that it has undertaken a review of its own situation e.g.

- What is the building like? Is it accessible?
- What activities are undertaken on the premises?
- What are the personnel for those activities?
- What is its mission?

Having done this, the Church Council needs to consider its policy. A policy needs to include these issues and:

- ensure that it supports good and open practice
- include appropriate measures to deal with disclosures, complaints and discipline.

The District Group responsible for safeguarding adults will be available to assist in this process. Model policies will be made available. These should be read in terms of the content. However, a church should write a policy or adapt the model one which reflects its own situation.

The policy should include a date for review which should be no less frequent than annual, so that the local church confirms its acknowledgement of its responsibility for these issues. The church needs to appoint a Safeguarding Adults representative. This may or may not be the same person who is responsible for safeguarding children's work, but should be someone who has knowledge of the issues related to safeguarding adults. It is important to work out how the policy will be implemented and to have an action plan for each year as well.

If the Church is involved in a local ecumenical partnership it should decide which Church's policy to follow and check with both/all Churches authority as appropriate.²²

5.2 Implementation in Circuit

The Circuit may have activities of its own and the process which is undertaken for the local church needs to be undertaken for the Circuit also, taking account of the need to identify responsibility for activities and individuals' needs. The Circuit also needs to consider the support it offers to the local church. The Circuit needs to appoint a Safeguarding Adults coordinator who must make themselves known to the District Safeguarding group so that information can be disseminated. The responsibility for implementation lies with the Circuit Meeting and Circuit staff and stewards, so the Safeguarding coordinator must have access to this group and to the Circuit Meeting, including a right to speak at the meeting and give an annual report.

²² Guidance is available by contacting the Helpdesk at Methodist Church House telephone 020 7486 5502.

5.3 Implementation in District

The District also may have activities of its own and the process for the Circuit needs to be undertaken for the District.

The District will also have responsibility for ensuring a group of people who are specialists in Safeguarding are available to support the Circuits and the local churches to enable advice on good practice, respond to incidents and to encourage and support training across the District. A description of the responsibilities of the safeguarding coordinator and the group will be made available.

The District will already have a Safeguarding Group for children.²³ It will also be necessary to establish a Safeguarding Group for vulnerable adults. This may be the same group as for Safeguarding children, expanded to include the appropriate expertise and experience for vulnerable adults. However, some Districts may prefer to establish a different group entirely, either to reflect the different experiences or to reflect the amount of time needed for the issues.

If the latter model is selected then there should be regular communication between the two groups. A number of the issues of safeguarding are common to children and vulnerable adults and it would be confusing if two groups were offering advice and training which was not reflective of this. The groups need to coordinate responses and training around domestic abuse in particular. It is possible to do this either by having joint meetings or to have a shared time between the two meetings. The Coordinator of the group needs to be able to liaise with relevant local authority Adult Social Care personnel.

The Training Officers have responsibility, where this is one of their priorities, to enable and facilitate Safeguarding Adult training across the Districts, but the Safeguarding Adults group will have a responsibility to monitor the safeguarding content and respond to requests for training alongside the Training Officer. In many cases they will participate in delivery of training.

5.4 Implementation at Connexional Level

The Connexional Team has responsibility for providing expertise and for enabling the resourcing of this area. It also has responsibility for liaison with other agencies including government on a national basis.

6. PROMOTING GOOD PRACTICES

6.1 Underpinning safe and inclusive practice

These principles, adapted from *The Ten Essential Shared Capabilities*,²⁴ for those working in the Mental Health services, provide a reference point for those working with individuals, carers, families, colleagues and the wider community to address safe and inclusive practice.

Working in Partnership. Developing and maintaining constructive working relationships with individuals, carers, families, colleagues, and wider community networks. Working positively with any tensions created by conflicts of interest or aspiration that may arise between the partners.

Respecting Diversity. Working with individuals, carers and families in ways that respect and value diversity including age, ethnicity, race, culture, disability, gender, spirituality and sexuality.

Practising Ethically. Recognising the rights and aspirations of individuals and their families, acknowledging power differentials and minimising them whenever possible. Allowing individuals to make their own choices.

²³ Formerly known perhaps as a Taking Care Group.

