

CHILD PROTECTION POLICY & MANUAL DIOCESE OF SODOR AND MAN

NOVEMBER 2012

PREFACE

FOREWORD BY THE LORD BISHOP OF SODOR AND MAN

One of the great joys of my ministry is to witness the involvement of children and young adults in the worship and life of the church. They are part of the church of today. As such, they command as much care, attention and protection as we would expect for adults.

There has been a growing public awareness and concern about the incidence of abuse against vulnerable people of all ages. Much of the publicity concentrates on sexual abuse, although we do well to remember that it has other faces: physical and emotional abuse and neglect. It is widely recognised that abuse may leave deep and lasting scars on victims and their families and is particularly abhorrent when perpetrated by those in positions of trust and responsibility.

Sadly, abuse crosses all cultures, social classes, religions and none; abusers come from all walks of life and may be found anywhere. Research indicates that the majority of offences are committed by individuals already known to the person and frequently from within close circles. It should not come as a surprise, therefore, that some abusers could be found within the community of the Church.

Abuse is offensive to the Gospel of Christ, for Jesus gave stern warning with regard to the care of children and constantly associated with vulnerable people. It is true that both the media and the public at large rightly accuse the Church of hypocrisy when abuse is perpetrated by those who profess to be Christians and are involved in church work. If we did not all take this seriously we would be forced to agree with that accusation.

The Church of England, along with other denominations, has adopted a formal policy as outlined by the House of Bishops (Protecting All God's Children). We have a responsibility to set an example of excellence which others may look to and even wish to follow. To achieve this, we have put in place good policies and effective management and must raise awareness of all the issues involved.

In the Diocese of Sodor and Man we commit ourselves to

- *the physical, emotional and spiritual wellbeing of all children and vulnerable people in our care;*
- *take seriously all allegations or suspicions of abuse; and*
- *handle allegations or suspicions of abuse in accordance with these Guidelines.*

We are fulfilling this commitment by

- *providing these Guidelines;*
- *inviting the Archdeacon to ensure that each parish's Safeguarding Policy is firmly in place;*
- *reviewing these policies regularly in the light of use and observation;*
- *requesting the Diocesan Safeguarding Officer to monitor the effectiveness of the working of the Guidelines;*

- *as a diocese, providing training opportunities in the protection of children and vulnerable people; and*
- *reminding parishes of the availability of the Diocesan Safeguarding Officer.*

We cannot emphasise too much the importance of children and vulnerable people in every parish. Although protection is at the heart of these Guidelines, this must not be seen as overshadowing the importance of promoting the welfare of children and vulnerable people in our Church communities.

To deny anyone the opportunity to enter into the Christian experience in a safe and loving church environment is also a form of spiritual abuse. We are deeply grateful for the generosity and commitment of so many volunteers who work throughout the Diocese so that children and vulnerable people may grow and flourish in the Christian faith.

I therefore commend this Safeguarding Policy and accompanying guidelines for consideration and adoption by each PCC in this diocese.

+Robert, Sodor as Mannin

This Policy and Guidelines Document was completed in October 2012 and was discussed at Synod November 2012.

No further changes are expected from the February Synod meeting and you should take this copy as correct.

The document was updated between Synods with the change of legislation. The Criminal Records Bureau no longer exists and has been renamed the Disclosure and Barring Service with its changes in operating procedures. Therefore it is to be hoped that each time the letters CRB or the words Criminal Records Bureau originally appeared they have been altered to read DBS or Disclosure and barring Service.

I am indebted to Laura Stuart for her admin help in this project.

Reverend Jo Dudley, Diocesan Safeguarding Officer

4th February

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List of Abbreviations

DBS	Disclosure and Barring Service (see Part D)
DC	Director of Communications
DCPA	Diocesan Child Protection Adviser
DCPRG	Diocesan Child Protection Reference Group
DSC	Department of Social Care
ISA	Independent Safeguarding Authority (see Part D)
PCC	Parochial Church Council
PCPR	Parish child protection representative

DIOCESAN STATEMENT

The Diocese of Sodor and Man is committed, as part of the Christian Church living in the spirit of the Gospel, to protect and care for children, young people and vulnerable adults. This means that it will:

- Ensure that all its workers with children, young people and vulnerable adults, its clergy, readers and licensed lay ministers, advisers and lay people achieve the standards required by this policy
- Hold to account those for whom it is responsible and who disregard the safety and well-being of children and vulnerable adults
- Will work with ex-offenders to help them change their way of life

To bring this about the Diocese will:

- Develop its training programmes; make up to date information available through the Diocesan website; and monitor practice at parish and Diocesan level
- Have strong and well managed risk assessment procedures
- Work with the organisations which protect children and vulnerable adults, and monitor offenders
- Co-operate with other faith groups and denominations to protect and care for children, young people and vulnerable adults
- Offer help to all, whether in terms of race, disability, gender, culture or creed
- Listen to those who have been abused in the past and take their complaints seriously

WORRIED ABOUT A CHILD? HERE'S WHAT TO DO

When you are worried that there is any chance that a child or young person has been abused or harmed, is being abused, or is at risk of abuse or harm by a member of the church community or in an activity for which the church is responsible, the Diocesan Child Protection Adviser (DCPA) must be told.

This also applies to claims of abuse by a person who is now an adult, but who was abused when a child or young person.

In either case, the DCPA must be contacted as quickly as possible once the claim has been made and no longer than 24 hours.

How to contact the DCPA:

- Office direct line 01624 861989
- Mobile (emergencies): 07624 411989
- Email: jo@jdudley.plus.com
- Post: The Vicarage, 56 Ard Reayrt, Laxey,
Isle of Man IM4 7QQ

If there is no immediate answer to a phone call or email, leave contact details and you will normally be contacted within 1 working day

It is always best to leave a phone number, as this is the quickest way to ensure that your concerns are responded to quickly.

If DCPA is on holiday the answerphone will advise who to contact.

