

**Safeguarding Children and Young People - policy and guidance for good practice and procedures for the Methodist Church, 2010**

**Basic Information**

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<b>Status of Paper</b>	A Council document for final approval subject to scrutiny and final editing
<b>Action Required</b>	Decision
<b>Draft Resolution</b>	The Methodist Council (or Conference) adopts this policy and guidance for good practice and procedures. <i>See draft resolutions in section 9 of the report</i>
<b>Alternative Options to Consider, if Any</b>	The timetable for production of this document was agreed by Conference in 2009. Safeguarding has changed substantially over the last 7 years and our current document is long overdue for revision and updating. Feedback on the previous document also suggested substantial re-editing and reordering was needed. There have also been two or three substantial legislative changes and statutory guidance for the safeguarding and protection of children since 2003. There is also increased experience of safer recruitment and vetting procedures which have now been separated out into 'Recruiting Safely' for Conference this year, which covers recruitment for work both with children and vulnerable adults. This is a core good practice handbook which now needs both approval and swift publication.

**Summary of Content**

<b>Subject and Aims</b>	Safeguarding good practice concerns the development of safer care to all and thus expresses the love and welcome of God for all people. Child abuse is a scourge on individuals, on our church and in our society and we must name it as such, doing everything we can to prevent it and to nurture children. A Christian approach to safeguarding children will therefore ask both individuals and communities to create a safer environment for children and their carers, to act promptly on any complaints made, to care for those who have been abused in the past and to minister appropriately to those who have abused. This is a core handbook for Safeguarding.
<b>Main Points</b>	A Joint Statement of Principles on safeguarding (Church of England and Methodist Church) has been negotiated and agreed. Safeguarding is everyone's business. <b>A brief outline of contents</b> – 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.
<b>Background Context and Relevant Documents (with function)</b>	Previous Methodist Safeguarding policy and procedures last issued in 2003 was based on Home Office - Safe from Harm 1993 which has fallen out of use. Developments since then – see list of Acts and statutory guidance below.
<b>Consultations</b>	This document is still under a scrutiny and feedback process. Comments have been incorporated thus far. The length of the document is an issue we are hoping to manage by separating out Appendices and providing supplementary material on the web in due course. However, we do need one core document.

## **Summary of Impact**

<b>Standing Orders</b>	Sex offender policy and SOs (690 etc.) – are already scheduled for full Review this year, see resolutions. Other issues are included under safer recruitment changes, e.g. SO 010 and Safeguarding Adults.
<b>Faith and Order</b>	F&O have made comments on both the Joint Statement of Principles and Theological Approach.
<b>Financial</b>	This document firms up the need for a level of resources needed at District and Circuit levels to support Safeguarding groups and Coordinators and associated administration. Where this is combined with Safeguarding adults work there will be some augmentation needed and potentially some additional costs. This is likely to be quite small where the District is already well equipped but may be larger when this is not the case. This Safeguarding policy and effective support of the work in Districts under greater pressure because there is a real need both for increased good practice and training but also this effective 'presence' will be consulted more regularly about concerns, incidents and allegations.
<b>Personnel</b>	See 'Recruiting Safely' implications
<b>Legal</b>	See SO 010 2) i) changes.
<b>Wider Connexional</b>	All levels of church life will be affected. Safeguarding is everyone's business.
<b>External (e.g. ecumenical)</b>	Other Churches are doing likewise or have already done so, e.g. Baptists, Catholics (CSAS) and C of E.
<b>Risk</b>	None.

### Relevant documents and agencies

The Sexual Offences Act 2003

Children Act 2004, and Every Child Matters

Working Together 2006 and 2010 statutory guidance on the welfare and safeguarding of children

Safeguarding Vulnerable Groups Act 2006

Independent Safeguarding Authority implementing procedures from 2009

Multi-Agency Public Protection Arrangements (MAPPA) guidance 2008

*Recruiting Safely* Children's Workforce Development Council (CWDC) 2009

*Guidance for Safer Working Practice for Adults who work with Children and Young People*, Department for Children, Schools and Families (DCSF) 2007

*Time for Action* - Churches Together in Britain and Ireland, 2002

*Tracing Rainbows* – the Methodist Conference 2006

*Creating Safer Space* - the Methodist Conference 2007

# **Safeguarding children and young people**

## **Policy and guidance for good practice, and procedures for the Methodist Church**

### **Revised edition 2010**

[A short **boxed** summary of how to respond when abuse occurs/ a flowchart will be included here]

Foreword by the President of Conference

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

### **Policy and guidance for good practice, and procedures for the Methodist Church**

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- 1.1 Theology and pastoral care
- 1.2 Societal context
- 1.3 Description and brief discussion of definitions

#### **2 Principles underlying the policy – *the outworking of the statement***

#### **3 Definitions of forms of harm**

- 3.1 Physical
- 3.2 Emotional
- 3.3 Sexual
- 3.4 Financial
- 3.5 Domestic Abuse
- 3.6 Spiritual Abuse

#### **4 Implementing the policy**

- 4.1 Checklist
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- 5.1 Safe Recruitment Practice– *a summary*
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- 6.3 Reporting concerns
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- 6.17 Resignations and compromise agreements
- 6.18 Record keeping
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## **7 Care of adult survivors**

## **8 Ministering to those with criminal convictions**

## **9 Resolutions for decision at the Methodist Council**

## **10 Appendices**

- A. A list of the statutory framework documents and Church reports
- B. Model local church policy
- C. A local church checklist
- D. A list of responsibilities at Circuit, Church and District levels
- E. Checklists for Districts, Circuits and Churches
- F. Model code of conduct for church workers with children
- G. Sex Offender policy as set out in CPD
- H. Reporting Serious Cases to the Charity Commission
- I. The Reporting form – *for cases*
- J. Domestic Abuse flowchart
- K. Resources
- L. Glossary

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

## **Preamble**

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

## **Principles**

We are committed to:

- The care and nurture of, and respectful pastoral ministry with, all children, young people and adults
- The safeguarding and protection of all children, young people and adults when they are vulnerable
- The establishing of safe, caring communities which provide a loving environment where there is a culture of "informed vigilance" as to the dangers of abuse.

We will carefully select and train all those with any responsibility within the Church, in line with Safer Recruitment principles, including the use of criminal records disclosures and registration with<sup>1</sup> the relevant vetting and barring schemes.

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

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

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

We will seek to offer pastoral care and support to, including supervision and referral to the proper authorities of 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.

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

## **1. Introduction**

### **1.1 Our Theological Approach.**

- 1.1.1 Every human being has a value and dignity which comes directly from the creation of male and female in God's own image and likeness. Christians see this as fulfilled by God's re-creation of us in Christ. Among other things this implies a duty to value all people as filled with the Holy Spirit and therefore to protect them from harm. Christ saw children as demonstrating a full relationship with God. He gave them status, time and respect.
- 1.1.2 God is present and at work in the world in many 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 or representing the Church we should reflect the character of God. We are called to welcome and care for the oppressed, the marginalized, 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.
- 1.1.3 Every person is equally precious to God. Each one needs the assurance that respect for this brings. Individuals who suffer abuse often experience a loss to their identity and worth; there is often shame and a false guilt. The Church is intended to be a place where men and women, children and young people, those who are hurt and damaged, may find healing and wholeness. It is our calling to be agents of healing and recovery in such a way that enables victims to become survivors, 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.
- 1.1.4 Justice is as important as compassion. Often survivors of child abuse find an unsympathetic hearing. They are 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).
- 1.1.5 Many who have endured child abuse consider that mercy towards those who have sinned is set above the need for the victims to be enabled to find justice. Both are essential. In creating humankind God made us to be together, to live in community. When one suffers we all suffer. We are all made poorer by every incidence of child or adult abuse. 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.
- 1.1.6 In the 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 survivors of 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.

- 1.1.7 Our congregations can be a refuge for those who have perpetrated abuse but are seeking help in maintaining a non-abusive way of life. Some abusers may see church membership as an opportunity to be close to children or vulnerable parents in order to continue their abusive patterns of behaviour. Experience shows that whether penitent or not, abusers 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.
- 1.1.8 Child abuse is a scourge on individuals, on our church and in our society and we must name it as such, doing everything we can to prevent it and to nurture children. A Christian approach to safeguarding children will therefore ask both individuals and communities to create a safer environment for children and their carers, to act promptly on any complaints made, to care for those who have been abused in the past and to 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.

## **1.2 Societal context**

The abuse of children is often dominated by a press and media coverage which is sensational and misleading. Safeguarding is about the welfare and the protection of children and young people. This is something the whole church should be concerned about and engaged in through developing, supporting good practice and responding appropriately when harm occurs. The government, local authorities, schools and the wider statutory sector have in recent years sought to engage in safeguarding, as concerned for the whole child since Every Child Matters and the Children Act 2004. The Working Together document which addresses interagency and multi-agency working on the welfare and protection of children has been revised twice since 2003 (our last edition of Safeguarding in the Methodist Church).

The Bichard report and work on the Safeguarding Vulnerable Groups Act has applied safer recruitment principles across both the voluntary and statutory sectors. Guidance on 'Safer Recruitment' in schools (2007) and the Children's Workforce Development Council 'Recruiting Safely' (2009) for the voluntary sector have both followed. In Scotland this has been followed by the Protection of Vulnerable Groups Act.

In addition, Local Safeguarding Children's Boards (in England and Wales) and Local Authority Designated Officers (in England) have been appointed who have duties to ensure faith groups are both trained in safeguarding and are represented. Children's Commissioners have also been appointed across the UK.

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

There is often an unhelpful emphasis on sexual abuse in society, when physical abuse and emotional abuse sometimes alongside domestic abuse are more common. All abuse is also more likely to occur in families or from extra-familial relations and friends. This presents a challenge to the church and to society to engage with safeguarding children and young people as a whole.

In the churches there continues to be a growth in ecumenical agreement and cooperation on Safeguarding, especially between the Methodist Church and the Church of England, as

part of the outworking of the Covenant. However our continued participation in Churches Agency for Safeguarding and the Christian Forum for Safeguarding is of great benefit in building and maintaining relations with all Churches, especially the Baptist Church and the United Reformed Church, the Society of Friends, the Catholics (CSAS<sup>2</sup>), the Salvation Army, the Church of Scotland, the Assemblies of God and Churches Child Protection Advisory Service. Furthermore, these bodies enable and enhance our participation in discussions with government departments and agencies.

### 1.3 Description and definitions

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

Working Together 2010 states:

The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or in a Young Offenders' Institution, does not change his or her status or entitlement to services or protection under the Children Act 1989.

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

- protecting children from maltreatment;
- preventing impairment of children's health or development;
- ensuring that children are growing up in circumstances consistent with the provision of safe and effective care;

and undertaking that role so as to enable those children to have optimum life chances and to enter adulthood successfully.

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

Effective child protection is essential as part of wider work to safeguard and promote the welfare of children. However, all agencies and individuals should aim proactively to safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced.

#### **Children in need**

Children who are defined as being 'in need', under section 17 of the Children Act 1989, are those whose vulnerability is such that they are unlikely to reach or maintain a satisfactory level of health or development, or their health and development will be significantly impaired, without the provision of services (section 17(10) of the Children Act 1989), plus those who are disabled. The critical factors to be taken into account in deciding whether a child is in need under the Children Act 1989 are:

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

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

### **The concept of significant harm**

Some children are in need because they are suffering, or likely to suffer, significant harm. The Children Act 1989 introduced the concept of significant harm as the threshold that justifies compulsory intervention in family life in the best interests of children, and gives local authorities a duty to make enquiries to decide whether they should take action to safeguard or promote the welfare of a child who is suffering, or likely to suffer, significant harm.

A court may make a care order or supervision order in respect of a child if it is satisfied that:

- the child is suffering, or is likely to suffer, significant harm; and
- the harm, or likelihood of harm, is attributable to a lack of adequate parental care or control

‘**harm**’ means ill-treatment or the impairment of health or development, including, for example, impairment suffered from seeing or hearing the ill-treatment of another;

## **2 Safeguarding policy of the Methodist Church**

The Methodist Church, in all aspects of its life, is committed to and will champion the safeguarding of children and young people both in society as a whole and in its own community. It fully accepts, endorses and will implement the principle first enshrined in the Children Act 1989, that the welfare of the child is paramount. The Methodist Church will foster and encourage best practice within its community by setting standards for working with children and young people and by supporting parents in the care of their children. It will work with statutory bodies, voluntary agencies and other faith communities to promote the safety and wellbeing of children. It is committed to acting promptly whenever a concern is raised about a child or about the behaviour of an adult or someone under the age of eighteen in a position of trust, and will work with the appropriate statutory bodies when an investigation into child abuse is necessary.

### **Discussion of the Principles**

The statement of principles at the front of this document is a common statement for our ‘suite’ of guidance documents on the safeguarding both of children and of vulnerable adults. The rest of this document considers the implications primarily for children and young people. A separate document ‘Safeguarding Adults’ will deal with this issue<sup>3</sup>. The appendices will contain some generic material.

### **We are committed to:**

- **The care, nurture of, and respectful pastoral ministry with, all children, young people and all adults**
- **The safeguarding and protection of all children, young people and adults when they are vulnerable.**
- **The establishing of safe, caring communities which provide a loving environment where there is a culture of vigilance as to the dangers of abuse.**

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<sup>3</sup> Reference to be inserted.

The safeguarding and protection of children is everyone's responsibility, not just that of parents or those who have this as part of their formal responsibilities. The term safeguarding covers safer recruitment, safer practice, responding to concerns, working with partner agencies, dealing with allegations against those responsible for children and other matters that may be relevant. The term child protection is used for responding to concerns where it appears that a child may have been harmed.

Procedures and formal processes, though essential, will not alone protect children. The community including all its members needs to be aware of the dangers and be prepared to report concerns and take action if necessary.

The child's welfare is the paramount consideration in matters of private or public law affecting children which come before the family courts. The Church extends this to all matters relating to the care and welfare of children, bearing in mind that conflicts of interest can arise from time to time between the welfare of children and that of adults.

- **We will carefully select and train all those with any responsibility within the Church, in line with safer recruitment principles, including the use of criminal records disclosures and registration with the relevant vetting and barring schemes.**

Safer recruitment principles for the Methodist Church are set out in detail in companion volume 'Recruiting Safely'<sup>4</sup>. The suitability of an applicant or nominated volunteer for work with children is not only dependent upon vetting checks and criminal record disclosures. Someone who is 'cleared' may still be unsuitable and other safer recruitment principles should be applied.

In England registration with the Independent Safeguarding Authority (ISA) is a statutory requirement for a number of people who work with children, which will be phased in over a period for new and existing staff. It is the policy of the church that all those who regularly work with children, including those who work on a rota, should have both enhanced CRB checks and ISA registration. Those who work only occasionally will be asked to apply for CRB checks and ISA registration if they fulfil the ISA threshold requirements. They will also be asked to complete a confidential declaration.