²⁴ Department of Health, *The Ten Essential Shared Capabilities* (London: HMSO, 2004).

Challenging Inequality. Addressing the causes and consequences of stigma, discrimination, social inequality and exclusion on individuals, carers and families. Creating, developing or maintaining valued social roles for people in the communities they come from. This includes ensuring the buildings and practices allow inclusion. Buildings should be assessed to check that they are as accessible as possible and that aids and adaptations have been used. This may include the use of ramps, loop systems, etc.²⁵ The worship and other activities within the church should also be as accessible as possible and the 'messages' given by those should be checked. For example does moving forward and kneeling to receive communion exclude those whose mobility is compromised? Does certain language cause pain to some people? Does the environment created within the church include everyone? Inclusion may mean that the church needs to consider making services available to particular groups, such as worship specifically for those who are frail, or have dementia or have learning difficulties. Inclusion also means enabling people to fulfill their discipleship and calling.

Promoting Recovery. Working in partnership to provide help that enables individuals, families and carers to tackle problems with hope and optimism and to work towards a valued lifestyle within and beyond the limits of any problem.

Identifying People's Needs and Strengths. Working in partnership in the context of the preferred lifestyle and aspirations of individuals their families, carers and friends. Materials provided for activities should be available as widely as possible. Within worship, material should be provided in large print (at least 18 font) and material provided by PowerPoint should be supplemented if necessary.²⁶

Promoting Safety and Positive Risk Taking. Empowering the individual to decide the level of risk they are prepared to take with their lives. This includes working with the tension between promoting safety and positive risk taking, including assessing and dealing with possible risks for individuals, carers, family members, and the wider public.

Personal Development and Learning. Keeping up-to-date with changes in practice and participating in life-long learning, personal and professional development for one's self and colleagues through supervision, appraisal and reflective practice.

6.2 Safe recruitment – A brief summary

Safer recruitment is not dealt with here in detail as it is covered in the companion volume. Please refer to *Recruiting Safely in the Methodist Church 2010*.

The following procedures apply to all roles, whether paid or voluntary, office holders (appointees) including candidates for ministry or all employed roles and all churches, church organisations and parts of the Methodist Connexion, where there is work for or with children, young people or vulnerable adults.

6.2.1 Good Practice in safer recruitment

A robust 'safer recruitment' policy is an essential part of safeguarding, therefore your policy must ensure:

- application forms include a 'self-declaration'/confidential declaration for convictions/cautions;
- satisfactory references before appointing;
- candidates are interviewed effectively to ensure they have the right attitude and disposition to safeguarding vulnerable groups;

²⁵ Disability Discrimination Act 1995 and the Equality Act 2010 draws all similar legislation together. Further Guidance is available from those who deal with property at Central Buildings, Oldham Street, Manchester M1 1JQ telephone 0161 2365194 and on the Methodist Church website www.methodistchurch.org.uk

²⁶ Resources are available from Methodist Church House telephone 020 7486 5502.

- all workers go through a satisfactory probationary period and receive supervision,²⁷ training and development.²⁸

N.B. The vetting and barring scheme (VBS) process²⁹ does not mean someone is suitable to work with children and vulnerable adults.

6.2.2 Good Practice in the selection process

- i) Plan the process and decide who will be involved at each stage making sure everyone knows their role in the process.
- ii) Write a job description for paid posts or role outline for volunteers listing what the post holder is expected to do, what or whom they are responsible for and who is responsible for supervising and managing them.
- iii) Write a person specification listing essential criteria and desirable criteria.
- iv) Include the Methodist Statement of Safeguarding Principles in a pack of information about the role, with local policies and procedures to emphasise how important safeguarding is to the Church.
- v) Ensure all applicants for paid roles complete an application form and volunteers complete a registration form including a confidential declaration.
- vi) Create a shortlist based upon applicants' and candidates' ability to meet the criteria.
- vii) Where possible obtain written references from all shortlisted applicants before interviewing them. In all cases references should be obtained before entering into a contract of employment with any applicant or undertaking to train any candidate. (A sample reference form can be found in *Safeguarding Children and Young People Handbook 2010*). References should be based upon the candidate's ability to undertake the role and their motivation for doing so.
- viii) Ensure that any discrepancies or gaps within the applicant's registration form are satisfactorily resolved.
- ix) Collaborate within the appointing panel on the questions to be asked or any exercises or presentations to be given.
- x) Interview applicants and candidates against agreed selection criteria using a measurable approach/consistent scoring system.
- xi) Confirm the identity of every applicant and relevant certificates of qualification or certificates of attendance at courses undertaken. This must be combined with checking their 'right to work' in the UK. In the cases of applicants for paid posts, a copy of the document should be retained for the appointed applicant.
- xii) Ensure that all applicants understand that appointment is subject to satisfactory completion of all appropriate checks including disclosure checks and registration or membership of a vetting scheme.
- xiii) Complete appropriate procedures before the person commences work.
- xiv) Plan the probationary period and subsequent reviews including assessing and planning for relevant essential training.
- xv) Plan the appropriate levels of supervision for each worker.
- xvi) Ensure that safer working practices and safeguarding procedures are both part of the induction and annual reviews.
- xvii) Ensure procedures are understood concerning complaints and grievances.