INTRODUCTION

This manual is one of a set issued by the diocese with the purpose of protecting those who are vulnerable to abuse or exploitation. This manual deals with children and young people under 18: there are also national and local policies which relate to the needs of vulnerable adults, to bullying and to domestic abuse. The contents overlap: when we respond to child protection we must take bullying and domestic abuse into account and a response to bullying may mean looking at its impact on a vulnerable adult.

All the policies will be found eventually on the section of the diocesan website which deals with safeguarding, and the diocese will be developing this as a resource and information site which will provide easily accessible information for those looking for help and guidance.

This manual is directed at different users, which number among them parishes, church groups, senior clergy, readers and licensed lay ministers and the diocesan office, and to help statutory agencies understand how we manage child protection. It therefore covers a lot of ground and not all of it will be relevant to all users. Some may not yet be applicable in the Isle of Man. It is a core document and may be supplemented by Information Sheets on particular topics. These are already referred to in the policy and will be advertised and made readily available.

USING THE CHILD PROTECTION POLICY

This policy as it stands contains:

- the information which is essential to ensure the safeguarding of children and young people through good practice in setting up and running the church's work with them
- the actions which will be taken by the diocese when an allegation of abuse is made, whether that allegation is about current or historic abuse
- the management of offenders who wish to become part of the church and whose offences were of a type that caused harm to children

The most important point to bear in mind is, if in doubt on any point contact the Diocesan Child Protection Adviser / Safeguarding Manager whose job it is to offer support and guidance in all situations in which a child may be at risk.

FOLLOWING THE MANUAL AND INSURANCE COVER

Following this policy is not optional. Protecting God's Children is a fundamental part of our Christian duty. More practically, following this policy is necessary to ensure Diocesan and Parish insurance policies remain valid.

THE CONTENT OF THE MANUAL

The policy is divided into five Parts:

Part A provides general information which includes

- what a child is
- what child abuse is
- confidentiality and confession

Part B sets out

- what parishes must have in place
- safe recruitment policy and practice.

Part C deals with

- the management of allegations and investigations
- pastoral support
- disciplinary action

Part D consists of the working with offenders policy and practice guidance

Part E is a complaints procedure for use when there are difficulties with implementing the policy.

Additional information sheets are being developed for all of these.

Following the Manual is not optional, but essential.

REVIEWING THE MANUAL

No policy or manual is perfect, and will always change with time. This one is no exception. It will be formally reviewed in 3 years, and information will be collected about what works well, what does not work at all and how improvements can be made.

In the meantime, where improvements and updates to the policy are needed they will be introduced.

WHERE TO FIND THE POLICY

The current version of the policy will eventually be available on the diocesan website. News of significant updates will be included in diocesan communications when necessary. We will ensure that forms and sample policies can be downloaded easily for local use, so that it is not necessary to supply large quantities of papers which can become out of date all too quickly.

Of course, not everyone has access to the internet. The Bishop's Office can supply copies of the manual on request.

This is a working document. Because the legal systems surrounding child protection are complex it is not possible to make this policy as simple as might be wished. It is hoped that it will be useful and practical for all those who need it.

PART A: THE POLICY AND LEGAL FRAMEWORK

WHAT DOES THIS PART OF THE POLICY TELL ME?

1. It says what child abuse is.

It is important to know what actions are regarded as child abuse. If we do not know what it is, how are we supposed to recognise it?

2. Roles and responsibilities

- **People in the Diocese and its parishes do a lot of work with children. It is important for everyone to know who is responsible for making sure children are safe**
- **Because the police and child protection services have the job of protecting children, we all need to know what their jobs are and how they affect us**

3. The law and child protection

Children are entitled to the protection of the law. The principles which the law uses affect how child protection is managed and why things are done in different ways.

The Diocese accepts the principle that the welfare of the child is paramount in all decisions which affect children, young people and their welfare.

4. Confidentiality and confession

Everybody who works with children and young people needs to understand what confidentiality means. It is as important as confession and is likely to affect many more situations.

5. Data protection and Records

Looking after records properly is part of confidentiality.

Child protection records are confidential

Child protection records contain serious and private information, so they must be accurate.

WHO IS A CHILD?

The term “child” has several meanings, depending on its context. We have a duty of care in respect of everyone who is under full age, ie. under the age of 18. Accordingly in this document “child” is used to mean anyone under the age of 18.

WHO IS A YOUNG PERSON?

The term ‘young person’ is often used when people are talking about teenagers.

SO WHAT DOES THE POLICY SAY?

In this policy when we talk about children and young people we mean everybody up to, but not including, the age of 18 years.

AREN'T THOSE OVER 16 DIFFERENT?

Young people over 16 are still entitled to be protected from abuse, especially by those who have a position of trust, such as clergy, readers and licensed lay ministers, youth leaders, health professionals and teachers.

Vulnerable adults

Much of this document contains good practice which can be applied to situations involving adults. However, there are important differences in law between the safeguarding of children and the safeguarding of vulnerable adults. This document therefore relates specifically to children. Separate guidance will be issued in respect of vulnerable adults.

SECTION I. WHAT CHILD ABUSE IS

WHAT THE CHURCH SAYS

Child abuse does not only hurt children during their childhood: for some people it can damage their ability to make relationships for the rest of their lives. When abuse happens in a Church setting, such as a Sunday activity or youth group, or is carried out by a Christian, it is a betrayal of the trust at the heart of faith.

This means that when someone claims that a child has been subject to harm within the church community, it will always be referred to the statutory agencies- that is to say the police or the Department of Social Care (Children & Families Section). It is their job to investigate complaints about child abuse, and when necessary, to take action to deal with it. The referral may be made directly by the person making the claim, or by the Diocesan Child Protection Adviser. This is described in detail in Part C. I, REFERRALS.

All clergy, readers and licensed lay ministers and those who have particular responsibilities in parishes, such as sacristans, lay readers, churchwardens or PCC members, may be seen by children as someone to trust. They must all work together with the congregation to promote the welfare of children in their church and the community around them.

1. WHO ABUSES CHILDREN?

1.1 Mostly, when a child is abused, the person responsible will be a relative, or someone living in the child's own home. It may be a family friend, or a person in a position of trust, such as a youth worker or a Sunday School teacher. It is very unusual for a child to be harmed by a complete stranger.