An equivalent scheme is due to be implemented in Scotland following the Protection of Vulnerable Groups Act 2007. More detail on both schemes is contained in Recruiting Safely in the Methodist Church [*Conference report 2010*].

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

The church accepts that, through its workers, it is responsible for children who are entrusted to them by their parents in the church building, on church property and other premises being used, and during church activities, including travel between places

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<sup>4</sup> 'Recruiting Safely in the Methodist Church' policy and procedures document [*for approval Methodist Conference 2010*]

when organized by the church. It is not responsible for private arrangements made by parents.

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

The term complaint can cover an allegation, disclosure or statement; something seen or something heard. The complaint need not be made in writing but once received needs to be recorded and acted upon.

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

The Church does not investigate allegations of abuse or neglect of children itself but refers them to the appropriate statutory agencies. The church may need to make preliminary enquiries to establish the accuracy of information being passed to the statutory body.

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

Support will be offered to adult survivors of child abuse who will also be encouraged to make a statement to the police if they have not done so before. The church has issued separate guidance on work with survivors<sup>5</sup>.

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

We are aware that those in positions of trust and responsibility, in the church as elsewhere, may be subject to temptation to abuse their power and exploit or harm others. We seek to take action to deal with any abuse.

Allegations of abuse or misconduct in relation to children by church officers will be referred to the Local Authority Designated Officer (LADO, in England) or the equivalent role (in Wales and Scotland) and investigated in accordance with their advice.

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

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

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<sup>5</sup> *Responding well to survivors*, House of Bishops, forthcoming.

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

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

### **3 Definitions of forms of harm and indicators**

Child abuse has many forms. There are four identified categories of abuse as described in *Working Together to Safeguard Children* 2010: physical, emotional, sexual and neglect. Responding to abuse is contained in Section 6 below. It is important not to investigate but to seek advice.

Somebody may abuse or neglect a child by inflicting harm, or by failing to act to prevent harm. Children may be abused in a family or in an institutional or community setting, by those known to them or, more rarely, by a stranger. They may be abused by an adult or adults, or another child or children. The categories listed here 3.1- 3.4 are those recognised in statutory guidance as is domestic abuse 3.5.

Church officers, employees, members and volunteers should also be aware that other forms of abuse can occur, e.g.:

- Stranger abuse
- Internet-related abuse<sup>6</sup>
- Bullying (abuse by other children)
- Fabricated or induced illness
- Disabled children
- Deliberate self harm (overdoses, cutting)
- Domestic abuse – *see below*
- Allegations of possession by evil spirits
- Child trafficking
- Sexual exploitation
- Forced marriage

The government issues guidance documents or advice for several of these specialist topics.

Spiritual abuse [3.6] is not recognised by the statutory sector, however a definition is available. Some aspects of such abuse need to be recognised under the four categories abuse such as emotional abuse or physical abuse (e.g. forced healing rituals).

#### **3.1 Physical abuse**

Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child.

Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

##### **3.1.1 Indicators of physical harm:**

- Bruising, especially trunk, upper arm, shoulders, neck or finger tip bruising.
- Burns/scalds, especially cigarette.

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<sup>6</sup> See Nicola David: *Staying Safe Online*, Grove 2007

- Human bite marks.
- Fractures, especially spiral.
- Swelling and lack of normal use of limbs.
- Serious injury with lack of / inconsistent explanation.
- Untreated injuries.

### 3.1.2 Psychological signs of physical abuse include:

- Unusually fearful with adults.
- Unnaturally compliant to parents.
- Refusal to discuss injuries/fear of medical help.
- Withdrawal from physical contact.
- Aggression towards others.
- Wears 'cover up' clothing.

## 3.2 Emotional abuse

Emotional abuse is the persistent emotional maltreatment of a child such as to cause severe and persistent adverse effects on the child's emotional development. It may involve conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. These may include interactions that are beyond the child's developmental capability, as well as overprotection and limitation of exploration and learning, or preventing the child participating in normal social interaction. It may involve seeing or hearing the ill-treatment of another. It may involve serious bullying, causing children frequently to feel frightened or in danger, or the exploitation or corruption of children. Some level of emotional abuse is involved in all types of maltreatment of a child, though it may occur alone.

### 3.2.1 Signs of emotional abuse include:

- Physical, mental and emotional lags.
- Acceptance of punishments, which appear excessive.
- Over reaction to mistakes.
- Continual self-depreciation.
- Sudden speech disorders.
- Fear of new situations.
- Neurotic behaviour (such as rocking, hair twisting, thumb sucking).
- Self-mutilation.
- Fear of parents being contacted.
- Extremes of passivity or aggression.
- Drug/solvent abuse.
- Running away
- Low warmth, high criticism parenting

## 3.3 Sexual abuse

Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, not necessarily involving a high level of violence, whether or not the child is aware of what is happening. The activities may involve physical contact, including assault by penetration (e.g. rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. They may also include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, encouraging children to behave in sexually inappropriate ways, or grooming a child in preparation for abuse.

Sexual abuse is not solely perpetrated by adult males. Women can also commit acts of sexual abuse, as can other children (usually defined where there is a significant age difference of three years or more).

#### **3.3.1 Physical signs of sexual abuse include:**

- Damage to genitalia, anus or mouth
- Sexually transmitted disease
- Unexpected pregnancy especially in very young girls
- Soreness to genitalia area, anus or mouth
- Unexplained recurrent urinary tract infections, discharges or abdominal pain

#### **3.3.2 Psychological signs of sexual abuse include:**

- Sexual knowledge inappropriate for age
- Sexualised behaviour in young children
- Sexually provocative behaviour/promiscuity
- Hinting at sexual activity
- Sudden changes in personality
- Lack of concentration, restlessness
- Socially withdrawn
- Overly compliant behaviour
- Poor trust in significant adults
- Regressive behaviour, onset of wetting – day or night
- Suicide attempts, self mutilation, self disgust
- Eating disorders, hysteria attacks

### **3.4 Neglect**

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health or development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to:

- provide adequate food, clothing and shelter (including exclusion from home or abandonment);
- protect a child from physical and emotional harm or danger;
- ensure adequate supervision (including the use of inadequate care-givers); or
- ensure access to appropriate medical care or treatment.

It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

#### **3.4.1 Physical signs of neglect include:**

- Poor personal hygiene.
- Poor state of clothing.
- Emaciation, potbelly, short stature.
- Poor skin tone and hair tone.
- Untreated medical problems.
- Failure to thrive with no medical reason.

#### **3.4.2 Psychological signs of neglect include:**

- Constant hunger.
- Constant tiredness.
- Frequent lateness/non attendance at school.
- Destructive tendencies.
- Low self esteem.
- Neurotic behaviour.

- No social relationships.
- Running away.
- Compulsive stealing/scavenging.
- Multiple accidents/accidental injuries.

### **3.5 Domestic Abuse**

3.5.1 The Home Office defines domestic violence as ‘Any incident of threatening behaviour, violence or abuse (psychological, physical, sexual, financial or emotional) between adults who are or have been intimate partners or family members, regardless of gender or sexuality’. Nearly a quarter of adults in England are victims of domestic violence. Although both men and women can be victimised in this way, a greater proportion of women experience all forms of domestic abuse, and are more likely to be seriously injured or killed by their partner, ex-partner or lover. In the Methodist Church we prefer the phrase ‘Domestic Abuse’ as this encompasses all forms of abuse and violence including the more hidden ‘emotional abuse’ which may not be regarded more widely as violence<sup>7</sup>.

3.5.2 Domestic abuse affects both adults and children within the family<sup>8</sup>. Domestic violence has an impact on children in a number of ways:

- a) Children are at increased risk of physical injury during an incident, either by accident or because they attempt to intervene.
- b) children are greatly distressed by witnessing the physical and emotional suffering of a parent.
- c) exposure to parental conflict, even where violence is not present, can lead to serious anxiety and distress which may express itself in anti-social or criminal behaviour.

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

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

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

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

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<sup>7</sup> See Domestic Abuse report, Methodist Conference 2005

<sup>8</sup> Some 200,000 children (1.8%) in England live in households where there is a known risk of domestic abuse or violence. Prolonged and/or regular exposure to domestic abuse can have a serious impact on children’s safety and welfare, despite the best efforts of parents to protect them.

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

### **3.6 Spiritual abuse**

*N.B. This is not currently recognised by the statutory sector as a distinct form of abuse. Links need to be made with all other forms of abuse.*

Within faith communities harm can be caused by the inappropriate use of religious belief or practice. This can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, obtrusive or forced healing and deliverance ministries<sup>9</sup> or rituals any of which may result in children experiencing physical, emotional or sexual harm. If such inappropriate behaviour becomes harmful it should be referred for investigation in cooperation with appropriate statutory agencies. Careful teaching, supervision and mentoring of those entrusted with the pastoral care of children should help to prevent harm occurring in this way. Other forms of harm include the denial of the right of faith or the opportunity to grow in the knowledge and love of God.

*[Reference will be made here to guidance on healing and deliverance ministry.]*

See also the government guidance *Safeguarding Children from Abuse Linked to a Belief in Spirit Possession*, Department for Education and Skills, 2007.

## **4 Implementation of policy and procedures**

### **4.1 Connexional commitments**

4.1.1 The Methodist Church at Connexional level has an obligation to support churches and those working with children and young people in exercising their primary responsibility for those entrusted to them. There is a necessity:-

- To be involved with Parliament, government departments, the voluntary sector and ecumenical partners in the continuing learning and debate about and safeguarding children.
- To keep abreast of new research and initiatives, including information about how abusers of children operate.
- To ensure that the Methodist Church follows good practice procedures for recruitment of staff.
- To modify practices, in the light of research, putting in place appropriate systems of accountability and supervision at all levels of the Church's life, and ensuring that disciplinary and employment procedures are robust enough to manage risk.
- To listen to those who have been abused to learn how to improve practice.
- To ensure that all ministers in active work are carefully selected and trained and that their training equips them for the responsibilities of ministry in this area amongst others.
- To ensure the continuing development of procedures and guidance on good practice which are the main ways that those who are in direct contact with children and young people are properly equipped to undertake their responsibilities.
- To insure, as far as possible, that those with responsibilities towards children can undertake their tasks confidently and without feeling unduly vulnerable.

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<sup>9</sup> It will also include abuse linked to a belief in Spirit Possession. [There is statutory guidance on this issue available from Department Children Schools and Families including the 'Every Child Matters' web site.]

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

- Raising awareness of the issues involved in protecting children in the church.
- Addressing the needs of our children in all their cultural, spiritual, intellectual, racial and physical diversity.
- Responding to the needs of children and adults who have been abused.
- Supporting and training those who work with children, encouraging them to work together to follow good practice.
- Caring appropriately for those in the church community who have abused children.

4.1.3 The Church is probably unique in its ministry to both those who have been abused and those who have abused. It is within this tension that policy, procedures and good practice must be made to work. The church seeks not simply to keep the law in regard to Safeguarding but to foster and promote best practice as part of its work for and witness to God's kingdom. Therefore:

- The Methodist Church fully endorses the principle, enshrined in the Children Act 1989, that the welfare of the child is paramount.
- The Church recognises that it is required by God to foster relationships of the utmost integrity, respect, truthfulness and trustworthiness. All members of the church, employees and volunteers who come into contact with children within the church need to operate within a carefully thought out framework of policy, procedures and good practice which will ensure that children are safeguarded and nurtured within a culture of informed vigilance.
- All members of the Church, employees and volunteers need to have an awareness of their use of authority and power and never betray the trust that is given them.
- All members of the church, employees and volunteers in the church should seek to maintain the highest standards of conduct in all worship, pastoral, educational, and recreational situations.
- The Methodist Church takes allegations of abuse seriously, fully co-operating with the Local Safeguarding Children Boards<sup>10</sup> in any matter concerning the welfare of children and young people. It acknowledges the prime responsibility of statutory agencies to investigate any significant harm to a child. The Church will not investigate incidents of suspected child abuse but may make enquiries as part of that investigation, especially when there is a complaint.
- The Church will work with the statutory agencies to manage the presence in congregations of those who have been convicted or cautioned for offences against children including those who are on the Sex Offenders register.
- The Methodist Church will seek to work with other Churches and faith traditions to promote the welfare and safety of children and young people.
- For the purpose of the Policy and Procedures a child is anyone under the age of 18 years. All those who work with or are in regular contact with such children must comply with this policy.
- All those working with or in direct and regular contact with children in a paid or unpaid capacity will be carefully recruited and registration with the Independent Safeguarding Authority (or membership of the PVG scheme in Scotland<sup>11</sup>) their backgrounds checked at the appropriate level through a criminal records check.<sup>12</sup> These checks will also be carried out on those supervising people working with

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Local Safeguarding Children Boards have statutory responsibilities under the Children Act 2004 and associated guidance in England and Wales to oversee the arrangements for safeguarding children within their area.

<sup>11</sup> Protection of Vulnerable Groups vetting scheme

<sup>12</sup> *[insert cross reference for criminal record disclosure checks]*

children and on those whose representational ministry, office or status gives them the opportunity or the expectation for regular or unsupervised contact with children.

## 4.2 Implementation in local Church - Commitments

Each church should:

- Accept the prime duty of care placed upon the minister with pastoral charge and Church Council to ensure the well being of children and young people in the church community.
- Adopt and implement a safeguarding children policy and procedures, accepting the Methodist Conference Policy on Safeguarding Children but informed by additional procedures, recommended good practice and up to date guidance whilst being responsive to local church requirements.
- Appoint at least one co-ordinator to work with the minister and the Church Council to advise on the implementation of policy and procedures. The co-ordinator must ensure that any concerns about a child or the behaviour of an adult are appropriately reported both to the statutory agencies and to the District Safeguarding Children Adviser. Ideally this co-ordinator should be someone without other pastoral responsibility for children in the church. The post holder could also be asked to oversee work in the safeguarding of vulnerable adults. The coordinator should either be a member of the Church Council or have the right to attend the Council and should report at least annually on the implementation of the policy within the church.
- Consider appointing a person who may be different from the co-ordinator to be a children's advocate. This should be someone whom children know they could talk to about any problems, if they so wish.
- Display in church premises where children's activities take place the contact details of the co-ordinator or children's advocate and "Childline" telephone number.
- Ensure that all those authorised to work with children and young people or in a position of authority are appropriately recruited according to safer recruitment practice, trained and supported
- Provide all authorised personnel with a copy of the church child protection policy, procedures and good practice guidelines.
- Encourage and welcome cultural diversity and challenge all forms of oppressive discrimination, promoting non-oppressive practices.
- Pay particular attention to children with special needs to ensure their full integration and protection within the church community.
- Ensure that appropriate arrangements are made for children from minority groups to enable their full participation in the life of the church.
- Create a culture of **informed vigilance** which takes children seriously.
- Ensure that appropriate pastoral care is available for those adults who have disclosed that they have been abused as children.
- Provide, as appropriate, support for all parents and families in the congregation, being aware particularly of parents and children who have suffered abuse.
- Ensure that those who may pose a threat to children and young people are effectively managed and monitored.<sup>13</sup>
- Ensure that appropriate health and safety policies and procedures are in place.
- Review the implementation of the child protection policy, procedures and good practice, at least annually.
- Rural churches and circuits may wish to join together to implement the policy and procedures, but it is important to remember that legal responsibility will continue to rest with the individual churches. It should be noted however that people working in

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<sup>13</sup> [insert cross reference]

isolated situations can be vulnerable and care should be taken to implement the policy in full.