6.3 Training.

All workers with vulnerable adults should receive training. This will include the following:

- training specific to the role undertaken
- generic training in relation to the activity and the building

²⁷ This could be individually or as team supervision.

²⁸ This includes induction and training on Safeguarding children or vulnerable adults as appropriate.

²⁹ Registration with ISA, or membership of the PVG (Scotland).

- training in relation to vulnerable adults. This will include dealing with the specific issues relating to vulnerable adults. Adults may have a range of vulnerabilities which could be addressed by the appropriate use of aids and adaptations or particular skills. Specialist training may be needed with these
- adults may express their vulnerability by a range of behaviour and training may be needed in how these are dealt with and how staff are supported to avoid inappropriate behaviour and to recognise this type of behaviour including bullying in themselves and others
- training will also be needed in relation to the issues of decision making with adults whose capacities are impaired.

6.4 Guidance for those who exercise pastoral care³⁰

All those involved in pastoral care of others whether paid or unpaid, clergy or lay, should be working within these guidelines. Following such guidelines will not only protect vulnerable people but also help to ensure that workers are not wrongly accused of abuse or misconduct.

6.4.1 Pastoral relationships

Exercising any kind of ministry involves workers developing an understanding of themselves and how they relate to others, how they increase the well-being of others and how they ensure the well-being and safety of themselves and others. People in positions of trust necessarily have power, although this may not be apparent to them, therefore respecting boundaries is particularly important. Many pastoral relationships can become intertwined with friendships and social contacts, making the following guidance even more necessary.

- Church workers should exercise particular care when ministering to persons with whom they have a close personal friendship or family relationship.
- Church workers must be aware of the dangers of dependency in pastoral and professional relationships and seek advice or supervision when these concerns arise.
- Church workers who exercise a 'healing ministry' should be trained in the theology and non-intrusive practice of that work.
- Church workers 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. Church workers should consider issues of ethnicity and gender in their ministry.
- Church workers should avoid behaviour that could give the impression of inappropriate favouritism or the encouragement of inappropriate special relationships.
- Church workers should treat those with whom they work or visit with respect, encouraging self-determination, independence and choice.
- Care should be taken when helping with physical needs, washing and toileting, always respecting the choices of the individual concerned. It may be necessary for specialist training to be given in these areas and workers should always consider whether this help can be given in terms of their own safety and that of the vulnerable adult.
- Pastoral relationships may develop into romantic attachments and such situations should be handled sensitively. Workers need to recognize such a development and make it clear to both the person concerned and a supervisor or colleague. Alternative arrangements must be made for the ongoing pastoral care of the person concerned.
- Church workers should not undertake any pastoral ministry while they are under the influence of drink or drugs.

6.4.2 Conversations and interviews in a ministry context

Formal interviews and informal conversations in a ministry context are pastoral encounters. Church workers should be aware of their language and behaviour. For example, innuendoes or compliments

³⁰ Adapted from *Guidelines for the Professional Conduct of the Clergy* Church of England 2003.

of a sexual nature are always inappropriate. When a person asks questions or seeks advice around topics of a sexual nature, the worker should be discerning about the motives and needs of the person and question their own ability to assist.