1.2 It should be remembered that children and young people can and do abuse other children and young people. Unacceptable behaviour is not defined. Each case must be viewed and a decision made. Differences in age and understanding need to be considered and will inform as to whether or not exploitation has taken place.

2. WHAT IS CHILD ABUSE?

2.1 Children can suffer harm in all sorts of ways, by accident, by neglect or by deliberate act. Harm can be physical, emotional, sexual, intellectual or spiritual and can result from watching others being abused, as happens when parents abuse each other. **If a child suffers harm as a result of another's neglect or deliberate act, that is abuse.**

2.2 Child abuse is a betrayal of trust, a misuse of power, and a failure of the responsibility of an adult to a child. Abuse can damage every aspect of a child's well-being. The harm it causes may be life-long.

2.3 Child abuse may be directed at girls or boys, babies and adolescents under 18 years old, children with learning difficulties, children with physical disabilities, and children from all types of family, race and culture.

2.4 Children may be subjected to physical, sexual and emotional abuse by their peers. This kind of abuse is dealt with under the same safeguarding children procedures as apply when a child is abused by an adult. It is essential for people who work with children to recognise when a relationship between children seems likely to become abusive.

2.5 When any harm which a child suffers or is likely to suffer is **significant**, it should be reported. If a criminal offence is suspected, the police will investigate. Whether or not an offence is suspected, the Department of Social Care must make enquiries in order to decide whether to take action (Children and Young Persons Act 2001 section 46).

3. IT CAN'T HAPPEN HERE

3.1 Child abuse is found in all cultures, religions and classes. In faith communities, harm can be caused by the misuse of religious belief or practice.

This may be through the exploitation of leadership, or an emphasis on guilt and the need to do penance, or healing and deliverance ministries which claim to cure spiritual possession. All of these have been used in ways which cause children to experience physical, emotional or sexual harm.

4. DIFFERENT TYPES OF ABUSE

4.1 Abuse is generally divided into four different types of harm; physical, emotional, sexual and neglect. The Church also specifically recognises spiritual abuse. A child may be subject to one type of abuse, or a combination of all of them.

(i) Physical abuse

Hitting, shaking, throwing, poisoning, burning, scalding, drowning, suffocating, or otherwise causing physical harm to a child. This can be because the parents are angry with child, or because they think they have the right to do it, or because they are drunk.

How can I recognise it?

The child may have a lot of bruises for which the story does not make sense. He or she may flinch from physical contact or be wary and nervous.

(ii) Emotional abuse

Conveying to children that they are worthless or unloved, inadequate, or valued only insofar as they meet the needs of another person; expecting too much of the child, given his or her age and development.

It may involve seeing or hearing the ill-treatment of someone else – a brother, sister or parent. It may involve serious bullying, causing children 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.

How can I recognise it?

The child may be depressed and withdrawn, seriously lacking in confidence. He may do badly at school and be watchful and wary of adults.

(iii) Sexual abuse

Forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child understands what is going on. The activities may involve rape, buggery or oral sex or non-penetrative acts such as fondling or caressing the child. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

How can I recognise it?

Very young children may show behaviour which is inappropriately sexual towards other children and adults. Older children may be anxious and withdrawn, and reluctant to be alone with particular adults.

(iv) Neglect

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

Neglect may occur during pregnancy as a result of the mother taking drugs or drinking heavily. It may also include neglect of, or unresponsiveness to, a child's basic emotional needs. Again, this is often because parents are using the money to be spent on the child on drugs or drink. This in turn means that they do not pay attention to the child's needs.

How can I recognise it?

The child may be grubby, undernourished and appear behind others in learning. They may have difficulty in social behaviour.

(v) Spiritual abuse/Possession

Spiritual abuse is the mistreatment of a person in the name of God, faith, religion, or church at the expense of their spiritual well-being. It includes various forms of control, domination or manipulation by someone or a group who has authority within a spiritual setting.

Government research has established that some children have been subjected to a range of abusive behaviours in the belief that they are possessed by an evil spirit. This type of abuse may show itself as bullying, through singling out people for 'special'

relationships and the inappropriate exercise of exorcism. In some cases it will be used as a route to sexual abuse.

How can I recognise it?

Setting up secret relationships; refusal to allow others to share authority

SPIRITUAL ABUSE : EXORCISM

In any situation in which a member of the clergy, readers and licensed lay ministers or a member of the church community becomes aware that belief in demonic possession of any person, child or adult, is present it is essential that contact is made with the DCPA. Any attempt to act in isolation in such a matter is likely to be extremely damaging and will run contrary to Diocesan policy and practice.

No member of the clergy, readers and licensed lay ministers may undertake any form of exorcism without first consulting with the Diocesan Healing and Deliverance Adviser.

5. ABUSIVE SITUATIONS

5.1 In some situations children are likely to be harmed directly or indirectly because of what is going on around them. The most significant of these are:

- (i) Domestic violence
- (ii) Child trafficking
- (iii) Pornography
- (iv) Grooming
- (v) Multiple abuse
- (vi) Bullying
- (vii) Internet/e abuse

(i) Domestic Violence

Domestic violence is now known to have a harmful effect on the children in the families in which it happens. Homes in which parents habitually abuse one another are destructive and potentially physically as well as emotionally dangerous for children.

Domestic violence is found in all classes of society. It is often associated with drug and alcohol abuse; and intimidation of a husband or wife can be used to make sure that other forms of abuse are kept secret.

Domestic violence is now recognised as a specific reason for carrying out a child protection investigation.

How can I recognise it?

The child may be depressed and lack confidence, and do badly at school. Some children may stay away from school to protect the abused parent, or become involved in substance abuse.

(ii) Child trafficking and exploitation

Trafficked children are those children of both sexes, of any age, who are brought into the Isle of Man for the purpose of sexual exploitation and slavery. They are likely to have been misled as to the reason they have come to the Isle of Man and may well be controlled by the threat of harm to their families.