- Local Ecumenical Partnerships should agree which denomination's Child Protection Policy to follow and this decision should be ratified by the leaders of all partner churches<sup>14</sup>.
- *[statement on responsible parenthood – JH to provide]*

**See also the checklist for responsibilities in Churches – Appendix D**

#### **4.3 Implementation in the Circuit**

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

Each Circuit should:

- Accept the prime duty of care placed upon the Superintendent minister and all those with pastoral charge in conjunction with the church councils to ensure the well being of children and young people in the church community.
- Adopt and implement a safeguarding children policy and procedures, accepting the Methodist Conference Policy on Safeguarding Children but informed by additional procedures and recommended good practice whilst being responsive to local circuit requirements.
- Appoint at least one co-ordinator to work with the Superintendent minister and the circuit leadership team to implement policy and procedures. The co-ordinator must ensure that they are consulted about any concerns about a child or the behaviour of an adult and these are appropriately reported both to the statutory agencies and to the District Safeguarding Children Adviser. Ideally this co-ordinator should be someone without other pastoral responsibility for children in the church. The post holder could also be asked to oversee work on behalf of vulnerable adults. The coordinator should either be a member of the Circuit Meeting or have the right to attend the meeting and should report at least annually on the implementation of the policy within the church.
- The Circuit complaints officer should be conversant with Methodist Safeguarding procedures.
- Ensure that all those authorised to work with children and young people or in a position of authority are appropriately appointed, trained and supported and provide all authorised personnel with a copy of the church safeguarding children policy, procedures and good practice guidelines.
- Ensure that appropriate pastoral care is available for those adults who have disclosed that they have been abused as children.
- Encourage and welcome cultural diversity and challenge all forms of oppressive discrimination, promoting non-oppressive practices.
- Provide, as appropriate, support for all parents and families in the congregation, being aware particularly of the needs of parents and children who have suffered abuse; also parents with disabilities or with disabled children and those children and families from ethnic minorities.
- Ensure that those who may pose a threat to children and young people are effectively managed and monitored.<sup>15</sup>

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<sup>14</sup> Including the Bishop where CofE is a partner. Ecumenical safeguarding guidance is available on managing safeguarding in Local Ecumenical Partnerships and Ecumenical Projects [insert reference.]

<sup>15</sup> *[insert cross reference]*

- Support Local Ecumenical Partnerships in implementation of safeguarding good practice at their request.

***See also checklist for responsibilities Appendix D***

#### **4.4 Implementation in the District**

Each district should:

- Follow the Methodist Safeguarding Children policy and procedures together with any additional district procedures and good practice guidelines which shall be endorsed by the district synod.
- Provide a structure to manage safeguarding issues and practice in the district with a suitably qualified and experienced multi-disciplinary District Safeguarding Advisory Group (DSAG), including an *external* and independent chair. The Chair of District or their nominee shall be a member of the group and attend regularly. The members of the group do not have to be members of the Methodist church but the majority of the team should be either Methodist or members of a church in partnership or covenant with the Methodist Church.
- Appoint a suitably qualified and experienced District Safeguarding Children Adviser or Coordinator with allocated administrative support.
- The group and the adviser shall be directly accountable to the Chair of District, and the district will provide appropriate financial, organisational and management support.<sup>16</sup> The adviser or allocated members of the group must have access to relevant files and where necessary other confidential material at District, Church or Circuit levels.
- The duties of the group, the adviser or coordinator may also include work on behalf of vulnerable adults or other matters at the discretion of the District in negotiation of their remit and resources.
- The district group must provide a report annually to District Policy Committee or District Council and the Coordinator must be a member of or have access to address District Synod.
- The Safeguarding Group and Coordinator must be supported with resources and the means to do the tasks they have been appointed for by District synod.  
*A list of key tasks are in Appendix D*
- Provide advice on Recruiting Safely to District officers, staff and committees.
- Ensure that the District follows Safe Recruitment in the appointment of employees and office holders.
- Provide access to a process of local risk assessment reports on individuals so that the Chair, the Connexional Safeguarding Adviser or others can evaluate and manage any risk posed by individuals and their work or activities within the church.
- Provide access to training and support on safeguarding matters to churches, circuits, district organisations and those who work at District level in collaboration with the Training Officers.
- Enable churches, circuits and other Methodist organisations or LEPs (at their request) within the district to undertake their duties, encouraging them to implement Safeguarding procedures and good practice according to their local needs.
- Share relevant information about individuals with other Districts or the Connexional Adviser or relevant members of the Connexional Team as may be appropriate in the circumstances in a manner which is proportional to any likely risks to children.

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<sup>16</sup> [cross reference if required]

## 4.5 Implementation at Connexional level

The Methodist Council will:

- Be responsible for this policy for Safeguarding children and young people in the Church and for future revisions.
- Approve such procedures as are appropriate to ensure proper consistency in best practice.
- Appoint an officer of some standing<sup>17</sup> to take a lead responsibility for safeguarding in the chairing of Safeguarding committees at Connexional level.
- Ensure that a Connexional Safeguarding Adviser is appointed with a clear line of accountability and a right to submit reports to the Methodist Council and Conference on safeguarding matters.

The Connexional Team will:

- Ensure that those responsible for Connexional implementation of safeguarding or are responsible for work with children, young people, safer recruitment and complaints at Connexional levels are conversant with safeguarding policy and procedures.

The Connexional Adviser will:

- Support the District Safeguarding Advisory Groups, advisers or coordinators through regular communications and information, a regular conference for professional development and networking, maintaining the web site pages, overseeing training strategy and the quality of safeguarding in training and regular liaison with relevant agencies including government departments and other Churches at national and Britain-wide levels.
- Support the handling and review of complex cases and the procedures for risk assessment as necessary.

## 4.6 Duties and responsibilities

4.6.1 There is a list of who takes responsibility at each level of Church life as a result of the above commitments in Appendix D. The list of responsibilities and commitments indicate clearly that all members, employees, office holders and volunteer workers at all levels of church life play a significant role in implementing safeguarding procedures. However the responsibility for implementation lies with the relevant trustee body; that is the Church Council and Circuit Meeting etc. as delegated to the person with pastoral charge.

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

- a) Allegations concerning church workers and office holders are responded to immediately and according to good practice procedures (as outlined in this handbook and Recruiting Safely) including referral to the statutory authorities
- b) Reports of abuse (including allegations) are referred to the statutory authorities according to good practice procedures (as outlined in this handbook)
- c) Standing Orders are implemented in obtaining vetting information
- d) Standing Orders are implemented on appointments to office (who may not hold an office, role or responsibility) 010
- e) Standing Orders are implemented in relation to sex offenders in the church (SO690f)

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<sup>17</sup> An ex-President or Chair of District – this includes the joint Safeguarding structures with the Church of England.

- f) Safeguarding good practice is followed and complementary pastoral care in all instances of child or adult abuse and trauma, including pastoral provision for the needs of survivors of abuse (see *Tracing Rainbows through the Rain*, Methodist Conference, 2006)

4.6.2 In respect of these responsibilities it is also the responsibility of the Trustee body, with the minister in pastoral charge carrying out the responsibility and with support and guidance from appropriate advisers<sup>18</sup>:

- a) to refer cases to the Independent Safeguarding Authority or Disclosure Scotland where allegations lead to disciplinary action or someone resigns pending this, and
- b) to make a report to both the Charity Commission (in England and Wales) and the relevant Insurance company in respect of serious safeguarding matters. This should always occur in those cases involving possible reputational or financial risks.

### **Church schools** *[this section needs checking]*

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

- The safeguarding responsibilities of controlled and aided church schools come under the relevant local authority and Local Safeguarding Children Board.
- The safeguarding responsibilities of academies and independent schools with a church foundation come under the Local Safeguarding Children Board
- Even when there is a strong link between a church school and a church and particular individuals may hold roles in both, care should be taken to distinguish and fulfil the different legal responsibilities of schools and churches and to share relevant information where appropriate, especially information which would promote safeguarding and prevent abuse.

## **5 Promoting good practices**

### **5.1 Recruitment and selection procedures**

Safer recruitment is not dealt with here in full, as it is covered in the companion volume ***'Recruiting Safely in the Methodist Church'*** 2010. A brief summary of procedures is described here.

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.

- 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

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<sup>18</sup> See the Referral Protocol Appendix ... in *'Recruiting Safely in the Methodist Church'* 2010 to be published in hard copy and on line in September 2010.

- iv) Include the Methodist Statement of Safeguarding Principles in information about the job information pack to emphasise how important Safeguarding is to the Church and local policy and procedures.
- v) Ensure all applicants for paid roles complete an application form and volunteers 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 short-listed 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 in Appendix ...*) 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 application/ registration form.
- 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 may be combined with checking their 'right to work' in the UK status.
- xii) Ensure that all candidates 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 vetting procedures before you allow them to 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, probationary and annual reviews.
- xvii) Ensure procedures are understood concerning complaints and grievances.

## 5.2 Code of Practice

Every Circuit should prepare, and every church working with children should adopt, a Code of Practice for church workers with children and young people which covers the issues mostly likely to arise. This should have regard to the government guidance document *Guidance for Safer Working Practice for Adults who Work with Children and Young People* (Department for Children, Schools and Families for Allegations Management Advisers, 2007). A link to this document should be provided on the District website. This guidance provides clear advice on appropriate and safe behaviours for all adults working with children in paid or unpaid capacities, in all settings and in all contexts. It aims to:

- support safer recruitment practice
- keep children safe by clarifying which behaviours constitute safe practice and which should be avoided
- assist adults working with children to do so safely and responsibly, and to monitor their own standards and practice
- support managers and employers in setting clear expectations of behaviour and codes of practice
- encourage the provision of supervision and training
- reduce the incidence of positions of trust being abused or misused.
- support employers in giving a clear message that unlawful or unsafe behaviour is unacceptable and that, where appropriate, disciplinary or legal action will be taken

- minimise the risk of misplaced or malicious allegations made against adults who work with children

Most church organizations will not need the full range of detail provided and should prepare a code of conduct which covers the majority of situations they are likely to encounter. These are likely to include:

- physical contact
- photographs
- electronic communications
- medication
- holidays and residential trips
- acceptable behaviour contracts (including sexual behaviour)
- drug policy
- alcohol policy

*A model Code of Practice is given in Appendix F.*

### **5.3 Registration with OFSTED (England and Wales)**

Some churches provide groups for children under the age of 8 which run regularly for more than two hours at a time or for more than fourteen days in succession. These will need registration with OFSTED. For further details consult OFSTED or the children's information service of the relevant local authority. Ofsted also need notification of activities for under 8s where they do not meet this threshold. In these cases a letter seeking exemption should be sent to the relevant OFSTED office.

### **5.4 Transport**

Transport arrangements to or from church activities are the responsibility of parents if they make arrangements among themselves but of the church if the church or church activity organizes them. Transport or travel between church activities will usually be the responsibility of the church. It should be clearly understood by all concerned at which point responsibility for the child is passed from parent to church worker and at which point it is returned.

### **5.5 Registration and consent forms**

Registration and consent forms are not required for attendance at worship, though if children regularly attend without their parents contact should be made with a parent. Contact details and special requirements should be noted for all who regularly attend church activities and registers kept. Parental consents should be obtained for all activities and should include, as appropriate, consents for taking and using photographs.

### **5.6 Health and safety**

Health and safety should be managed as part of all activities. A First Aid Box should be obtained and maintained on site. An accident book should be maintained at all places where children's activities take place. Buildings should be checked for health and safety regularly and at least once a year and the results noted and reported to the Church Council.

Written parental consents should also be obtained for special activities e.g. off premises. If specialized activities are to be undertaken, risk assessments should be made, appropriate instructors engaged and their credentials confirmed. However, even when specialized instructors have been engaged, the church or other church body retains the duty to supervise the children.

### **5.7 Mixed-age activities**

Care should be taken to ensure that children in mixed age activities such as choirs, music and drama groups are appropriately supervised, as it is not possible to request criminal record

disclosure checks or ISA registration for adults in those groups who do not have specific responsibility for children.

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

## **5.8 Insurance**

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

- (a) Churches, in use for worship;
- (b) Youth Groups, through the District Youth Group Scheme.

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

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

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

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

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

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

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

## **5.9 Hire or use of church premises by others**

Many churches possess buildings which they hire out to community groups and others. Some of these may undertake work with children. Note that:

- The observance of 'reasonable care' is a standard insurance condition.
- The hiring body is required to ensure that children and adults who may be vulnerable are protected at all times, by taking all reasonable steps to prevent injury, illness, loss or damage occurring, and carries full liability insurance for this.
- The owner/ managing trustees of the building (normally the Church Council) has a duty to adopt best practice based upon current and developing guidance

For both one-off and regular hirings it is recommended that a written hiring agreement be used. *A model declaration form is in the Appendix ....of 'Recruiting Safely' or the Methodist web site. A full model lettings/ licence agreement including the declaration is available from Methodist Legal Office at Manchester.*

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

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

Where uniformed organisations meet that are not authorised by the church e.g. Guiding and Scouting organisations (even when they are sponsored), these organisations should be regarded in the same way as other users and hirers. A hiring agreement is needed with a payment for using the premises.

## **6. Responding to concerns**

### **6.1 Introduction**

Children can be harmed in many ways in which their health, physical, emotional, intellectual, spiritual, or social development is damaged by other people. This is an abuse of relationships, a misuse of power and a betrayal of trust. Child abuse is not new, although it has been increasingly recognised, named and condemned during the course of the twentieth and into the twenty-first century. Child abuse affects girls and boys, babies and young people of all ages up to 18, children with learning difficulties, children with physical disabilities and children from any kind of family background. It occurs in all cultures, religions and classes.