The church worker should consider in advance:

- the place of the meeting, arrangement of the furniture and lighting, the worker's dress;
- the balance of privacy for conversation with the opportunity for supervision (open doors or windows in doors, another person nearby);
- the physical distance between people determined by hospitality and respect, being aware that someone may have suffered abuse or harassment in the past;
- whether the circumstances suggest a professional or social interaction;
- the propriety or danger of visiting or being visited alone and personal safety in visits, especially in the evening;
- the personal safety and comfort of all participants;
- establishing at the outset the nature of the interview in respect to subject matter, confidentiality and duration;
- the appropriateness of initiating or receiving any physical contact, for example gestures of comfort, which may be unwanted or misinterpreted;
- the specific pastoral needs of individuals and whether the worker has the skill to meet these without additional support. Certain people will need skilled and professional support to which pastoral work will be supplementary. It may be that the initial pastoral task in such a situation is to work with the individual in supporting them to access professional help;
- the issue of capacity is important in this area. Adults are presumed to have capacity to make all decisions about themselves. Those who work with them should use every endeavour to obtain the decision from the adult. However, if this fails, then the person who is working with the adult may make day to day decisions eg what they will have for lunch. More major decisions such as with whom they will have contact, need to be made in a more structured way. This will generally involve the Local Authority Adult Services.

6.4.3 Working with colleagues

The standards maintained within a pastoral relationship are equally relevant in relationships with colleagues. Harassment or bullying should never be condoned. All workers need to be aware of the possibility of stress within the work place. The needs of family should be acknowledged and all who work together should acknowledge the boundaries between work and home, allowing sufficient time for relaxation and holidays. Everyone who works with vulnerable people should know to whom they are accountable and have a designated person with whom to discuss their work in supervision

- Church workers should be aware of the responsibilities, function and style of other church workers and encourage cooperation and consultation between workers in the tasks they do.
- Colleagues should not be discriminated against, harassed, bullied or abused for any reason.
- Colleagues should not be penalised for following this guidance or for taking action regarding others and this guidance.
- When leaving office or relinquishing any task church workers should relinquish any pastoral relationship except with the agreement of any successor.
- Church workers should know to whom they are accountable and be regularly mentored by them or another person who can assist. Such mentoring is especially necessary for those undertaking a continuing individual pastoral ministry of counselling, or when their ministry takes them outside normal church work.
- Church workers should ensure that their tasks can be carried out by another if they are ill or otherwise unable to fulfil their responsibilities. This means appropriate records should be maintained and a diary of engagements kept.

6.4.4 Sexual conduct

The sexual conduct of church workers may have an impact on their ministry within the Church. 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.

- Church workers must never sexually abuse or harass an adult or a child.
- Church workers must take responsibility for their words and actions if wishing to make physical contact with another adult (eg a hug may be misunderstood) or talk to them about sexual matters. This will include seeking permission, respecting the person's wishes, noticing and responding to non-verbal communication, refraining from such conduct if in doubt about the person's wishes.
- Church workers must not view, possess or distribute sexual images of children and should refrain from viewing, possessing or distributing sexually exploitative images of adults.
- Church workers should avoid situations where they feel vulnerable to temptation or where their conduct may be misinterpreted.

6.4.5 Financial integrity

Financial dealings can have an impact on the church and the community and 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 should not seek personal financial gain from their position beyond their salary or recognised allowances.
- Church workers should not be influenced by offers of money.
- Church workers 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.

There are particular issues in relation to Lasting Powers of Attorney and wills.³¹ A Lasting Power of Attorney can be made by an adult with capacity and can deal with issues of finance and/or welfare. When the person making the Lasting Power of Attorney loses their capacity (ability to make decisions), the person named as Attorney can continue to make decisions on their behalf. The safeguards in this instrument are that it has to be registered with the Court of Protection. It would be appropriate if an individual wishes to name a church worker as Attorney if the individual received independent legal advice on the subject before entering into this. This safeguards the church worker from possible issues of undue influence. However, the church worker should consider this carefully and may wish to seek their own advice which can be accessed through the District Safeguarding Adults group. This is not a task to be taken lightly.

In relation to wills, the guidance relating to Lasting Powers of Attorney should be followed where appointment as an Executor is being considered or where the individual is considering a bequest to a church worker or to a church. This should always be raised in supervision and with the District Safeguarding Adults Group for advice.