Vulnerable children and teenagers in the care system are also known to be exploited sexually by pimps for the purpose of prostitution; this can also happen to runaway children.

(iii) *Pornography*

Children may be exploited for pornography in films and photographs and drawings. The damage to children used in this way is incalculable. It is an offence to access child pornography in any form, and equally an offence to be complicit in making child pornography available.

This means that the owner of a computer used to access child pornography may well be guilty of a criminal offence.

Child pornography is not just pictures: the children involved are victims as much as any other child. Making use of such material ensures that the practice continues and of itself perpetuates abuse.

(iv) *Grooming*

Grooming is another word for seduction. It implies the development of a relationship with a child for the purpose of entering a sexual liaison. It may appear as an unhealthy close friendship which stretches or breaks approved boundaries.

Texting and chat rooms are both used for this. Adults may or may not disguise their identity and age. It may also happen face to face within the context of a relationship of trust.

Parishes and youth workers should comply with the Diocesan Guidance on working with children and young people in order to avoid the possibility of such situations arising.

How can I recognise it?

The adult make create special relationships with a particular child, or have difficulties in keeping the boundaries with teenagers in particular. They may try to have secrets from others in the group.

(v) *Organised or multiple abuse*

Organised or multiple abuse is abuse involving one or more abusers and a number of related or non-related children or young people. The abusers may be acting in networks to abuse children or may operate in isolation. They may use an institutional framework or position of authority or trust to recruit children for abuse. They may use children themselves to recruit other children.

(vi) *Bullying*

Bullying happens between children and between adults and children, and is not always treated as abuse. It will always be regarded as abusive if it is sexual in nature or when it becomes severe and persistent. The Church has provided a policy on bullying and this should be used in all cases in which bullying is believed to be taking place. (See: www.churchofengland.org/media/1167938/dignity_at_work_booklet.pdf)

(vii) *Internet/ e-abuse*

This is the use of the internet and mobile phones to abuse and exploit children. This may involve the grooming behaviour described above. It may start with the use of personalised texting and mobile phone contact between an adult and a child; or through chat rooms and Facebook in which the abuser seeks to hide his or identity.

It is not possible to carry out this type of activity by accident.

6. CULTURAL PRACTICES

From time to time attempts may be made to defend abusive behaviour on the grounds of cultural practice.

Two such forms of practice are forced marriage and female genital mutilation. A marriage of a person under 16 years of age is not valid in Manx or United Kingdom law. Female genital mutilation is severely abusive and a criminal offence.

Contact should always be made directly with the DCPA if an example of either practice is disclosed, as the victim may be seriously at risk if any knowledge of the disclosure is mishandled.

7. CHILDREN WITH SPECIFIC NEEDS

7.1 These are children whose circumstances may mean that they are at particular risk or children whose cultural background may not be well understood by the parish.

They include:

- Children with a disability
- Children from minority ethnic groups

7.2 Children with a disability

There is evidence that children with a disability are at a greater risk of abuse and neglect than children who have no such difficulties. The presence of several disabilities at once seems to make risk worse. Children with disabilities:

- may have fewer social contacts than other children;
- receive intimate personal care and contact from a larger number of carers;
- are less able to protest when they are abused;
- may have difficulties in seeing, speaking or hearing, which may make it difficult for them to tell others what is happening;
- be worried about complaining because they are afraid that they will not get the help they need afterwards;
- can be especially vulnerable to bullying and/or intimidation;
- are more likely to be abused by other children .

7.3 Abuse and black and minority ethnic children

Children from all cultures are subject to abuse and neglect. Cultural factors may not be used to explain or condone acts of commission or omission which place a child at

risk of significant harm, nor should fear of being accused of racism prevent the necessary action being taken to safeguard a child.

Although racism can cause significant and long-lasting harm it is not, in itself, a category of abuse. It can be a contributory factor in all five categories of abuse. Any intervention in accordance with these procedures should take account of the impact of racism on a particular child and his or her family, and should avoid reinforcing racism through stereotyping.

SECTION 2. WHO DOES WHAT IN CHILD PROTECTION: THE CHURCH

BEING RESPONSIBLE

Part of the job of a policy is to make sure that people can be held accountable for doing the work that the policy describes.

If no one is responsible nothing gets done.

This part of the policy describes whose job it is to be responsible for child protection in the Diocese and in parishes.

1. ROLES AND RESPONSIBILITIES

When it is working to protect children, the Diocese does not act in isolation. It must comply with legal requirements and work with the police and the Department of Social Care (Children and Families Section).

This work and the legal requirements which are involved are described in Section 3 below. This section describes how the different roles in the Diocese work when matters of child protection are involved.

2. THE CLERGY, READERS AND LICENSED LAY MINISTERS ROLES

2.1 The Bishop

The Bishop is responsible for the oversight of the Diocese. It is his job to make sure that measures are taken to make sure that the House of Bishops' child protection policy, *Protecting All God's Children*, is complied with by the Diocese. (See <http://www.churchofengland.org/media/37378/protectingallgodschildren.pdf>)

The Bishop must always be told when an allegation is made against a member of the clergy, readers and licensed lay ministers, whether or not this results in a formal child protection investigation. The Bishop is responsible for all disciplinary action affecting clergy, readers and licensed lay ministers.

2.2 The DCPA

To provide support in carrying out this role, the Bishop must appoint a Diocesan Child Protection Adviser (DCPA) who has direct access to him on matters of child protection. This role will be incorporated into the role of the Diocesan Safeguarding Manager who also deals with vulnerable adults.

2.3. The Archdeacon

The Archdeacon is responsible for the oversight of parishes and clergy, readers and licensed lay ministers, including compliance with Diocesan Child Protection Policy requirements. He/she must liaise with the DCPA about any concerns arising from child safeguarding issues within a parish.

He/she is also responsible for:

- collecting and collating any information relevant to potential disciplinary proceedings relevant to any clergy, readers and licensed lay ministers or office holder such as information about the allegations of abuse

- oversight of parish visitations, including the requirements of this policy.