Child abuse is, in the main, perpetrated by an adult, male or female, who is well known to the child, often a family member. Such trusted adults can also include others in the child's community, including trusted professionals, leaders or members of a child's church. Child abuse can also be perpetrated by children against other children. This is referred to as 'child on child abuse'. These child perpetrators will have greater power than their victims, perhaps due to age, gender, physique or ability. There is no clear dividing line between this form of abuse and bullying.

Child abuse can result in a child suffering significant harm and the need for court proceedings to safeguard their welfare. It prevents children from achieving their full potential and undermines their dignity and rights. The harm it causes will affect children whilst it is happening and in later life. The consequences of the pain of child abuse can affect adults in their relationships and with the care of their own children. When abuse occurs within the context of the Church or by a Christian it may affect the person's faith and spiritual development.

Within faith communities harm can also 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 obtrusive healing and deliverance ministries, any of which may result in children experiencing physical, emotional or sexual harm. If such inappropriate behaviour becomes harmful it should be referred for investigation in the usual way. Careful teaching, supervision and mentoring of those entrusted with the pastoral care of children should help to prevent harm occurring in this way. Other forms of spiritual harm include the denial to children of the right to faith or the opportunity to grow in the knowledge and love of God.

Developments in the use of computers, the internet, web cams, mobile phones and digital cameras have drawn attention to the potential misuse of chat rooms, messaging services and the possibility of using these developments to groom and abuse children. The offences of downloading, possessing or distributing indecent images of children are widely committed, including by church members. This is a new challenge in educating and safeguarding children.

The procedures described here are very similar in Wales and Scotland, however the statutory guidance referred to here is usually specific to England. The relevant Scottish and Welsh bodies and guidance are listed below in Appendix A section 1.4. (If in doubt you should check on the local authority web sites for your area or the Scottish Parliament or the Welsh Assembly web sites.)

## **6.2 Significant harm<sup>19</sup>**

The concept of significant harm comes from the Children Act 1989 and is the threshold used in deciding whether compulsory intervention into family life is in the best interests of the child. Local authorities are under a duty to investigate or have enquiries made, where it has reasonable cause to suspect that a child is suffering or is likely to suffer significant harm. Sometimes this may include placing the matter before a court. There are a range of orders that a local authority may apply for and some of these grant them a share in the parental responsibility for the child. The most important of these are a care order (committing the child to the care of the local authority) or a supervision order (putting the child under the supervision of a social worker or probation officer).

The court may also make private law orders if there are disputes between parents about the care of a child.

There may be difference in what constitutes significant harm and each local authority will take into consideration the severity and duration of any abuse, the specific circumstances of the child in terms of age, development and understanding of the abusive behaviours. Factors such as premeditation, any threats or coercion used, may also influence the level at which a local authority. The negative impact of the abuse will be measured against the resilience of the child, the strengths within the family, the supports available and their capacity to change.

## **6.3 Reporting concerns**

*[Also see short guide inside front cover]*

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

Children's social care have been advised that personal information from referrers who are members of the public should only be disclosed to third parties (including subject families and other agencies) with the consent of the referrer<sup>20</sup>. Some church workers with children will count as members of the public for this purpose.

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<sup>19</sup> See [insert cross reference] for a definition of significant harm

<sup>20</sup> *Working Together to Safeguard Children*, 2006, 5.34 (page 108). *[Check for 2010 version]*

The District Safeguarding Children Adviser should always be advised when a referral is made to children's social care.

The matter may proceed to a strategy meeting, a case conference, and services may be offered or legal proceedings begun. Ministers and other church members may on occasion be asked to attend meetings, provide statements or give evidence in care proceedings or associated criminal proceedings. They should seek advice from the District Safeguarding Adviser and inform the Superintendent or Chair of District before doing so. They also need to be clear whether they are attending meetings simply to support someone or to contribute to assessment and planning. They should confine their contribution to what they know or reasonably believe at first hand. They should ensure, as far as they can, that their actions cannot be interpreted as support for one side or another in a legal dispute. They should not provide character references except in exceptional circumstances which should be discussed with the registrar or District Safeguarding Children Adviser.

#### **6.4 Children in need**

A child who is not at risk of abuse under the categories above may nevertheless qualify as a child in need. A child is a Child in Need if:

- He or she is unlikely to achieve or maintain, or have the opportunity of achieving or maintaining, a reasonable standard of health or development without the provision for him or her of services by a local authority;
- His other health or development is likely to be significantly impaired, or further impaired, without the provision for him or her of such services; or
- He or she is disabled<sup>21</sup>.

A child in need may be referred to Local Authority children's social care with the consent of a parent. The referrer may be asked to contribute under the Common Assessment Framework (CAF). The CAF is a standardised approach to conducting assessments of children's additional needs and deciding how these should be met. It can be used by practitioners across children's services in England.

The CAF promotes more effective, earlier identification of additional needs, particularly in universal services. It aims to provide a simple process for a holistic assessment of children's needs and strengths; taking account of the roles of parents, carers and environmental factors on their development. Practitioners are then better placed to agree with children and families about appropriate modes of support. The CAF also aims to improve integrated working by promoting coordinated service provisions. There is an expectation that all agencies, both statutory and voluntary, will work more closely together, share information appropriately and focus the provision of services around the needs of the child or young person.

#### **6.5 Confidentiality**

Both law and a sound moral sense impose a general duty not to pass on information which has been received in the clear expectation that it will be treated in confidence. That duty is not absolute however and the courts will not intervene to restrain disclosure where (a) the information relates to a crime or other serious misconduct and (b) disclosure is in the public interest. Thus, where a child is judged to be at risk of significant harm, usually it will be legally possible, appropriate and highly desirable to disclose relevant information to the public authorities for the sake of protecting children.

Government guidance on sharing information about the possible abuse of child in the absence of consent is as follows:

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<sup>21</sup> Children Act 1989 Section 17 (10).

*The law recognises that disclosure of confidential information without consent or a court order may be justified in the public interest to prevent harm to others. The key factor in deciding whether to disclose confidential information is proportionality: is the proposed disclosure a proportionate response to the need to protect the welfare of the child? The amount of confidential information disclosed, and the number of people to whom it is disclosed, should be no more than is strictly necessary to meet the public interest in protecting the health and wellbeing of a child. The more sensitive the information is, the greater the child-focused need must be to justify disclosure and the greater the need to ensure that only those professionals who have to be informed receive the material<sup>22</sup>.*

See also download document 'Information Sharing in the Methodist Church' – web address

## **6.6 Pastoral conversations and confidentiality**

It is possible that relevant information may be disclosed in the particular context of a pastoral conversation. The Methodist Church does not have authorised sacraments of confession and absolution. A minister is not prevented from disclosing details of any crime or offence which is revealed in the course of a pastoral conversation or a confession within that context.

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

Ministers should also be aware that convicted offenders can sometimes come forward with new information. There is no bar in law to prevent ministers passing on such information to the authorities. Methodist Safeguarding policy necessitates any relevant information to be passed to the authorities to prevent abuse or to solve a crime.

Wherever possible ministers and others engaged in pastoral conversations on behalf of the church<sup>23</sup> should explain the limits of confidentiality in pastoral relationships to those they are offering pastoral care. This should ideally occur at the beginning of a pastoral relationship or meeting. A similar approach should be adopted for Spiritual Direction and formal supervision or mentoring arrangements conducted on behalf of or by officers of the church.

## **6.7 Past or historical abuse**

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

There is no single, correct procedure for dealing with a disclosure of historical abuse by an adult. The wishes of the person disclosing abuse will be very important. For some adults, just being able to talk to a trusted person about their experiences can be a powerful healing event. The pastoral care of the person who has been abused should be a priority. A referral to the police will not always be necessary unless the individual wishes to report the offence; however, they should be encouraged and supported to do so.

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<sup>22</sup> *What to do if you're worried a child is being abused*, 2003 Appendix 3, section 10 and 11[check 2006 edition]

<sup>23</sup> Including pastoral visitors

Adults do need to be made aware, however, that if the alleged abuser is still working with or caring for children a referral to the Local Authority<sup>24</sup> must be made, either by the person hearing the complaint or by the Diocesan Safeguarding Children Adviser who must in any case be informed. Very often the adult wishing to disclose will have this at the forefront of their concerns but they might need significant support and assistance to be enabled to take this matter further. As adults we are all responsible for trying to ensure the safety of children and young people. We should be aware that people who have committed sexual abuse against someone years ago could well be abusing children today.

It may come to light on occasions that the church did not do everything that it could have done, or in the light of current practice it should have done, to address the needs of the survivors or to ensure that the risks of those who perpetrated abuse were addressed and reported to the authorities. In order to address the latter issue the Church of England in 2007 instituted a past cases review protocol for all dioceses to undertake. This has been very beneficial in addressing these issues, including a few cases that had not come to light previously. Furthermore, the review was effective in several learning points which is leading to improved practice in record keeping, the management of files and training.

It would therefore be in line with best practice for the Methodist Church to institute a similar review as soon as possible. This was been done principally to ensure that best practice now in place for responding to concerns, allegations and disclosures of abuse applies to any information about remaining risks to children are managed. **There is a resolution in Section 10 to this effect.**

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

### **6.8 Serious Case Reviews**

Local Safeguarding Children Boards by law undertake a Serious Case Review whenever a child dies or is seriously injured and abuse or neglect is known or suspected to be a factor. The purpose of serious case reviews carried out under this guidance is to:

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

Serious case reviews are not inquiries into how a child died or who is culpable. That is a matter for Coroners and criminal courts, respectively, to determine as appropriate.

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

### **6.9 Whistle-blowing**

To fulfil their commitment to safeguard and promote the welfare of children, all organisations that provide services for, or work with, children or are required to have

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<sup>24</sup> In England this is the Local Authority Designated Officer (LADO) in the LSCB.

appropriate whistle-blowing procedures, and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed.

- Whistle-blowing may also apply to situations of unacceptable practice, performance or behaviour in situations unrelated to children or adults who may be vulnerable, and these same principles can be applied.
- The Public Interest Disclosure Act 1998 gives workers legal protection against being dismissed or penalised as a result of publicly disclosing certain serious concerns. Whilst the Act does not provide the same protection for volunteers, churches should adopt the same approach in their protection.
- Members of a congregation should be encouraged to acknowledge their individual responsibility to bring matters of unacceptable practice, performance or behaviour to the attention of the minister, the superintendent, Church Safeguarding coordinator or a member of the Church Council.
- It is often the case that a co-worker or co-voluntary worker may be the first to recognise that something is wrong but may not feel able to express concerns, feeling that this would be disloyal; he or she may fear harassment or victimisation. These feelings, however, natural, must never result in a child or adult who may be vulnerable continuing to be unnecessarily at risk.

## **Managing allegations against church officers who work with children**

### **6.10 Introduction**

This section considers the situation when it is alleged that a church officer, employee or volunteer who works with children has:

- behaved in a way that has harmed, or may have harmed, a child;
- possibly committed a criminal offence against, or related to, a child; or
- behaved towards a child or children in a way that indicates that he or she is unsuitable to work with children.

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

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

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

All allegations of this kind must be reported to the (LADO in England, or their equivalent, in Wales or Scotland) and the Diocesan Safeguarding Children Adviser should be also be consulted. The LADO (in England) may arrange for an investigation by the statutory authorities which may be in conjunction with a disciplinary investigation by the employer.

For the purposes of this procedure it makes no difference whether the person is paid or a volunteer. If the person holds the bishop's licence or Permission to Officiate then the bishop and the Diocesan registrar should also be involved.

### **6.11 Suspension**

#### **6.11.1 Lay employees**

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

- their presence might impede a proper investigation; or,

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

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

Normally, as soon as preliminary enquiries indicate that a church employee or officer may have committed serious misconduct, the allegation should be put to him or her and he or she would normally be suspended while the complaint or allegation is investigated. These matters must be dealt with in a swift but proper manner.

When suspending a church employee, the appropriately authorized manager should meet with them to put the allegation to the church officer and to explain the procedures. It should be emphasized that suspension is not disciplinary action in itself and does not imply guilt, rather it is a precautionary measure that is taken where serious allegations are raised and an appropriate investigation is undertaken. A record of the suspension interview should be kept and confirmation put in writing.

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

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

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

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

#### **6.11.3 Other volunteers who are not members.**

Best practice such as that set out in Children's Workforce Development Council *Recruiting Safely*<sup>25</sup> guidance should be followed.

### **6.12 Breach of Trust**

There is an offence of 'Breach of Trust' which applies to those working in the statutory sector (e.g. education) where they have been found to have a sexual relationship with someone aged 16 or 17. This does not apply in the voluntary sector or to a breach of trust by ministers or other church officers or youth workers etc. in forming such a relationship.

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<sup>25</sup> [www.cwdcouncil.or.uk/](http://www.cwdcouncil.or.uk/)

This behaviour is nevertheless highly inappropriate, even when a youth worker is only slightly older. They are nevertheless a worker/ leader and this could be an abuse of power. However, this does not mean that leaders/ ministers cannot be disciplined for misconduct or gross misconduct in this kind of matter. If coercion in such a relationship was involved with *any* age group this could still be referred to the police as it would be likely to be a criminal matter.

### **6.13 Insurance Advice**

The Claims Manager of the insurance company should be informed at an early stage by the Superintendent, Chair of District or the District Safeguarding Children Adviser, the minister or other employer. Advice should be sought about the insurance position and any steps needed to be taken to safeguard it. The Claims Manager will also need to be kept in touch with developments. Any person accused of abuse where they have the benefit of insurance should also inform their insurance company.

### **6.14 Pastoral Support**

During the investigation the child or young person and their family will need support. Another person should be found to support the alleged offender. People involved in support should be uninvolved with the investigation or disciplinary proceedings and may be chosen from outside the circuit or district to ensure neutrality. The Police advise that it is important that these parties should not communicate with each other about the allegation so that evidence is not contaminated. In the case of allegations against a minister the Superintendent or Chair of District will need to manage the impact of the investigation on the circuit<sup>26</sup>.

### **6.15 Media enquiries**

The Connexional Communications office and the Media officer should be advised and should handle any media enquiries. No information should be released to the media or prepared for circulation or announcement in the relevant area unless it has been authorized by the Connexional Communications office.

### **6.16 Criminal proceedings**

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

In order for the CPS to sanction a prosecution they have to believe that there is more than a 50% chance of gaining a conviction and also that it is in the public interest to prosecute.

If it appears likely or is known that criminal proceedings will be brought then normally disciplinary action other than suspension is stayed until the conclusion of those proceedings.

Requests to produce file material in court should be referred to the Legal officer for the Connexional Team.

The agencies undertaking the investigation should be asked to provide a report which can be used in disciplinary proceedings, for other decision making or for future reference. The report which should be agreed with their legal advisers should include any statements

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<sup>26</sup> See Deirdre Offord: *Betrayals of Trust: Addressing the Impact on Congregations When Leaders Abuse Their Positions*, Grove Books, 2009.

which parties have agreed can be used for this purpose, a factual account of the investigation and an assessment of any continuing risk. It is helpful if the District Safeguarding Children Adviser can agree the terms of the report at the beginning of the investigation.