6.4.6 Behaviour outside work and Christian ministry

In church ministry behaviour outside work can often impinge on that ministry. Church workers are expected to uphold Christian values throughout their lives.

³¹ The Lasting Power of Attorney is the successor to the Enduring Power of Attorney.

6.5 Advocacy

Church workers are often placed in the role of advocate. Advocacy for adults who are vulnerable is especially important. Advocacy is about speaking up for, or acting on behalf of, yourself or another person. Advocacy can help individuals to:

- make clear their own views and wishes;
- express and present their views effectively and faithfully;
- obtain independent advice and accurate information;
- negotiate and resolve conflict.

Some people aren't clear about their rights, or have difficulty in fully understanding these rights. Others may find it hard to speak up for themselves. Advocacy can enable people to take more responsibility and control for the decisions which affect their lives.

6.5.1 Advocacy principles

- What the person communicates and wants is the most important thing.
- Advocacy enables individuals to do more for themselves and lessens their dependency on other people.
- Advocacy should help people to make informed choices. An advocate must ensure the individual is making real choices based on good quality information.
- Advocates should not have a conflict of interest. They should be independent

N.B. Safeguarding Advisers or Coordinators at Circuit or District level are not expected to take responsibility for all advocacy eg for disability rights or access issues.³² These are the responsibility of the whole Church, although some safeguarding advisors may have the necessary skills and may wish to be involved in this area. While safeguarding does relate to these areas, and there are areas in common, this is an area which is distinct from the core tasks of responding to good practice queries and issues, to specific concerns and in enabling and supporting training

6.6 Cultural Diversity

In their publication *Cultural Diversity in Britain*³³ the Joseph Rowntree Trust noted in their conclusions on the role of the faith communities:

“ the faith sector is increasingly focusing on intercultural dialogue from within a perspective of human understanding and conflict reduction. It may be useful for faith organisations to consider broadening their view to assess the advantages of cultural mixing and cross-fertilisation.”

In section 6.1 Underpinning safe and inclusive practice, is set out an approach to working with individuals, carers, families and communities. It is therefore an approach which has a resonance in a society where cultural diversity is a given.

7. RESPONDING TO ABUSE

Disclosures may not always be made verbally or in writing to the worker. Sometimes, a worker will observe a situation which seems to be abusive or neglectful. Sometimes the adult has no means to communicate verbally but communicates distress by some other means, such as tears. Careful 'listening' is important and an adult may need support to tell their story. It is important that the

³² You should consult your District Disability Advisor.

³³ 2006.

story is received and taken seriously. It is not the worker's job, nor that of the church, to conduct an investigation. That is the task of the Local Authority's Adult Services and the police. Immediate safety should be ensured if necessary.

N.B. A *Domestic Abuse guidelines and flow chart* and a *Responding to Abuse* flow chart will be made available in a handbook.

7.1 Process and confidentiality

7.1.1 The first issue which needs to be taken account of is confidentiality. An adult will be presumed to have capacity to make decisions for themselves. Therefore if an adult requests confidentiality in respect of an issue, this should be accepted. (The worker should be able to access their own support in dealing with the issues and conflicts this raises.) A note should be retained of the matter.

7.1.2 The exceptions to this are as follows:

- where the disclosure relates to harm to another person. So, for example, if the disclosure is of domestic abuse in relation to a partner
- where the disclosure relates to a risk of harm to a child or vulnerable adult. So, for example, if an adult discloses childhood abuse and the alleged perpetrator is still in a position to harm children. Similarly if the complaint relates to a worker
- where the disclosure is by an adult who does not have the capacity to make a decision as to whether the matter should be dealt with through an adult safeguarding route, i.e. adult social care. For example, if an adult in the late stages of dementia shows a worker bruises which appear non-accidental in origin and all attempts to find out what the adult wants done with this information fail.

7.1.3 Once a disclosure (with the exceptions at 7.1.2) has been made the procedure adopted for the church should be followed. In cases of emergency or where there is need for urgent action, the local authority adult services (if necessary by using their out of hours number) or the police should be informed. Where the need is less urgent or in any event as soon as possible, the worker should ensure that their immediate line manager, the minister and the District Safeguarding Adults Coordinator is notified (unless that person is implicated in the disclosure). In respect of notifying anyone else, such as carers, advice should be taken from the local authority or police (if urgent) or from the District Safeguarding Adults Coordinator. The worker to whom the disclosure has been made should ensure their own pastoral needs are met during this process, as such issues take a clear emotional toll.