The Archdeacon may be required to attend strategy meetings set up by the local child protection agency. Such attendance should always be in company with the DCPA.

The Archdeacon is responsible for ensuring that pastoral care and support arrangements agreed by the Diocesan Child Protection Core Group (see part C) are in place for:

- the alleged victim
- the alleged victim's family
- the alleged perpetrator
- the alleged perpetrator's family
- the local church community and any other relevant groups

2.4 Mission Partnership Team Leaders

Mission partnership Team Leaders work with the Archdeacon to ensure the adequate oversight and running of parishes. They must report on situations in which parishes are not complying with the Diocesan Child Protection policy and procedures.

3. DIOCESAN STAFF

3.1 The Diocesan Registrar

The Diocesan Registrar is the legal adviser to the Diocese and must be kept informed by the DCPA and/or Archdeacon about any activity likely to result in the Diocese becoming involved in court proceedings. This will include possible allegations of abuse by clergy, readers and licensed lay ministers, which may result in disciplinary action.

3.2 The Diocesan Child Protection Adviser (DCPA)

The DCPA is responsible to the Diocesan Bishop for the day to day running of the Diocesan safeguarding services for children and adults.

It is the job of the DCPA to:

- Identify the child protection training needs in the Diocese and ensure that provision is made for these to be met
- Make parishes and all other Diocesan bodies aware of their duty to comply with the Diocesan Child Protection Procedures, and take all actions needed to ensure that this happens
- Ensure that the correct person is aware of situations which require the Diocese to be aware that a claim may be made
- Manage allegations of child abuse, whether current or historic, in compliance with national church and the Diocesan Child Protection Policy
- Carry out appropriate liaison with:
 - The National Safeguarding Adviser for the Church of England;
 - the Police;
 - the Department of Social Care (Children and Families Section);
- Provide appropriate reports to the Diocesan Child Protection Reference Group and any other relevant Diocesan body

3.3 The Diocesan Child Protection Adviser/continued

The Diocese of Sodor and Man does not have a Diocesan Secretary or Chief Executive Officer. It will be the role of the DCPA to work with the Bishop's Secretary to ensure oversight of the running of the system for making applications to the Disclosure and Barring Service, for which s/he is accountable to the Diocesan Child Protection Reference Group.

Allegations of abuse by incumbents or office holders directed at children within a parish can lead to the Diocese or parish being sued for a breach of duty of care (a claim that the parish or the Diocese has not complied with child protection procedures). There is also the possibility of claims against the Diocese, which may result in insurance claims; hence the Bishop's Office is also responsible for ensuring that the insurer is advised of any relevant developments in the case.

The Bishop is also responsible for line management of the DCPA, and ensuring that appropriate systems are in place to support his/her work.

3.4 Director of Communications (DC)

The DC must be told about all cases of child abuse which are likely to attract media attention and acts as the link between the media and the Diocese.

All media contacts must be referred to the DC, who will issue statements on request and call a press conference if necessary. The DC will always confirm the wording of any statement with the Bishop, the Archdeacon, the DCPA and any other person nominated by them.

The DC must be told about:

- all cases in which the media are likely to become interested, and particularly those in which the police make an arrest .
- all contacts by the media.
- all court hearings.

All those involved in cases likely to involve the media, namely the alleged perpetrator, his/her family, the alleged victim and the incumbent and parish officers should be advised of any press release in advance.

The DC, with the support of the DCPA, is responsible to the Bishop for making sure that all the necessary systems are in place to communicate the Diocesan Child Protection Manual to those who require it.

He/she is also responsible for making sure that the website information is adequate and effective and that there are systems in place to ensure that referrals can be made easily and confidentially.

4. PARISHES

4.1 Parish Clergy, Readers And Licensed Lay Ministers

The incumbent (including, for the purposes of this document, priest-in-charge) is responsible with the Parochial Church Council (PCC) for ensuring that the Diocesan

Child Protection Procedures are complied with within the parish. He/she must contact the DCPA about any situation which gives rise to child protection concerns.

The incumbent is responsible for the welfare of those within the parish. He/she is therefore responsible for ensuring that all those involved in a child protection investigation have appropriate pastoral support, whether as victims or perpetrators.

The incumbent, when he/she is not the alleged perpetrator, will be a member of any group convened by the Diocese to manage the response to any investigation in his/her parish.

4.2 The Churchwardens

The churchwardens are the senior lay representatives within the parish. They carry the responsibility for the oversight of the parish in the absence of the incumbent and must therefore be fully aware of child protection procedures and of their responsibility to contact the DCPA in the event of any concerns.

When the incumbent is subject to investigation the churchwardens and lay chair will be supported in the effective running of the parish by the Archdeacon and any appointee they chose to make.

The churchwardens will be briefed in confidence by the Archdeacon or Mission Partnership Leader of any allegations requiring investigations within the parish.

During an interregnum the churchwardens will be involved in any child protection planning meetings and will be supported by the Archdeacon and Bishop in ensuring that appropriate pastoral support is available.

4.3 The Parochial Church Council (PCC)

The PCC are responsible for the appointment of the Parish Child Protection Representative (PCPR) and the named person for DBS applications.

They are also responsible with the incumbent for ensuring that all activities involving children comply with the requirements of the Diocesan Child Protection Policy, including the requirement of staff and volunteers.

The PCC are the employers of any staff paid by the parish and must comply with the procedures for safe recruitment in Part B, section 3

4.4 Parish Child Protection Representative (PCPR)

The PCPR is appointed by the PCC and is responsible for working with the PCC and the incumbent to ensure that child protection policies are developed within the parish. For the avoidance of doubt, the PCPR must not be the incumbent or any member of his/her family.

If the PCPR has any concerns about the management of child protection in the parish, they must contact the DCPA so that these can be addressed.

The PCPR must have an up to date Disclosure and Barring Service check.

5. DIOCESAN CHILD PROTECTION REFERENCE GROUP (DCPRG)

The Diocese is required by the national policy of the Church, Protecting All God's Children, to set up a group of senior staff and independent experts to review and monitor how child protection issues are handled by the Diocese.