There are many reasons why a particular case may not come to court but this does not necessarily mean there is no remaining concern and indeed it may mean that the person is innocent. Even following an acquittal there may remain evidence of inappropriate or misguided behaviour which needs to be addressed. The advice of the statutory agencies should be sought about any continuing risk to children. It may still be appropriate in some circumstances and in accordance with legal advice to continue disciplinary action. If there remain unresolved matters of concern, either untested complaints of serious harm to a child or evidence of inappropriate behaviour by the adult, a professional risk assessment should be carried out to try to ascertain whether it is safe for the person to continue work which brings them into contact with children. Depending on the outcome of the assessment it may be necessary to introduce a regime of training and supervision or to re-deploy the person in another post.

### **6.17 Resignations and compromise agreements**

The fact that a person tenders his or her resignation, or ceases to provide their services, must not prevent an allegation being followed up. It is important that every effort is made to reach a conclusion in all cases of allegations bearing on the safety or welfare of children, including any in which the person concerned refuses to co-operate with the process. Wherever possible, the person should be given a full opportunity to answer the allegation and make representations about it. The process of recording the allegation and any supporting evidence, and reaching a judgement about whether it can be regarded as substantiated on the basis of all the information available, should continue even if that cannot be done or the person does not co-operate. It may be difficult to reach a conclusion in those circumstances, and it may not be possible to apply any disciplinary sanctions if a person's period of notice expires before the process is complete, but it is important to reach and record a conclusion wherever possible.

By the same token, so-called 'compromise agreements' – by which a person agrees to resign, the employer agrees not to pursue disciplinary action, and both parties agree a form of words to be used in any future reference – must not be used in these cases. In any event, such an agreement will not prevent a thorough police investigation where appropriate, nor can it override an employer's statutory duty to make a referral to the Independent Safeguarding Authority or Disclosure Scotland where circumstances require it.

### **6.18 Record keeping**

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

It is as important to retain records where an allegation proved to be unsubstantiated or unfounded as in other cases, so that it is on record that the allegation was known and responded to.

### 6.19 Independent Safeguarding Authority

A referral must be made to the ISA when the employer

1. withdraws permission for an individual to engage in regulated activity, or would have done so had that individual not resigned, retired, been made redundant or been transferred to a position which is not regulated activity because
2. they think that the individual has
  - engaged in relevant conduct;
  - satisfied the harm test; or
  - received a caution or conviction for a relevant offence.

If both conditions have been met the information must be referred to the ISA. The referral should be made to the ISA when the employer has gathered sufficient evidence as part of their investigations to support their reasons for withdrawing permission to engage in regulated activity and in following good practice, consulted with their LADO (in England) or the equivalent (in Wales and Scotland).

**Relevant conduct** is conduct that falls into any of these categories:

- it endangers, or is likely to endanger, a child or vulnerable adult;
- it is conduct that, if repeated against a child or vulnerable adult, would endanger them or be likely to endanger them;
- it involves sexual material relating to children (including possession of such material);
- it involves sexually explicit images depicting violence against human beings (including possession of such images);
- inappropriate conduct of a sexual nature involving a child or vulnerable adult.

The **Harm Test** is satisfied if, in the view of the relevant person, (e.g. the PCC) the individual

- may harm a child or vulnerable adult;
- may cause a child or vulnerable adult to be harmed;
- puts a child or vulnerable adult at risk of harm;
- attempts to harm a child or vulnerable adult; or
- incites another to harm a child or vulnerable adult.

A **relevant offence** is an offence which qualifies a person for automatic inclusion in the lists maintained by ISA of those barred from working with children and vulnerable adults respectively. These are, in the main, serious criminal offences involving sexual misconduct and/or violence. More information can be obtained from the District Safeguarding Children Adviser. The ISA issues Referral Guidance for use in these situations.

## 7. Care of survivors of child abuse

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

If there is a complex pastoral situation when an adult discloses abuse (e.g. a young person in their twenties accusing a church worker of sexually abusing them when they were much younger), it would be appropriate to find some support for the different parties involved, such as another survivor to support the person making the allegations.

Where a young person discloses abuse both their family and the young person may need separate or different kinds of support.

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

**Please refer to Methodist Conference Report 'Tracing Rainbows through the Rain'<sup>27</sup> (2006) for a fuller exploration of these issues and what the church can do to help and support survivors appropriately.**

- 7.2** There is no quick fix for healing from abuse and it is crucial that survivors:
- Are not pushed into forgiving too early. Forgiving their abuser/s is a complex process, and considerable damage can be done by treating forgiveness as something that they must do unreservedly and now.
  - Are not put in a position of feeling even more guilty than they already do. Survivors tend to feel that the abuse was all their fault, particularly when there was more than one abuser.
  - Are accepted as they are, however full of anger they may be. Anger can be seen as one step along the road to forgiveness – at least if they are angry they are starting to accept that the abuse seriously affected them and this can be a good starting point to move towards healing.
  - Are given a sense that those within the church community who know about the abuse are 'with them' along the road to recovery. The journey can be very long and supporters are essential.
- 7.3** Survivors can benefit from professional counselling if that is available, but also joining a self-help group can provide the kind of long-term support needed. Survivors helping other survivors can be powerful and effective.

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

- it was not their fault;
- they haven't committed an unforgivable sin;
- they have no need to feel guilt and shame;
- God loves them unconditionally.

## **8. Ministering to those where there are concerns as to previous behaviour**

### **8.1 Introduction**

The purpose of providing good practice for ministering to and providing pastoral care for those who have been convicted, 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 CPD are also to be used as a model of good practice and consent of the parties involved when someone is suspended awaiting trial for sexual offences in order to both safeguard those involved and all members of the church community.

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

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<sup>27</sup> Available on [www.methodistchurch.org.uk](http://www.methodistchurch.org.uk) as a downloadable report

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

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.

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

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 a formal professional risk assessment but it will be informed by these where possible.
- Writing a contract – ideally together with the *person* involved
- Meet regularly and reviewing membership, training and support for the group
- Review the contract – at regular intervals – not less than annually, or when circumstances change.

**8.3** The guidance in Standing Order 69f<sup>28</sup>, also Part 2 Section 12 of the guidance<sup>29</sup> 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, a joint agreement is often desirable in these circumstances.
- Finding another church or circuit when there are victims/ survivors in former/ current church
- Opportunities for development of the subject's discipleship safely and once they have demonstrated cooperation and trust with the agreement

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

- Insisting a church provides for a sex offender, when the church or minister rejected them outright
- Developing a contract where there are 'old matters' convictions or cautions on someone's record but where some sort of contract is necessary
- Deciding what cases can be 'light touch'
- Keeping interest and energy of the monitoring group
- Worship/ membership, *especially* when victims/survivors are in the same church
- Sustaining the contract for years and possibly decades
- The provision of training for the members of the group and the wider church on these things
- The development of discipleship for the subject over many years

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<sup>28</sup> In Standing Orders - CPD

<sup>29</sup> Also in CPD - at the back

## **9. Resolutions for decision at the Methodist Council**

- 9.1 The Methodist Council adopts this Safeguarding children and young people policy and good practice document as a replacement for the Safeguarding 2003 Methodist policy and good practice; and directs that after final editing it be issued as a policy handbook.**
- 9.2. The Methodist Council notes the concerns and implications for the safeguarding and protection of children and the risks of harm to children raised by past cases, which may not have been known before or which may or may not have been dealt with adequately in the past and therefore still hold some risks for the Methodist Church. It therefore further directs that these concerns be taken up by the Safeguarding Adviser and a strategy for addressing them be brought to Methodist Council as soon as possible.**

In particular these concerns include:

- a) The need for a review of past child protection cases on the model of similar work done in other Churches;
- b) The consequent need for consistent keeping of records, including personnel files;
- c) The trauma and harm triggered for survivors of abuse by the ongoing annual publication of ministers and preachers who, following police and disciplinary cases (including cautions or convictions) for harm to children or vulnerable adults, remain on the accredited preacher lists (circuit preaching plans), in the Minutes of Conference or published obituaries;
- d) Information sharing between ministers, circuits and districts; a whistle blowing policy and responding well to survivors of abuse.

Any such review should include all ministers, local preachers and lay employees working with children and District officers working with children.

## 10. Appendices – contents

- A. A list of the Statutory framework documents and Church reports
- B. Model local church policy
- C. A local church checklist
- D. A list of responsibilities at Circuit, Church and District levels
- E. Checklists for Districts, Circuits and Churches
- F. Model code of conduct for church workers with children
- M. Sex Offender policy as set out in CPD
- N. Reporting Serious Cases to the Charity Commission
- O. The Reporting form – *for all cases*
- P. Resources
- Q. Glossary

## 11. Appendices

### Appendix A. Lists of the Statutory framework documents and Church reports

#### A1 Statutory framework

##### A1.1 UN Convention on the Rights of the Child

The UK government ratified this Convention in 1992. The relevant provisions are in Article 19:

1. State parties shall take all appropriate legislative, administrative, social and educational measures to protect the child from all forms of physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation, including sexual abuse, while in the care of parent(s), legal guardian(s) or any other person who has care of the child.
2. Such protective measures should, as appropriate, include effective procedures for the establishment of social programmes to provide necessary support for the child and for those who have care of the child, as well as for other forms of prevention and for identification, reporting, referral, investigation, treatment and follow-up of instances of child maltreatment described heretofore, and, as appropriate, for judicial involvement.

##### A1.2 European Convention on Human Rights

The UK government incorporated this into UK law through the Human Rights Act 1998. The relevant provisions are Articles 3 and 8:

###### Article 3

No one shall be subjected to torture or to inhuman or degrading treatment or punishment.

###### Article 8

1. Everyone has the right to respect for his private and family life, his home and his correspondence.
2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Note that Article 8 is a limited right, which can be limited by public bodies for the greater good of either the public or an individual, if the action taken is legal, relevant and proportionate.

### 1.3 Statutory expectations

The government considers that there are some key features of effective arrangements to safeguard and promote the welfare of children<sup>30</sup>. These arrangements will help agencies to create and maintain an organisational culture and ethos that reflects the importance of safeguarding and promoting the welfare of children. At an organisational or strategic level, these key features are having:

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

### A1.4 Legislation, government statutes and guidance in England

There are many statutes, guidance documents, regulations and other statutory instruments which have a bearing on safeguarding children. This is a rapidly changing area of work and new documents are constantly being issued. A few key documents are noted here.

*Working Together to Safeguard Children*, HM Government, 2010. This is the most important single guidance document. It is binding on the relevant statutory organizations and is regarded as good practice in voluntary organizations. There is specific guidance for faith organizations, and this is incorporated in this document. The church in its national, diocesan and parish structure is a group of voluntary organizations. Most church schools, however, count as part of the statutory sector<sup>31</sup>. Guidance documents supplementary to *Working Together* have been issued covering a number of specialist topics. These are not all listed here.

*Guidance for Safer Working Practice for Adults who work with Children and Young People*, Department for Children, Schools and Families for Allegations Management Advisers, 2007. This is non-statutory advice which does not supersede advice or codes of conduct produced by employers or national bodies.

*Recruiting Safely: Safer recruitment guidance helping to keep children and young people safe*, Children's Workforce Development Council, 2009. This advice document is intended particularly for voluntary organizations and small employers. It is issued in a full and a summary version.

*Safe from Harm*, Home Office circular 1993. Although this has been largely superseded it has not been formally withdrawn or replaced.

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<sup>30</sup> *Statutory guidance on making arrangements to safeguard and promote the welfare of children under section 11 of the Children Act 2004* Department for Education and Skills 2007. This guidance is binding on specified statutory agencies and is considered good practice in voluntary bodies.

<sup>31</sup> See section 2.5.

*Safeguarding Children and Safer Recruitment in Education*, Department for Education and Skills, 2006. This is the equivalent document for schools to *Working Together*.

*Safeguarding Children from Abuse Linked to a Belief in Spirit Possession*, Department for Education and Skills, 2007

*Sexual Offences Act 2003*. This consolidates the law on sexual offences, including those against children, and replaces previous legislation in the field.

*The Vetting and Barring Scheme Guidance*, Criminal Records Bureau and Independent Safeguarding Authority, 2009 [this is interim guidance and a new version is expected shortly]

*What to do if you're worried a child is being abused*, Department for Education and Skills, 2006. Non-statutory advice on action to be taken in individual cases. It is issued in both a full and a summary version.

*Data Protection Act 1998*. Detailed guidance is available from the Information Commissioner.

*MAPPA guidance*, Ministry of Justice, 2009. Guidance on Multi-Agency Public Protection Arrangements for managing sexual and violent offenders in the community.

*Criminal Justice and Court Services Act 2000*. Schedule 4 is a comprehensive list of offences against children. It has been amended (added to) by the Sexual Offences Act 2003.<sup>32</sup>

*Safeguarding Vulnerable Groups Act 2006*. This set up the Independent Safeguarding Authority.

## **A 1.5 Scottish Legislation, statutory guidance and relevant bodies for Safeguarding**

*To do*

## **A 1.6 Welsh statutory guidance and relevant bodies for Safeguarding**

*To do*

## **A2 Relevant Church documents**

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

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

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

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

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

*Creating Safer Space*, Methodist Conference Report, 2007

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

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

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<sup>32</sup> A reference is available.

## Appendix B. A Model Local Church Policy

### The Safeguarding children and vulnerable adults policy of ..... Church

This policy was agreed at a Church Council held on .....  
It will be reviewed annually

The Methodist Church, along with the whole Christian Community, believes each 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 as fulfilled by God's recreation of us in Christ. Among other things, this implies a duty to value all people as having the Holy Spirit within them and therefore to protect them from harm.

The .....Church is committed to the safeguarding and protection of all children, young people and vulnerable adults, and that the needs of children or of people when they are vulnerable are paramount.

This policy addresses the safeguarding of children and young people. It is intended to be a dynamic policy. It is intended to support the church in being a safe supportive and caring community for vulnerable adults, for survivors of abuse, for communities and all those affected by abuse.

The .....Church fully agrees with the Connexional statement:

*As the people of the Methodist Church we are concerned with the wholeness of each individual within God's purpose for everyone. We seek to safeguard all members of the church community of all ages<sup>33</sup>*

The .....Church recognises the serious issue of the abuse of children and vulnerable adults and recognises that this may take the form of physical, emotional, sexual abuse or neglect<sup>34</sup>. It acknowledges the effects these may have on people and their development. It accepts its responsibility for ensuring that all people are safe in its care and that their dignity and right to be heard is maintained. It accepts its responsibility to support, listen to and work for healing with survivors of abuse and communities; also to minister carefully with offenders, and all those who care about them. It takes seriously the issues of promotion of welfare so that each of us can reach our full potential in God's grace.