Harm which is significant should always be referred to the statutory agencies, subject to consideration of confidentiality issues.

When a disclosure is made the worker should listen carefully to what is being communicated and do so without asking leading questions (those which presume or prompt a particular answer). If there is any evidence of the abuse this should be preserved and sealed.

If a worker has received a disclosure, they should record in writing the contents of that disclosure. The record should be as clear as possible and should include such description as is appropriate. It should avoid opinion and should be dated and signed.

The worker and those supporting them should always find out what process is being adopted by the statutory agencies for this will have an impact on both the worker and the vulnerable adult. This can usually be undertaken with the assistance of the District Safeguarding Adults Coordinator. Support should always be sought by the worker. It may be that a disclosure leads to criminal or other proceedings and it can be daunting for a worker to give evidence in court. Support for this process can and should always be given through the District Safeguarding Adults Coordinator.

It should be remembered that dealing with safeguarding issues in relation to vulnerable adults should include the adult (and wherever possible their carers) as much as possible. Safeguarding should not be imposed on adults without their involvement.

7.2 Record keeping and privacy³⁴

- Church workers should consider keeping a brief record of pastoral encounters to include date, time, place, subject and actions to be taken. The content of any encounter should only be recorded with the person's consent unless it is a matter of child/adult protection or might be a record of suspicion of abuse or mistreatment.
- Any record should be factual and avoid rumour or opinion.
- Records concerned with abuse should be kept indefinitely (at least 70 years).
- The publishing, sharing or keeping of personal data or images should follow the appropriate legislation. The Data Protection Act 1998 prevents the publishing of information without consent from the person concerned. However, disclosure is permissible where a person is unable to give consent or consent is not given and disclosure is necessary in the public interest or where disclosure is made to the police for the purpose of detecting or preventing crime. Advice should be sought on this from the District Safeguarding Adults Coordinator.³⁵

The Methodist Church is registered with the Data Protection Registrar and therefore documents (including electronic documents) may only be held for the purposes for which they are given. It should be understood that such documents can be required to be produced either to a person about whom they are written, for the purpose of detection or prevention of crime, or for the purpose of court proceedings.

7.3 Information Sharing

The Methodist Church has produced a good practice information sheet – *Information Sharing*. This document can be downloaded from the resources section of the Safeguarding pages of the Methodist web site.

The following is a summary of good practice from the DCSF.³⁶ Among other things this good practice therefore requires that all ministers share key information which is needed for the safeguarding children or vulnerable adults with their successors, with safeguarding reps at Church, Circuit or District levels as needed and with the local authority or the police in particular cases as required.

Seven golden rules for information sharing

- i) Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living persons is only shared appropriately.
- ii) Be open and honest with the person (and/or their family where appropriate) from the outset about why, what, how and with whom information will, or could be shared, and seek their agreement, unless it is unsafe or inappropriate to do so.
- iii) Seek advice if you are in any doubt, without disclosing the identity of the person where possible.
- iv) Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if, in your judgement, that lack of consent can be overridden in the public interest. You will need to base your decision on the facts of the case.
- v) Consider safety and well-being: Base your information sharing decisions on considerations of the safety and wellbeing of the person and others who may be affected by their actions.

³⁴ *With Integrity and Skill* Methodist Conference 2008 and further guidance on record keeping and retention of record on the Methodist Church website www.methodist.org.uk

³⁵ Records should be kept securely with a procedure for collecting and retaining records.

³⁶ Department of Children Schools and Families.

- vi) Necessary, proportionate, relevant, accurate, timely and secure: ensure that the information you share is necessary for the purpose for which you are sharing it. It is shared only with those people who need to have it. It is accurate and up to date. It is shared in a timely fashion and its shared securely.
- vii) Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose.

If you are unsure about any of these, consult your District Safeguarding Advisor.

8. CARE OF ADULT SURVIVORS³⁷

Adult survivors of childhood abuse include those who have survived sexual, physical and emotional harm or neglect. They may be survivors with other vulnerabilities such as learning disabilities.