SECTION 3. WHO DOES WHAT IN CHILD PROTECTION: THE CHILD PROTECTION AGENCIES

THE ROLE OF THE STATE

The work of protecting children who have been abused is the responsibility of the police and the child protection services provided by the Department of Social Care.

They have the power to take action when a child is at risk.

It is essential for the Diocese to work closely with them when there is a problem, to make sure that mistakes are not made which lead to children being harmed.

1. WHOSE JOB IS IT TO PROTECT CHILDREN IN THE COMMUNITY?

1.1 There are two different organisations which can take action to protect children who are at risk of being abused. These are the police and the DSC. The Diocese works closely with these agencies and will work within the framework of the Safeguarding Children Board (a co-ordinating group set up by the Isle of Man Government).

2. THE POLICE

2.1 The police have powers to investigate crimes and take actions which may lead to the prosecution of people who have broken the law.

2.2 Child abuse may be a criminal offence, and the police will look to see if they can find the evidence to carry out a prosecution of the offender.

2.3 In the Diocese of Sodor and Man there is a single police force, the Isle of Man Constabulary.

3. THE DEPARTMENT OF SOCIAL CARE

3.1 The DSC can investigate complaints that a child may be being abused and, with the authority of an emergency protection order made by a court, remove that child from the situation in which the abuse is happening, including from the family home.

3.2 In certain circumstances a court may, to protect a child, order a member of the family to move out of the family home, if there is enough evidence for this.

SECTION 4. THE LAW AND CHILD PROTECTION

SURELY I AM ALLOWED TO SMACK MY OWN CHILDREN?

It is easy to think that child protection is a fuss about what might be a normal way of disciplining a child.

Child protection is concerned with child abuse - any behaviour or neglect that causes harm to a child, not with a smack that causes no serious harm.

In many cases child abuse is a crime (see below).

I. WHAT IS THE LAW ABOUT CHILD ABUSE?

I.1 There are two kinds of law which apply to child abuse:

(i) The criminal law

This is about offences for which someone can be tried and, if found guilty, can be punished (usually by a fine or custody) and get a criminal record.

A person is presumed innocent unless he or she admits an offence, or is found guilty by a court, where the case must be proved beyond reasonable doubt. This is a very high standard of proof.

There are many offences which can amount to child abuse, eg. -

- cruelty to or neglect of a child under 16
- wounding or causing grievous bodily harm
- assault causing actual bodily harm
- common assault
- indecent assault
- rape
- unlawful sexual intercourse with a child under 16
- sexual activity with a child by a person in a position of trust
- making, distributing or possessing an indecent image of a child
- procuring a child to commit a sexual act
- meeting a child following "grooming"
- indecency with a child under 16

(ii) The civil law

The civil law deals with the responsibilities both of parents and of public authorities in relation to children. If a case comes to court, allegations must be proved on the balance of probabilities, ie. more likely to be true than not.

(a) A parent may seek the help of the court to protect their child against the other parent or another member of the family. A range of court orders is available, eg.

- injunction
- order excluding a person from the family home
- non-molestation order
- residence order
- contact order
- prohibited steps order

- specific issues order
- (b) The DSC is under a duty to take such steps as appear to it to be appropriate to safeguard and promote the welfare of children who are suffering or likely to suffer significant harm. This can include taking a case to court to obtain an order, such as
- - an emergency protection order
 - an assessment order
 - a supervision order
 - a care order

Where allegations relate to organisations such as churches, schools and youth groups, they are handled by the DSC through meetings of social service professionals and representatives of the police and the organisations concerned.

2. WHAT OTHER PROTECTION IS THERE FOR CHILDREN?

2.1 THERE ARE THREE IMPORTANT MEASURES WHICH THE CHURCH RECOGNISES IN ITS WORK WITH CHILDREN AND YOUNG PEOPLE.

2.2 They are:

- (i) The Human Rights Act 2001
- (ii) The Children and Young Persons Act 2001

(i) The Human Rights Act 2001

The Human Rights Act gives everyone, including children, a right to private and family life. It also says that people must be treated fairly when their case goes to court or to any tribunal whether this is a civil or a criminal court.

(ii) The Children and Young Persons Act 2001

This Act contains the main provisions of civil law relating to the rights of children, the duties of parents and public authorities and the powers of the courts. In civil proceedings a court is required to make the child's welfare its paramount (ie. overriding) consideration, and must have regard (among other things) to the child's wishes and feelings.

3. WHAT DOES ALL THIS MEAN?

3.1 The Church has accepted these principles in its work with children. This means that:

- When there is an allegation of abuse, the child's welfare must be considered first and not last
- The Church needs to adapt its response to the welfare of the child or children involved, rather than working to its own convenience.
- The child must be given a chance to say what they want to happen.

SECTION 5. WHAT CAN I TELL?

THE THREE C'S: CONFIDENTIALITY, COMPETENCE AND CONFESSION

KEEPING SECRETS

Information about child abuse often comes to light when someone - a child or an adult - has enough trust to tell someone what has happened. This is often presented as a secret with the suggestion that it should not be passed on.

Usually, when we are told something in confidence, the person telling us does not expect it to be shared with others. This is particularly important for people in professional roles, such as doctors, counsellors and the clergy, readers and licensed lay ministers, where breaking a confidence can have serious implications for everyone involved.

When approaching people in the Church, people can get confused about what is meant by confession and what is meant by confidentiality.

This can be made more complicated by the fact that people also do not always understand that children as well as adults are allowed to say things in confidence, although this will depend on the child's age and ability to understand the issues that they want to talk about. This is referred to as their competence.

The Diocesan policy is that where an allegation of child abuse is made confidentiality cannot be guaranteed and a referral will be made to the statutory agencies.

I. CONFIDENTIALITY

I.1 How can I know if something is said in confidence?

There are three simple principles which are used to decide whether a relationship is confidential.

- (i) The information being shared is private or sensitive:
For example about a health problem or a difficult relationship
- (ii) It is not already lawfully in the public domain or easy to find out from somewhere public:
For example, through being published in the newspaper or already shared with a lot of other people
- (iii) The information has been shared in a situation in which the person giving the information could reasonably expect that no one else would be told¹
For example, in a counselling session or a private interview with a priest or youth worker.