The .....Church commits itself to respond without delay to any allegation or cause for concern that a child or adult may have been harmed, whether in the church or in another context. It commits itself to challenge the abuse of power of anyone in a position of trust.

The .....Church commits itself to ensuring the implementation of the Methodist Church Safeguarding policies and procedures, of government legislation and guidance and of safer working practices in the Circuit and in the churches.

The .....Church commits itself to the provision of support, advice and training for lay people and ministers in offices, roles or with responsibilities, that will ensure people are clear and confident about their roles and responsibilities in safeguarding and promoting the welfare of children and vulnerable adults.

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<sup>33</sup> reiterated in 'Creating Safer Space' 2007

<sup>34</sup> Including the abuse or neglect of spiritual or financial needs.

The .....Church affirms and gives thanks for the work of those who are workers with children and vulnerable adults and acknowledges the shared responsibility of all of us for safeguarding children and vulnerable adults in our activities and our community.

#### **a) Purpose**

The purposes of this safeguarding policy are to ensure procedures are in place and people are clear about roles and responsibilities for children in our care and using our premises. It is to be read in conjunction with the District and Circuit policy and with the latest edition of the 'Safeguarding children' handbook.

#### **b) Good Practice**

We believe good practice means that

- i) all people are treated with respect and dignity
- ii) Nobody acting on behalf of the church is to meet or work alone with child or young person where the activity cannot be seen, unless this is necessary for pastoral reasons. In such cases a written note of this will be made and kept noting date time and place of meeting.
- iii) The church premises will be assessed for safety for children and the risk assessment report will be given annually to Church council in written form. This will include fire safety procedures. The Church Council will consider the extent to which the premises and equipment are suitable or should be made more suitable.
- iv) Transportation of children and young people will be audited regularly in order to ensure the vehicle is suitable and insured and that the driver and escort are appropriate.

These things are to both safeguard those working with children and young people as well as those people who are vulnerable.

#### **c) Appointment and training of workers**

Workers will be appointed after completion of Safeguarding Adults Form A (parts 1 and 2), ISA registration and a satisfactory criminal record disclosure. Each worker will be expected to undergo basic safeguarding training, within the first year of appointment. The other training needs of each worker will be considered (e.g. food hygiene, first aid, etc) and each worker will have an annual review conducted by a named member of the Church Council or the Stewards and another worker within the organisation. The Safeguarding Forms and confirmation of criminal record checks will be held securely on behalf of the Church Council (e.g. by the minister).

#### **d) Pastoral Visitors**

Pastoral Visitors will be supported in their role with the provision of essential Safeguarding training upon appointment (for working with children and vulnerable adults)

#### **e) Guidelines for working with children and vulnerable adults**

A leaflet or pocket guide will be given to each worker with children and young people outlining how to respond to concerns. [Church Councils may produce their own material or use appropriate Connexional leaflets] The use of these leaflets will be reviewed annually.

#### **f) Ecumenical events**

Where ecumenical events happen on church premises, safeguarding is the responsibility of this Church Council.

#### **g) Events with church groups off the premises**

Adequate staffing will be ensured for such events, together with parental consents. Notification of the event will be given to ..... (with the exception of uniformed organisations who should follow their equivalent good practice procedures)

**h) Other groups on church premises**

Where the building is hired for outside use, the person signing the letting agreement will be given a copy of this policy and any other local safeguarding information<sup>35</sup>. The lettings secretary will consider the needs of various users of the building in making lettings.

**i) Complaints procedure**

It is hoped that these can generally be dealt with internally and fairly, with pastoral sensitivity by the organisations. However, a complaint may be made to a person who will be appointed by the Church Council and who is currently.....

If a complaint is made to another person, it should be passed to ..... who will arrange to meet with the complainant and attempt to resolve the complaint.

If the complaint cannot be resolved, consideration will be given to invoking the complaints system of the Methodist Church which will involve initially speaking with the Local Complaints Officer who is.....

**j) Review**

This policy will be reviewed annually by the Church Council. The date of the next review is....

Dated.....

Signed.....  
Chair of Church Council

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<sup>35</sup> Such as the code of practice or the pocket guide.

## Appendix C - A local church Safeguarding Checklist

Church council policy	What else is needed?	Who will take action?	Action reviewed - date and notes
<b>1. An overview:</b> a) Implementation/ action plan and b) Review timetable c) allocated responsibility for this d) equality and diversity issues discussed			
<b>2. Safer recruitment procedures:</b> a) records of vetting processes – i.e. criminal records and ISA registration / PVG scheme membership. b) registration forms, references, identity c) the person with responsibility for the activity and volunteers d) reviews of probation, annual reviews, training and development e) the code of conduct - distributed and discussed			
<b>3. Planning of activities:</b> a) staff ratios and balance b) written risk assessments c) reviews of risk assessments d) responsibility for occasional events e) equipment f) transport g) parental permissions, including for photography h) E-Safety			
<b>4. Training and development:</b> a) induction b) arrangements for team supervision c) individual supervision or support d) review of training needs and planning			
<b>5. Responding to incidents:</b> a) Incident book b) First Aid c) Local police child protection and Children Social Care numbers d) responsibility for referral e) responsibility for reporting to others on a need to know basis			
<b>6. Who else needs to know:</b> - about the policy a) where is it displayed/ made available b) local ecumenical contacts c) lettings and hirers			
Other – please add			
Signed: Review date:			

## Appendix D. - A list of responsibilities at Circuit, Church and District levels

### 1. Responsibilities at Church level

<b>Responsibilities/ Actions</b>	<b>Person responsible</b>
For general implementation of <i>Safeguarding</i> policies	- <i>Minister in pastoral charge, with Superintendent minister</i>
For ensuring that 'Recruiting Safely' procedures are followed (including registration Forms and vetting procedures) for all those who work with children, young people and also work with adults when vulnerable and that records are kept	- <i>Minister in pastoral charge</i>
Ensure that all office holders are aware of the terms of S.O.010 concerning the holding of office, duty or responsibility and systems have been established for sex offenders in keeping with SO690	- <i>Minister in pastoral charge</i>
Ensure that all officers understand the requirements of the <i>Safeguarding</i> policies and attend suitable training	- <i>Minister in pastoral charge</i>
Appoint one member of the Church Council to take responsibility for coordinating the implementation of the <i>Safeguarding</i> policy	- <i>Minister in pastoral charge</i>
Appointment of a <i>Safeguarding</i> coordinator ( <i>this person need not be a member of the Church but should have suitable skills and be in sympathy with the Church</i> )	- <i>Church Council</i>
Make sure that copies of the <i>Safeguarding</i> handbooks are available for all members of Church Council to refer to. These documents will also be available from the Methodist web site	- <i>Church Council Secretary</i>
Give a copy of this <i>Safeguarding</i> handbook to all workers with children and young people, youth club leader etc.	- <i>Church Council Secretary/ Junior Church Superintendent</i>
Give a copy to all who perform duties affected by it	- <i>Church Council Secretary</i>
Include <i>Safeguarding</i> on the agenda of the Church Council	- <i>Minister in pastoral charge/</i>
Retain Confidentially copies of the any forms, letters and procedures completed during Recruitment registration procedures	- <i>Church Council Secretary/ Minister in pastoral charge</i>
Form a working group, including workers with children and young people in order to prepare and review a <i>Safeguarding</i> policy and implementation plan for the Church	- <i>Church Council</i>
Prepare a draft policy and submit to Church Council	- <i>Working group</i>
Adopt the policy and implementation/ action plan	- <i>Church Council</i>
Identify possible sources of legal advice	- <i>Church Stewards/safeguarding coordinator</i>
Discuss dissemination of the policy and implementation/ action plans.	- <i>Church Stewards and others</i>
Ensure that training is taken up	- <i>Minister with Pastoral charge and Church Stewards</i>
Record who has attended training and when	- <i>Church Council Secretary/ Administrator/ Safeguarding coordinator</i>
Remind workers with children and young people to re-apply for criminal record disclosures every five years or upon change of role or responsibility, whichever is shorter and when to apply for registration or membership of the relevant vetting scheme	- <i>Church Council Secretary/Minister in pastoral charge/ Safeguarding coordinator</i>

- Conduct supervision and review of workers with children and young people regularly - *Minister in pastoral charge*
- Monitor the administration and implementation of Safeguarding procedures regularly - *Minister in pastoral charge*
- Report incidents to the District Safeguarding Team, the insurance company and the Charity Commission as necessary using the **Reporting form Y** - *Minister in pastoral charge*
- Ensure the guidelines for creating a website are followed – these are published on [www.methodist.org.uk/safeguarding](http://www.methodist.org.uk/safeguarding) - *Minister in pastoral charge/ Church Council*

## 2. Responsibilities for Circuit Meetings

### Responsibility

### Person responsible

- Developing a policy on Safeguarding and implementation plan which affirms, encourages and supports all children and young people and the work done with them - *Superintendent minister*
- Circulate copies of circuit Safeguarding policy to all Church Council Secretaries - *Circuit Meeting Secretary*
- Ensure that all churches in the circuit have policies - *Superintendent minister*  
Support those in pastoral charge in exercising responsibility for the implementation of Safeguarding - *Superintendent minister*
- Ensure that all circuit office holders (including local preachers), complete Safeguarding Forms and vetting procedures before appointment (or approval for going 'on trial') and that records are kept - *Superintendent minister*
- Ensure that all circuit office holders are aware of the terms of S.O.010 concerning the holding of office, duty or responsibility and systems have been established for sex offenders in keeping with SO690 - *Superintendent minister*
- Ensure circuit groups or events follow Safeguarding policy and procedures. (In the case of regular groups the guidance for Church Councils should be followed) - *Circuit stewards*
- Appointing a Safeguarding coordinator - *Superintendent minister/ Circuit meeting*
- Include information in circuit publications - *Person responsible*
- Ensure that training initiatives are developed, delivered, the office holders attend - *Circuit stewards*
- Ensure that adequate records are kept of all volunteers and employees attendance at training and that records of safeguarding or health and safety incidents are kept indefinitely - *Superintendent minister*
- Inform ecumenical partner churches and check they have a mechanism for good practice and referral<sup>36</sup> - *Superintendent minister*
- Supervise and review workers with children and young people regularly - *Superintendent minister*  
Monitor and review the administration the policy and implementation regularly - *Superintendent minister*

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<sup>36</sup> See also ecumenical (LEP) Safeguarding checklist CTE web site

### 3. Responsibilities of the District Synod

#### Responsibility

#### Person responsible

- For developing a policy on Safeguarding which affirms, encourages and supports all those who work with children and young people - *Chair of District*
- For general implementation of Safeguarding policy for the district - *Chair of District*
- Support all Superintendent Ministers and circuit Ministers in their implementation of Safeguarding policy - *Chair of District*
- Liaise closely with the Training Officers and District Safeguarding Team in ensuring adequate levels of training are provided - *Chair of District*
- Ensure that all circuit office holders are aware of the terms of S.O.010 concerning the holding of office, duty or responsibility and systems have been established for sex offenders in keeping with SO690 - *Chair of District*
- Provide copies of Safeguarding handbooks for District Councils/ Policy Committee - *Synod Secretary*
- Include a statement about S.O.010(2) in District Policy Committee and Lay Employment Sub-committee agendas - *Chair of District/Synod Secretary*
- Ensure that the Lay Employment Adviser/ Sub-Committee has a copy of the 'Recruiting Safely' handbook and is addressing Safeguarding issues including 'Recruiting Safely'- *Chair of District*
- Ensure that where there are employees or volunteers at District level they complete where relevant the recruitment and vetting procedures and that records are kept regarding these roles - *Chair of District/ Synod Secretary*
- Set up a District Safeguarding (children and young people) Advisory Team<sup>37</sup> - *Chair of District/Synod Secretary*
- Circulate the district policy to all Circuit Meeting Secretaries together with information on the District Safeguarding Team - *Synod Secretary*
- Ensure that all circuits and churches create and implement their own policies - *Chair of District*
- Ensure that, where there are district children and youth groups or events, the district policy is implemented. (In the case of regular groups the guidance for Church Councils should be followed.) - *Chair of District/Synod Secretary*
- Ensure that those elected as representatives to Conference comply with the terms of S.O.010 - *Chair of District*
- Include information on the District Policy and Safeguarding Team contact in district publications - *Synod Secretary*
- Monitor and evaluate the policy and implementation each year - *Chair of District and DPC/ DC*
- See below 4.5 for responsibilities and work of the District Safeguarding Team(s)**

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<sup>37</sup> This team may be combined with a District Safeguarding Adults Advisory Team – see 'Safeguarding Adults when they are vulnerable in the Methodist Church' handbook.

#### **4. Responsibilities of the Connexional Team**

##### **Responsibility**

##### **Person/s responsible**

For ensuring that the Safeguarding policy is implemented, monitored and evaluated and the Methodist Church complies with the Law	- <i>Designated team members with responsibility for implementing Safeguarding policy and procedures, with the Secretary of the Conference</i>
Develop policy in the light of changing Methodist understanding and practice	- <i>Designated Team members, with the Secretary of the Conference.</i>
Respond to government initiatives concerning child protection	- <i>Connexional Safeguarding Adviser</i>
Work with other denominations to both establish and support policy and best practice	- <i>Connexional Safeguarding Adviser</i>
Devise, monitor and review training and awareness-raising	- <i>Connexional Safeguarding Adviser</i>
Provide appropriate materials, documentation, communications and systems	- <i>Connexional Safeguarding Adviser with the Communications office, including Publications</i>
Ensure that training initiatives are developed and delivered	- <i>Discipleship and Ministries cluster working together with TOs and the Connexional Safeguarding Adviser</i>
Promote good practice in safeguarding procedures in all areas of the church's life; monitor and evaluate implementation and procedures	- <i>District Chairs and Connexional Team</i>
Review, amend and adopt appropriate Standing Orders	- <i>Law and Polity Committee</i>
<b>Those who should be aware of the provisions of Methodist Safeguarding policy and procedures</b>	- <i>Ecumenical partners</i>
<b><i>[See also Safeguarding checklist for LEPs]</i></b>	
MAYC regional/national events, Youth Council, and the Participation schemes and work Connexionally funded	- <i>Methodist Children and Youth office</i>

## APPENDIX E

### **A Model Code of Conduct for all those working with children and young people in the Methodist Church in a paid or volunteer capacity**

This brief guide is intended to assist leaders and helpers in the implementation of the Methodist Church 'Safeguarding children and young people – policy and guidance for good practice and procedures (2010) and Recruiting Safely policy and procedures (2010) which should be read for the complete policy, procedures and requirements for good practice.<sup>38</sup>

#### **Contents**

1. Working With Children & Young People .....
2. Code Of Behaviour .....
3. Touch .....
4. Transporting Children By Private Car .....
5. Registration of Children's Groups .....
6. Recommended staffing levels.....
7. Health And Safety.....
8. Hearing A Child Abuse Disclosure .....
9. Special needs .....
10. What To Do If You Suspect A Child Has Been Abused & You Need To Take Urgent Action .....
11. Less Urgent Situations.....