It is known that many people within the Church are survivors of childhood abuse. However, they will not necessarily make themselves known within the church. Indeed their experiences may be known to nobody. Many women and men have never found anyone they can trust enough to tell. The church needs to make sure all its practices take this into account. This requires a consideration of practice and language. This is particularly likely to be the case if the abuse has included elements of ritual practice, when items such as the cross will have particular significance. It may be that touch is a difficult area and the church will need to consider its practice in passing the Peace during a communion service. Derisory language should always be challenged and language within worship should be considered. Whilst the use of the Lord's Prayer is essential to worship, nevertheless the use of the word 'father' may be excluding to some people because of their childhood experiences. Consideration should be given to the use of inclusive language even in the Lord's Prayer, at least some of the time.

Adult survivors may show a range of behaviour as a result of their experiences. This can range from withdrawal and depression to anger, substance abuse and self-harming.

This can all lead to a challenging pastoral situation. If a survivor decides to tell someone of their experiences, they may need to do so repeatedly so that they can 'process' their story. It may be necessary to inform Children's Services or the police, which will require significant support, particularly if criminal proceedings ensue. Issues of forgiveness may require resolution for the survivor. There is no easy or quick solution to these issues and the survivor should not be hurried, nor made to feel guilty, nor made to do anything (such as forgive) for which they are not ready. They need to be accepted as they are, to know that God loves them unconditionally and to be confident that the church community is with them on their journey, however quickly or slowly that may be and in whatever way that journey may take. It may be that additional professional services are needed to support this process and those concerned should approach the District Safeguarding Group which will be able to provide advice on access to resources and services.³⁸

9. Ministering to those where there are concerns as to previous behaviour

9.1 Introduction

The purpose of providing good practice for ministering to and providing pastoral care for those who have been convicted or cautioned is to enable those who might pose a risk to be able to worship and be part of a church community more safely. The procedures outlined here and in the *Constitutional Practice and Discipline* of the Methodist Church are also to be used as a model of good practice when someone is suspended or awaiting trial for sexual offences in order to

³⁷ See Conference report 2006 *Tracing Rainbows through the Rain* for more on this and good practice with survivors of sexual abuse – this is available at www.methodist.org.uk

³⁸ See Conference report *Tracing Rainbows* available at www.methodistchurch.org.uk

safeguard both those involved and all members of the church community.

N.B. Standing Orders are currently being revised in relation to working with children and young persons or vulnerable adults and as to appointment to an office, post or position of responsibility and relating to 'contracts' with those who are convicted or cautioned

9.2 The *Church and Sex Offenders Report, 2000*, recommended the setting up of 'Support and Monitoring' groups to manage those who have convictions and cautions for sexual offences against children or adults in Churches/Circuits. (This is in SO690f and Part 2 Section 12 of the guidance section of CPD. It is reproduced as Appendix G in *Safeguarding Children and Young People, 2010*.)

These arrangements should be regarded as a 'covenant of care'. It is proposed that they be called a 'covenant of care agreement' / 'covenant of care arrangements' in future.

Key components of such a Covenant of Care:

- pre-release phase where applicable/possible
- setting up a small group at Church and/circuit level
- risk assessment – this may not be an externally commissioned professional risk assessment but it will be informed by these where possible.
- writing a contract – ideally together with the *person* involved and obtaining their agreement and understanding. Monitoring arrangements should be part of such an agreement.
- meet regularly and review membership, training and support for the group
- review the contract – at regular intervals – not less than annually, or when circumstances change.

N.B. Such a group can be set up 'in principle' in advance by Church Councils.

9.3 The requirements set out in Section 69 of Standing Orders³⁹ and in Part 2 Section 12 of the Guidance Section of the *Constitutional Practice and Discipline of the Methodist Church (CPD)*⁴⁰ offers a framework for this. This is to be reviewed in 2011, but the following are additional points and do not replace the guidance as they stand.

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

- residential events, especially 'all age' events
- events in another church or church organisation, circuit or national events
- finding another church or circuit when there are victims/survivors in former/current church
- opportunities for development of the subject's discipleship safely and once they have demonstrated cooperation and trust with the agreement.