I.2. The expectation that information shared in confidence will be respected is supported by the law as well as by ethical obligations to others; and the Diocese takes these duties seriously.

¹ Information Sharing: Guidance for practitioners and managers HM Government 2006

2. COMPETENCE: CHILDREN CHANGE AND GROW

2.1 Children and young people as well as adults are entitled to confidential relationships². Even so, allowance is made for the fact that children's ability to understand the consequences of their actions will change as they grow up.

2.2 Everybody who works with children and young people and receive their confidences will have to think about whether a child or young person who wants to confide in them is able to understand what a confidential relationship is about.

2.3 This means that the child must be able to grasp the issues involved in any discussion and the consequences of any decisions that may be made.

For example:

A child is not likely to understand that sharing the fact that they are being abused may have implications for other children as well as themselves.

More detailed information about children and confidentiality is available in the Policy for Safeguarding Children in the Church of England (Protecting all God's Children).

3. ARE THERE EXCEPTIONS TO THE RULE?

3.1 The duty to keep a confidence has limits. Confidentiality will not be protected when the information relates to a crime or other serious misconduct or disclosure is in the public interest.

3.2 This means that when an allegation of child abuse is made in a confidential setting, it can be shared with the police or the child protection services of the local authority.

4. THE DIOCESAN POLICY ON CONFIDENTIALITY

4.1 The view taken by the Diocese of Sodor and Man, and the Church of England as a whole, is that, when an allegation is made that a child has been harmed as a result of abuse, and either

- (i) no action has already been taken to deal with the matter, or
- (ii) action has been taken, but there continues to be a risk of harm,

confidentiality cannot be guaranteed, and the matter will be referred to the police and the DSC so that they can decide whether a formal investigation is needed.

4.2. It is essential that this is made clear to all those working in the Church, whether as volunteers or paid staff.

4.3. If the person concerned who is sharing the information is worried about the matter being referred to the police or DSC, then advice should be sought from the DCPA.

² Gillick v West Norfolk & Wisbeck Area Health Authority and Department of Health & Social Security [1985] 3 All ER 402

5. CONFESSION

5.1 The Church of England does have provision for people to make a confession to a priest.

5.1.1 The rules of the Church, referred to as Canon Law, forbid a priest from disclosing details of any matter which is revealed in a formal confession. This gives rise to considerable anxiety about the possibility that a person will admit to abusing a child (or other serious crime) and that the child, and possibly other children as well, would remain at risk because of the requirement for secrecy. In practice this is likely to be extremely rare.

5.1.2 Not all members of the Church of England make use of confession and the circumstances in which it is used are not always well understood.

5.2. In order to limit the possibility of the problem set out in 5.1.1 above arising, those who are involved in hearing confessions should make sure that there is no confusion between what happens in a formal confession, and disclosures made in pastoral situations (which will still be subject to the requirements of confidentiality).

For example, by making sure that confessions are heard at specific times and places which cannot be confused with meetings for spiritual direction or pastoral conversation.

5.3. It is essential that all clergy, readers and licensed lay ministers who undertake confessions are aware of the extent to which they have discretion to address the conduct of a person confessing a crime or the intent to commit a crime. In all circumstances, the priest should not only urge the person to report the matter to the police or DCS, but may judge it necessary to withhold absolution until this evidence of repentance has been demonstrated.

5.4 The priest may decide to disclose the matter in any event, in which case they should seek advice on their own behalf. Such advice can be obtained from the Archdeacon or Bishop

SECTION 6. RECORDS, RECORDING AND THE DATA PROTECTION ACT 2002

As a general rule all personal information, whether written or stored on computer should be regarded as confidential. The exception is that it may be shared if it is relevant to the prevention and detection of crime.

PART B PREVENTION AND COMPLIANCE

PREVENTION

Prevention means making sure that you have stopped something before it starts.

Good prevention practice in child protection is like getting vaccinated for a dangerous illness - you don't know if you will catch it, but you really don't want to take the chance.

All Parishes and Church establishments **must**:

1. Display information about where to get help on child protection issues, including:

- CHILDLINE

- The Diocesan contact details, including telephone numbers and website information

- Information about where to get help with domestic abuse

2. Display contact details for the Diocesan Child Protection Adviser

3. Display contact details for the Parish or Organisation's Child Protection Representative

4. Have copies of the Diocesan child protection policy displayed

SECTION I. KEEPING CHILDREN SAFE

PREVENTION IS BETTER THAN CURE

This part of the policy describes how to make sure that children using services provided by the Diocese are kept safe no matter where they are or what they are doing:

**In Sunday schools and church choirs
In youth groups
In house groups
On trips away**

It tells you what you have to do to make sure :

**That your activities are properly run
That you know how to appoint volunteers and paid staff
That you know where to go if you are worried about a child or situation**

Although it is written mainly for parishes, the principles should be used for any activity by any Church organisation.

Careful supervision and management of the people who have the pastoral care of children should help to prevent child abuse happening within a parish. Sometimes it does happen: this information is designed to help you know how to prevent it.

I. WHAT A PARISH MUST HAVE IN PLACE

1.1. Parishes are responsible for their management of child protection through the PCC. They are expected to comply with the Diocesan standards set out in this policy, and failure to do this is likely to undermine their insurance cover.

1.2 Parishes are required to produce evidence that they have complied with this policy when seeking support for funding when developing activities for children and young people.