IMPORTANT TELEPHONE NUMBERS:

STATUTORY AGENCIES (please write in your local numbers)

DISTRICT CONTACTS:

CHURCH CONTACTS (please write in your local numbers)

#### **Working With Children & Young People**

**All leaders and helpers should be subject to the Methodist Church approved recruitment procedures, which include:**

##### **Submitting an application form with references**

- **Completing a Confidential Declaration Form**
- **Having a valid criminal record Enhanced Disclosure and registration with the ISA or membership of the PVG scheme in Scotland**
- **Following an induction programme**
- **Attending training and review meetings**
- **Accepting supervision and accountability**

**One of the aims of the policy is for church groups to provide a warm, nurturing environment for children and young people whilst avoiding any inappropriate behaviour.**

**All volunteers must work within sight of another adult.**

#### **1. Code Of Behaviour**

<sup>38</sup> This booklet was initially prepared by Sandy Rowles of St Mary's and St John's Bletchley and revised by Ann Cartland and others at St Peter's Loudwater and is used by permission. This version February 2010

### **You should:**

- Treat all children and young people with respect & dignity
- Watch your own language, tone of voice and body language
- Always aim to work within sight of another adult.
- Ensure another adult is informed if a child needs to be taken to the toilet. Toilet breaks should be organised for young children
- If known in advance, seek a parent's permission if a child or young person is to be seen on their own. Another adult must be nearby and the child or young person must know this.
- Ensure that each group includes a female helper if possible.
- Ensure that children and young people know who they can talk to if they need to speak to someone. Display the Childline telephone number in a prominent place where children & young people can see it.
- Respond warmly to a child who needs comforting but make sure there are other adults around.
- Administer any necessary First Aid with others around.
- Record any concerning incidents and give the information to your Group Leader. Sign and date the record, and also print your name in capital letters.

### **You should not:**

- Invade a child's privacy whilst washing or toileting.
- Play rough physical or sexually provocative games.
- Use any form of physical punishment
- Be sexually suggestive about or to a child or young person even in fun.
- Touch a child inappropriately or obtrusively.
- Scapegoat, ridicule or reject a child, young person or group.
- Show favouritism to any one child, young person or group.
- Allow a child or young person to involve you in excessive attention seeking that is overtly physical or sexual in nature.
- Give lifts to children or young people on their own or on your own.
- Smoke tobacco in the presence of children or young people
- Drink alcohol when responsible for young people, including when off duty
- Share sleeping accommodation with young people.
- Invite a young person to your home alone.
- Permit abusive peer activities e.g. initiation ceremonies, ridiculing or bullying.
- Allow unknown adults access to children. Visitors should always be accompanied by a known person.
- Allow strangers to give children lifts.

## **2. Touch**

Child abuse is harm of a very serious nature so that it is unlikely that any type of physical contact in the course of children and youth work could be misconstrued as abuse. One of the aims of the policy is for church groups to provide a warm, nurturing environment for children and young people whilst avoiding any inappropriate behaviour or the risk of allegations being made. All volunteers must work with or within sight of another adult.

- If any activity, for example drama or games require physical contact make sure that the young person and their parents are aware of this and its nature.
- There must be no physical punishment of any kind nor should any sanction ridicule or humiliate a child.
- Avoid physically rough games.

- Avoid unnecessary informal touching.
- Avoid taking young children to the toilet, but when unavoidable make sure another adult is informed, or organise a toilet break for the whole group.
- Young children may sometimes need comforting; make sure they are responded to warmly but with other adults around.
- First aid should be administered with others around.
- Very occasionally it may be necessary to restrain a child or young person who is harming himself or others. Use the least possible force and inform the parents as soon as possible. All such incidents should be recorded and the information given to the Church or Circuit Safeguarding Coordinator.

All physical contact should be an appropriate response to the child's needs not the needs of the adult. Colleagues must be prepared to support each other and act or speak out if they think any adult is behaving inappropriately.

### **3. Transporting Children By Private Car**

- Children & young people should not be transported in a private car without the prior consent of their parents or carers. This also applies to giving lifts to and from a church activity.
- All those who drive children on church-organised activities should be over 25 and should have held a full clean driving licence for over two years.
- All cars that carry children should be comprehensively insured. The insured person should make sure that their insurance covers the giving of lifts during church activities. Insurance company should be informed that lifts may be given,
- All cars that carry children should be considered to be clean and in a roadworthy condition.
- All children must wear suitable seat belts and use appropriate booster seats. If there are no seat belts children should not be carried.
- At no time should the number of children in a car exceed the usual passenger number. There must be a seat belt for every passenger.
- If a child is known to have a disability or special need, consideration should be given whether to have a non-driving adult in the car. This adult should sit in the back, behind the driver, with the child in the seat beside him or /her.
- Any driver who has any endorsement of 6 points or more on their licence should inform the Church Safeguarding Coordinator.
- Any driver who has an unspent conviction for any serious road traffic offence should not transport children for the church.
- There should be a non-driving adult escort as well as the driver. If in an emergency a driver has to transport one child on his or her own, the child must sit in the back of the car.
- To ensure that these guidelines are adhered to it would be appropriate to obtain a signed undertaking, covering the above issues, from those people who are prepared to transport children in their cars.
- Drivers who are not children's workers should be recruited for the task through the normal recruitment process.

### **4. Registration of Children's Groups**

Any group that includes children who are under 8 years old and that meets regularly for more than 2 hours in any one day or for more than 14 days a year must register their group. Please contact your local branch of OFSTED for advice. Registration includes standards for workers as well as the premises and tries to ensure that children do not come into contact with unsuitable people who may be using the premises

- A Registration Form should be completed for every child or young person who attends a group.

- A Register should be kept of all children & young people's groups that meet regularly. For one-off events a list of the children should be kept.
- All Registers and lists should be retained.
- Written parental consent should be obtained for all activities and for taking photographs

## 5. Recommended staffing levels

The recommended minimum staffing levels for children's groups are given below: More help may be required if children are being taken out, are undertaking physical activities or if circumstances require it.

0-2 yrs	1 person for every 3 children	1 : 3
2 – 3 yrs	1 person for every 4 children	1 : 4
3 – 8 yrs	1 person for every 8 children	1 : 8
Over 8 yrs	1 person for the first 8 children then 1 extra person for every extra 12 children	

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

If groups are in the same room or adjoining rooms with doors open then one person per group is allowed.

Young people aged 16 & 17 may help with groups but should be supervised by an adult helper who will be responsible for ensuring good practice and that safeguarding children procedures are followed. Young people under 16 may help with other things but should not have responsibility for children.

Additional adults may help on one or two occasions but must be responsible to an appointed worker. Thereafter they should become part of the team and be properly appointed through the normal recruitment process.

## 6. Health and Safety

Insurance, First Aid Kit and fire precautions should be checked. Carry out a Health and Safety Check

These are the recommended standards:

### Premises

- Meeting places should be warm, well lit and well ventilated. They should be kept clean and free of clutter. Electric sockets should be covered.
- Toilets and hand basins should be easily available. Hygienic drying facilities should be provided. Roller towels should be avoided.
- Ensure you have enough space available for the intended activity.
- If food is regularly prepared for children on the premises, the facilities will need to be checked by the Environmental Health Officer and a Food Handling and Hygiene Certificate acquired. Children's packed lunches should be kept refrigerated. Drinks should always be available.
- Groups must have access to a phone in order to call for help if necessary.
- Adults should be aware of the fire procedures. Fire extinguishers should be regularly checked and smoke detectors fitted throughout the premises. A fire drill should be carried out regularly.
- No smoking should be permitted in the areas where there are children.
- Alcohol or intoxicating drugs must not be used by those who have children and young people in their care.
- Unaccompanied children and young people should not walk to or from your premises along dark or badly lit paths.

- A First Aid kit and accident book should be available on the premises. The contents of the First Aid Kit should be stored in a waterproof container and be clearly marked. Each group should designate one worker to check the contents at prescribed intervals. All staff and volunteer workers should be encouraged have some First Aid knowledge and the parish should encourage access to First Aid training. A list of first aiders in the parish should be compiled and kept available. All accidents must be recorded in the accident book.

## **7. Hearing a Child Abuse Disclosure**

If a child asks to talk in confidence **do not** promise confidentiality – you have a duty to refer a child/young person who is at risk to the statutory agencies. Explain that you may have to get other people to help if the child is being harmed or at risk of harm.

Ensure you have as much privacy as possible but try to have another adult present when the child is speaking to you.

- Stay calm
- Listen to the child attentively
- Maintain eye contact
- Allow the child to talk but do not press for information or ask leading questions
- Tell the child that they are not to blame for anything that has happened
- Reassure the child that they were right to tell
- Let the child know that other people will have to be told so that the abuse can stop
- Try to explain what will happen next in a way the child can understand
- Reassure the child that he or she will continue to receive support during the difficult time to come.
- Make a written record, quoting the child's actual words. Sign and date this, giving your name and role.
- Consult the Church/ Circuit Safeguarding Coordinator.
- Inform the District Safeguarding Children Adviser.

## **8. Special needs**

Welcome children and young people with special needs to the group. Try to make the premises, toilets and access suitable for people with disabilities. Ask the parent about how best to meet the child's special needs, and do not see this as the responsibility only of the child's parent. If premises are being designed or refurbished, take the opportunity to anticipate the possible special needs of future children and adults; advice is available. Disability legislation requires organizations to take reasonable steps to meet the needs of disabled people, including children.

## **9. What To Do If You Suspect A Child Has Been Abused & You Need To Take Urgent Action**

- Make a telephone referral to the Local Authority Children's Social Care service (formerly Social Services). Make it clear from the first point of contact that you are making a child protection referral
- Describe the event or disclosure and give information about the child and family e.g. the child's name, date of birth, address, telephone number and GP (if known)
- Follow up your telephone call with a completed referral form or letter. This should be acknowledged. If it is not, chase it.

- Remember that the child & family should, wherever possible, be informed about and consent to the referral unless this will put the child's welfare at risk. However, if you have serious concerns, the absence of consent should not prevent a referral. The Duty Social Worker will give you advice over this if necessary.
- Be prepared to have further discussions with the social work team or the police investigation team.
- Say if you do not want your details disclosed to the family.
- For out of hours referrals, call the Emergency Social Work Team

Do not delay your referral. Ensure you notify your Group Leader or Safeguarding Representative and the District Safeguarding Adviser as soon as possible. You should also notify your minister if you have not already done so. If your Minister or Superintendent Minister is implicated, you must inform the Chair of District.

## 10. Less Urgent Situations

If the child is not in immediate danger, if you are not sure if child abuse is involved, or if you have concerns about a child and you need someone to talk things over with, then contact either:

- your Group Leader or Safeguarding Coordinator or
- your local Children's Social Care or
- the District Safeguarding Adviser

### In all cases:

- Make notes, as accurately as you can, of the details of the allegation, all that happens, and anything that was said, which struck you as particularly significant. Ensure you note from the church's registration records the child's name, age, address, telephone number and GP. Sign and date the notes with your name, role and date.
- The notes must be kept in a safe, secure place indefinitely.
- Seek support for yourself from an appropriate person within the church

## IMPORTANT TELEPHONE NUMBERS:

### STATUTORY AGENCIES (please write in your local numbers)

Police (all non-emergency enquiries)	
Local Police Child/Family Protection Unit	
Local Council Children's Social Care	
Local Emergency Social Work Team	
Local General Hospital	

**CHILDLINE: 0800 1111**

**DISTRICT CONTACTS:**

District Safeguarding Adviser	
District Children and Youth Adviser	

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

Name	Role	Phone
	Superintendent minister	
	Minister	
	Group Leader /organiser	
	Safeguarding Children Coordinators: Circuit - Local Church	

N.B. This Code of Conduct is not designed to impose unreasonable rules of conduct; rather it seeks to give those who work with children and young people a framework for supporting the development of appropriate relationships.

Adult volunteers and paid staff who do not maintain the standards of behaviour in this Code of Conduct will, where appropriate, be supported to maintain those standards. However, serious breaches of the Code could result in disciplinary action and the relevant church body has a duty to refer such people to the child protection agencies where the incident has involved an allegation of abuse against a child. It may also lead to a referral to The Independent Safeguarding Authority (England and Wales) or to Scottish Ministers for possible inclusion listing on the Disqualified from Working with Children List.

**Appendix F. The Sex Offender policy as set out in CPD – A Covenant of Care**  
*This policy is due for formal review in 2011.*

**Standing Orders**

**Section 69 Involvement of Sex Offenders in the Local Church**

<i>Standing Order</i>	<i>Page</i>
690 Arrangements for Involvement .....	517
691 Changes in Church Representatives.....	517
692 Transfer .....	518

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

#### **690 Arrangements for Involvement.**

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

(2) (a) The Local Church in question, acting by the minister in pastoral charge, must establish a small group, which will include that minister, to provide appropriate support to the person concerned. In establishing the group, the minister should whenever possible act together with the Church Council or, if that cannot be done, the church stewards. The provisions of Standing Order 607 shall not apply to the group.

(b) The group so established must undertake a risk assessment (where possible with outside assistance) in order to minimise the risk to others presented by the person concerned and to determine on what terms he or she may attend for worship and become involved in the life of the Local Church.

(c) The person concerned must agree to enter into a written contract setting out the terms determined in accordance with sub-clause (b) above and the contract must be signed and dated by him or her and by the members of the group.

(3) When a written contract has been made with a person under the provisions of clause (2) above, its terms must be regularly reviewed by the group. The group may at any time require the person concerned to agree any variation which it believes necessary for the avoidance of risk.

(4) The guidance approved by the Conference from time to time shall be followed in carrying out the requirements of clauses (2) and (3) above.

For the current guidance, see Book VI, Part 2, Section 12.

(5) A person to whom clause (1) above applies shall not be placed on the community roll maintained by the Local Church in accordance with Standing Order 054(7) before signing a contract in accordance with clause (2) above.

#### **691 Changes in Church Representatives.**

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

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

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

#### **692 Transfer.**

(1) If a person to whom Standing Order 690 applies and whose name is on the community roll of a Local Church (whether or not as a member) removes from one Circuit to another, the minister in pastoral charge of that Local Church, in carrying out his or her responsibilities under Standing Order 055, shall ensure that the recipient minister or probationer is aware of the existence and terms of the contract made in accordance with Standing Order 690.