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

- insisting a church provides for a sex offender, when the church or minister rejected them outright
- developing a contract where there are 'old matters' convictions or cautions on someone's record but where some sort of contract is necessary
- deciding what cases can be 'light touch'
- keeping interest and energy of the monitoring group
- worship/membership. This should be considered with great care for the victims in the case⁴¹. The presumption should be that unless there are good reasons the sex offender

³⁹ In CPD.

⁴⁰ At the back of CPD.

⁴¹ Or on occasions when necessary, other alleged victims or survivors of abuse.

- should worship elsewhere.
- sustaining the contract for years and possibly decades
- the provision of training for the members of the group and the wider church on these things
- the development of discipleship for the subject over many years.

10. HANDLING DISAGREEMENTS AND COMPLAINTS

10.1 The Methodist Church has a formal complaints and discipline procedure for members and officers.

Disagreements may arise within the church or in relation to the church. This may be a minor issue, which can be resolved between those involved and this will amount to the majority of disagreements. However, if a disagreement is not capable of such resolution, it should be taken seriously and not ignored.

10.2 In relation to complaints, each Circuit has a local complaints officer in connection with the Complaints and Discipline procedure of the Methodist Church. This will often be the Superintendent Minister of the Circuit. However, it should be accepted that anybody in the church who receives a complaint should deal with it in some way. This may be by resolving it, if it is a minor issue, or by passing it on to the local complaints officer. However, the local church should have a complaints procedure which is aimed at dealing with issues expeditiously and appropriately.

10.3 This procedure could helpfully name a person within the church who will take responsibility and whose name and some means of contact is available within the church. Such a procedure shows that the church takes complaints seriously and wishes to improve its practice. Further details about the formal complaints and discipline procedure can be obtained from Part 11 in the *Constitutional Practice and Discipline of the Methodist Church* or from the District Office.

10.4 If a complaint is made against a worker, consideration should always be given to the suspension of that worker. Advice should be obtained from the District Safeguarding Adults Coordinator. If the complaint is or may be of criminal conduct, urgent and active consideration should be given to referral to the police and the rationale for any decision should be documented. In less serious matters, careful thought should be given to the ability to resolve any complaint and the ensuing training needs. The pastoral needs of the worker should be actively considered and met within the church, with support from the District if appropriate.

10.5 Wider implications

It should be noted that matters of this type always raise pastoral issues for other people. Those who work alongside the worker may well be suffering from stress and may feel an abuse of their trust. The families of the worker and the vulnerable adults concerned may also feel such an abuse of trust and the whole congregation may feel their sense of mission compromised. The minister and the church stewards need to ensure resources for these additional tasks are available and this is likely to require support from the District.

10.6 Referral

If a worker is prosecuted or dismissed as a result of abusive conduct towards vulnerable adults, there is a duty to refer the matter to the Independent Safeguarding Authority. If a worker hands in his or her resignation prior to the completion of disciplinary or criminal procedures, that duty still exists. The District Safeguarding Adults Group Coordinator will assist with this process. See the protocol in Appendix to *Recruiting Safely in the Methodist Church (2010)*.

***RESOLUTIONS

- 36/1. The Methodist Conference adopted the policy document entitled "Safeguarding Adult and directed that it be published and implemented throughout the Church.
- 36/2. The Conference further directed the Methodist Council:
- (a) to ensure that proposals for dealing with the issue of safeguarding vulnerable adults in processes of learning and development are formulated and brought to the Council within the next 12 months; and
 - (b) to include the implications of this policy in a review of the policy and procedures entitled "The Church and Sex Offenders".
- 36/3. The Conference directed the Law and Polity Committee to consider whether any changes to Standing Orders are required in the light of the policy "Safeguarding Adults".
- 36/4. The Methodist Conference directed that:
- (a) Districts appoint a District Safeguarding Adults Group or additional members of an existing Safeguarding group in accordance with models that are recommended in the policy "Safeguarding Adults", together with a coordinator for Safeguarding Adults; and that districts support and resource these roles and the group report to the District Policy Committee or its equivalent at least annually;
 - (b) Circuits appoint, support and provide resources for a Circuit Safeguarding Adults Coordinator, who reports to the Circuit meeting at least annually.