(2) A minister or probationer receiving notice that a person removing from one Circuit to another has made a contract with a Local Church in accordance with Standing Order 690 shall ensure that the provisions of that Standing Order are applied again if the person concerned wishes to attend worship or to become involved in the life of a Local Church in the new Circuit.

(3) If a person to whom Standing Order 690 applies and whose name is on the community roll of a Local Church (whether or not as a member) ceases to attend worship or to be involved in that Local Church but wishes to attend worship or be involved in another Local Church within the same Circuit, the minister in pastoral charge of the first Local Church shall ensure that the minister in pastoral charge of the second Local Church is aware of the existence and terms of the contract made in accordance with Standing Order 690 and the second minister shall ensure that the provisions of that Standing Order are applied again.

## Guidance Part 2 Section 12 The Church and Sex Offenders

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

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

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

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

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

We suggest Methodist churches should adopt the following procedure:

#### i. Pre-release

Where the offender is approaching release from prison, it will be important wherever possible for the chaplain of the prison to be in contact with the minister of the Local Church and Circuit where the offender hopes to settle on release. If the circuit minister is aware of the arrival of a sex offender but has not heard from the prison chaplain, the minister should try to make contact with the chaplain, who may be able to describe the treatment received by the offender and the kind of programme that will be in place to help him or her return to the community. It may be possible for a visit to be arranged so that the minister can meet the chaplain and the offender. It will also be crucial for those responsible in the Local Church to be in contact with the local risk management panel, the offender's probation officer and the police, so that any agreement regarding involvement in the Local Church is known about and seen as part of the multi-agency, multi-disciplinary approach to the oversight of the offender upon release from prison. In approaching and seeking to work with secular agencies there may be some initial suspicion and it may help to provide the agency with a copy of the Methodist Church's procedure or even this whole report, to demonstrate the Church's willingness to work together with other agencies in the responsibility for sex offenders and the protection of potential victims. [*The Conference of 2000 referred to the Methodist Council the question of how the procedure might be published for use in the Church and in a form which could be made available to risk management panels, probation services, the police and other agencies.*]

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

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

A small group should be set up, consisting of approximately five persons, including the minister, persons who have agreed to offer pastoral support for the offender and accompany them in worship

and other church activities, someone with expertise or experience in this field and someone to represent the wider church community. The group should acquaint itself with any therapeutic programme the offender has undergone or will continue to be part of. The group should meet the offender, their probation officer and other appropriate people so that clear boundaries can be established for the protection of children and young people and to reduce the likelihood of false allegations or suspicions. This group will, at best, operate alongside other agencies in a multi-agency approach to the offender's rehabilitation.

### iii. Carrying out a risk assessment

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

### iv. Writing a contract

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

- \* I will never allow myself to be in a situation where I am alone with children/young people
- \* I will attend meetings/house groups as directed by the small group
- \* I will sit where directed in the church and will not place myself in the vicinity of children and young people
- \* I will not enter certain parts of the building designated by the small group, nor any area where children's activities are in progress
- \* I will decline invitations of hospitality where there are children in the home
- \* I accept that 'x' and 'y' will sit with me during church activities, accompanying me when I need to use other facilities. They will know that I am a Schedule 1 offender/registered with the police under the terms of the Sex Offenders Act
- \* I accept that 'z' will provide me with pastoral care
- \* I accept that there are certain people who will need to be told of my circumstances in order for them to protect the children/young people for whom they care
- \* I accept that contact will need to be made with my probation officer, who will meet with church leaders or members of the small group as and when necessary
- \* I understand that if I do not keep to these conditions, then I may be banned from attending the church, and in such circumstances the church leaders may choose to inform the statutory agencies (eg probation and social services) and any other relevant organisation, and the church congregation
- \* I understand that any other concerns will be taken seriously and reported
- \* I understand that this contract will be reviewed regularly every \_\_\_\_\_ months and will remain for an indefinite period.

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

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

### v. Small group to meet regularly

The small group should continue to meet the individual from time to time to review the arrangement and address any concerns. If boundaries are not being kept, or if the contract is not being kept in

other ways, it is important to address the problem. (In extreme cases, where boundaries continue not to be kept, it may be necessary to prohibit the offender from coming on the premises.) When officers or ministers change in the church it will be important to ensure continuity of awareness and provision of pastoral support for the offender.

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

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

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

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

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

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

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

## **Appendix G. Reporting incidents to the Charity Commission - the requirements**

Here below is a summary of the guidance on the Charity Commission web site  
<http://www.charitycommission.gov.uk/investigations/rsinotes.asp#3>

A report should also be made to the insurance company when such incidents arise that are likely to involve liability, i.e. financial or reputational risks. Methodist Church procedure states that this should be done by filling out the reporting form Appendix... which will be copied and forwarded in such cases to the insurance company and this also now may now be used to notify the Charity Commission. The Charity Commission has stated that this notification should be made **by** the local church and **also** by the Connexional officer responsible.

It is Methodist Church policy that statutory agencies should always be notified first, especially when there is a serious risk of harm or risk of serious harm or in checking out whether this is the case. This should occur even if the facts are not clear. It is not our role to investigate in matters that are of a criminal nature. If in doubt talk you must speak with the relevant officer children's social care in the LSCB or the LADO (in England) or their equivalent (in Scotland or Wales).

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

### **A summary of duties from the Charity Commission:**

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

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

### **Annual Returns declaration**

If your charity has an income over £25,000 you must, as part of the Annual Return, sign a declaration that there are no serious incidents or other matters relating to your charity over the previous financial year that you should have brought to our attention but have not. It is an offence under section 11 of the Charities Act 1993 to provide false or misleading information to the Commission. If you sign the declaration on the Annual Return we will take this as your confirmation that there are no serious incidents you should have told us about.

By reporting serious incidents you show that you are aware of difficulties that have arisen and that you have taken appropriate action. This is very important because safeguarding the assets of the charity and the charity's beneficiaries are key responsibilities. If a serious

incident that has not been reported becomes known to us at a later date, we may consider taking action against the trustees.

### **Best practice**

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

### **Suspicious, allegations and incidents of abuse or mistreatment of beneficiaries**

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

- There has been an incident where the beneficiaries of your charity have been or are being abused or mistreated while under the care of your charity or by someone connected with your charity such as a trustee, member of staff or volunteer.
- There has been an incident where someone has been abused or mistreated and this is connected with the activities of the charity.
- Allegations have been made that such an incident may have happened, regardless of when the alleged abuse or mistreatment took place.
- You have grounds to suspect that such an incident may have occurred.

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

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

**Reporting form is Appendix H**

## Appendix H – Reporting Form

### Appendix H Part 1 - Guidance for Referral to District Safeguarding Coordinator Group *and* the Connexional Advisor for Safeguarding children and children.

For *all* Ministers and Deacons.

1. In the following circumstances the enclosed form (overleaf) is to be used in reporting cases first to the District and then to the Connexional Advisor:

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

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

In some cases an allegation is made by an adult about abuse while they were a child (under 18) and the person is still in position to abuse children either within the church or elsewhere. The adult survivor should always be included in the decisions, and told what action has to be taken at each stage. This should be referred whether or not they ultimately give permission.

2. Referrals should take place whether or not you have spoken to the parties and can be done following an initial discussion in an anonymous fashion, i.e. in order to establish whether referral fits the above criteria.
3. Referrals should take place whether or not you have also referred to Children's Social Care, Adult Social Care, the Local Authority Designated Officer, Probation or Police, but please note the name of person to whom you referred the matter to assist liaison by all parties in the matter.
4. Ministers and Superintendents are responsible for good practice and management of Safeguarding issues in the local church and circuit. In each case co-operation on these matters should include a decision as to who should liaise from the District group (by the group itself) and who should take a lead in liaising with the statutory authorities. That is – be clear as to who does what, including who attends meetings and who feeds back to whom.
5. The District Safeguarding group *and* all ministers have a clear obligation to respond appropriately *and* to send copies of all referrals to the Connexional Advisor who may in certain cases decide to inform Methodist Insurance and the Charity Commission.

**Appendix H - part 2**

*[N.B. this is an updated version]*

**Incident report - Form Y\***

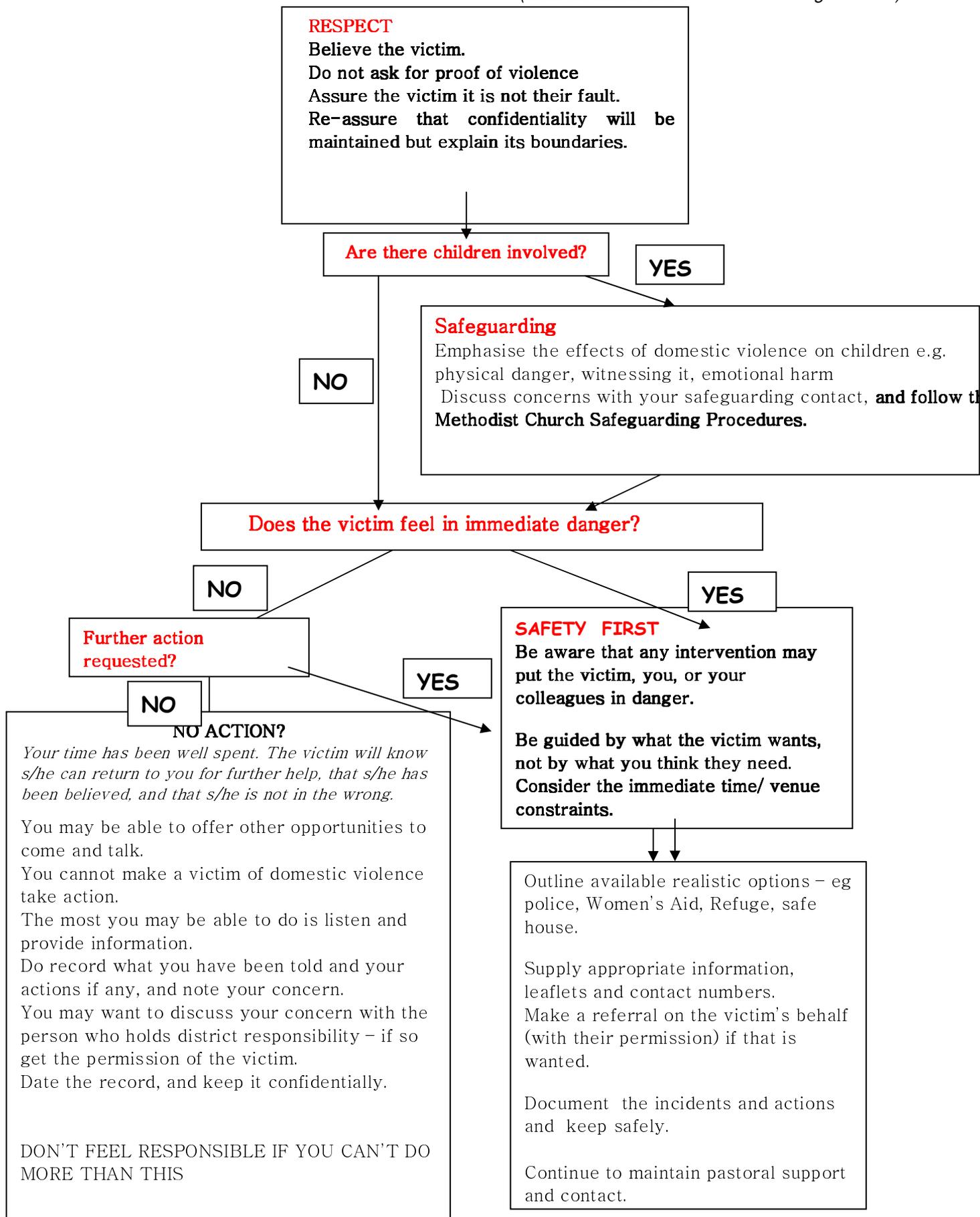
*Please complete this form in all cases to the best of your knowledge. Do not investigate; this is the role of statutory agencies. If the case does not quite 'fit' the facts as you have them please explain on reverse or in an attached document, dated and signed.*

<b>1. a) Name of person completing this form</b>		<b>1. b) Position in the church</b>
<b>2. Date and time this report was written</b>		<b>1c) Contact details of 1 a)</b>
<b>3. a) Name and details of the person who the subject of the allegation</b>		<i>[Any volunteer/ office holder or employee in the Methodist Church]</i> <b>b) Have they been suspended? Yes/ No</b>
<b>4. a) Details of the alleged victim/ person making the allegation</b>		<b>4. b) Church/ Circuit/ location</b>
<b>5. a) Has this been reported to the police?</b>		<b>5. b) Has this been reported to the relevant Children [or Adults ] Social Care services or the Local Authority Designated Officer? Yes/ No</b>
<b>5. c) Advice or action from police etc.</b>		<b>d) Advice or action by these services</b>
<b>e) Contact details of the statutory professionals you have informed?</b>	Police	Social Care/ social services/ LADO
<b>5. Who else have you spoken to about your concerns?</b>	<b>a) The child/ vulnerable adult</b> yes/ no	<b>5 b) Name.....</b> Contact details of Carer.....
	<b>b) Carer</b> yes/ no	
	<b>c) Your church supervisor / line manager?</b> yes/ no Position.....	<b>5 c) Name .....</b> Contact Details of church supervisor/ line manager..... .....
<b>6. Any other feedback/ Action at local or District level</b>	..... ..... Name of person taking action ( <i>print</i> ) ..... Contact details ( <i>if different from 5 c) above</i> ): .....	
<b>7. Signature of worker completing this form</b>	Date .....	<b>9. District/ Connexional Safeguarding Adviser who received/ dealt with this matter</b>
<b>8. Signature of senior staff/ line manager</b> <i>This should be the Minister/ Superintendent/ Chair of District as appropriate</i>	Date .....	<b>9. b) Details</b>
	<b>Other info.</b>	<b>9. c) Date matter is closed/ concluded</b> File number..... Date..... <i>(for District/ Connexional Safeguarding use)</i>

DATA WILL BE HELD IN ACCORDANCE WITH GOOD PRACTICE IN CHILD PROTECTION AND THE RELEVANT LEGISLATION.

# Appendix J – Domestic Abuse flowchart

(from the Methodist Domestic Abuse guidelines)



N.B. The full Domestic Abuse guidelines are included in the Methodist Safeguarding Adults policy and procedures Appendix...

## **Appendix K – Further resources**

*To do*

## **Appendix L - Glossary of terms**

**‘development’** means physical, intellectual, emotional, social or behavioural development;

**‘health’** means physical or mental health; and

**‘ill-treatment’** includes sexual abuse and forms of ill-treatment which are not physical.