1.3 The following list sets out the minimum requirements for parishes to make sure that they are properly covered.

- (i) An up to date child protection policy approved by the PCC
- (ii) The name and contact details for the Parish Child Protection Representative (see. s.4, below)
- (iii) A description of each activity associated with children and young people. This description must include the information in Section 2 below
- (iv) Information about all the staff and volunteers who have undergone DBS checks where needed
- (v) A copy of the Diocesan Child Protection Policy and contact details for the DCPA

- (vi) A public notice in each parish building giving the name and contact details of the Parish Child Protection Representative and local child protection agencies.
- (vii) A policy for ensuring that organisations using parish premises and the church have confirmed that their organisation has a child protection policy. *Parishes must satisfy themselves that any organisation seeking to use church premises, including halls, has signed an agreement not to undertake any practice which contravenes the organisation's child protection policy. If it is discovered that such practices are in use:*
- *the organisation will be in breach of the contract*
 - *the matter must be referred to the DCPA; and*
 - *the organisation must be warned that the matter may be referred to the police.*
- It is not necessary for the parish to see a copy of the organisation's policy; the fact that an agreement has been signed as above is sufficient.*

2. CHECKS AND AUDITING

2.1 The list will be used in the annual visitation: parishes must be able to produce the relevant documents if asked.

2.2 The Archdeacon and Mission Partnership Team Leaders will be asked to notify the DCPA if a parish does not have the required material in place. The DCPA will then check with the parish and determine what action needs to be taken.

3. KEEPING RECORDS

3.1 It is suggested that the parish keep the papers listed here together in a specific and easily accessible folder.

3.2 The only papers which should not be available are personal records relating to DBS checks and applications to act as volunteer, which should be kept in a locked cabinet.

4. PARISH CHILD PROTECTION REPRESENTATIVE

4.1 All PCCs must appoint a Parish Child Protection Representative (PCPR), who must not be the incumbent or any member of his/her family.

4.2. The person concerned must make a formal application and provide two references in accordance with the requirements in the Church's handbook *Safeguarding Guidelines Relating to Safer Recruitment*.

4.3. The PCPR will work closely with the incumbent to make sure that the safeguarding requirements are carried out in the parish. These include:

- Making sure that the requirements in 1.2 above are completed
- Making sure that child protection training needs are identified and the DCPA told about these
- Reporting all concerns about child abuse are drawn to the attention of the DCPA.

4.4. Qualifications

The PCPR does not need to have a background in child protection, but an interest in children's work is an advantage. The PCPR must undergo Diocesan Child Protection training.

5. SMALL PARISHES: SHARING THE PCPR

5.1 Small parishes may have difficulty in appointing a PCPR. In such cases, a single person may be appointed to act for two or more parishes. The following principles should be used to ensure that the PCPR is known to each parish:

- (i) The person must be approved by each of the PCC's for the parish for which they are to act
- (ii) The PCPR should attend at least one meeting of each PCC every 12 months
- (iii) The PCPR should attend one of the principal acts of worship in each parish every six months
- (iv) The PCPR must make themselves known to any group which is carrying out work with children and/or young people.

5.1.1 The PCPR must work with the incumbent of each parish for which he or she has responsibility.

5.2 These arrangements must be confirmed in writing attached to the parish child protection policy and a copy supplied to the Diocesan Child Protection Adviser.

Section 2 Setting up an activity

WHY DO WE HAVE TO BOTHER WITH THIS?

It is very tempting to see planning activities as boring and bureaucratic.

Spontaneous activities can be a lot of fun. BUT

Children and young people do not always know what can cause risk

If you want something to work long term - plan it

You and the PCC are responsible if it goes wrong - prevention is better than cure

The Diocese may refuse to provide support for activities for children and young people if a parish cannot produce evidence that this policy is being complied with.

I. GETTING APPROVAL

Make sure that when you want to set up any activity or group:

- (i) You have set out what you plan to do
- (ii) You have got the approval of the people who will be responsible for the work.

This may be the PCC (or equivalent), trustees or management committee.

2. CHECKLIST FOR ACTION

2.1 Your plan must include:

- (i) A short description of what the activity is. For example: to provide music at specified Sunday services; or to teach children about the Bible; or to provide leisure activities
- (ii) How many children you expect to be involved?
- (iii) What ages are they?
- (iv) What gender are they?
- (v) Where the activity is to take place. For example: Outside? Indoors? In church premises? In somebody's home?
- (vi) What time the activity is to take place and how long for. For example: After school? At four o'clock? For an hour? Two hours?
- (vii) What ratio of helpers to children must be present. For example: There should always be at least 2 people present at all times
- (viii) Who is responsible for overseeing the activity? This person must have a DBS check. For example: A person on the PCC? The incumbent?
- (ix) How you plan to supervise the activity? For example: Who will be running it?
- (x) A risk assessment, which should be prepared at the same time as the health and safety assessment.

2.1.1 Mixed aged groups should expect to comply with the standards required by the youngest and most vulnerable children. Older children in a group cannot be used as supervisors.

2.2 WHERE TO GET HELP

2.2.1 You can get advice for planning your activity from:

The Diocesan Youth Adviser and Early Years Adviser.

2.2.2 They are there to help you and it is important to use them.

3. RISK ASSESSMENT

3.1 How do I do a risk assessment?

- (i) You will soon be able to get a form for the risk assessment from the child protection pages on the Diocesan website.
- (ii) You can ask the DCPA.
- (iii) You can ask the Children's Adviser or the Youth Adviser.

3.2 How many people will I need?

3.2.1 This will depend on how many children or young people are involved, whether parents are involved and what the activity is. Information about this can be found through such organisations as the Scouts. *Ratios: Protecting All God's Children (2011)* prescribes the criteria for minimum staff-child ratios:

- 0–2 years 1 person for every 3 children
- 2–3 years 1 person for every 4 children
- 3–8 years 1 person for every 8 children
- over 8 years 1 person for the first 8 children and then 1 extra person for every extra 12 children
- all groups should have a minimum of two adults and a gender balance must be maintained if possible. This is to ensure that firstly, if one adult has to leave the group, there is another who remains to take responsibility; secondly, it limits the possibility of an exclusive relationship developing.

4. WRITING THE PLAN

4.1 There will be a form for doing this on the Diocesan website.

5. REVIEWING THE WORK

5.1 This means having an idea about what is happening, so that you can let people know. For example:

- (i) Did anything work really well? Do you know why?
- (ii) How many children or young people are coming?
- (iii) Did anything not work? Why?
- (iv) What did it cost?
- (v) Did it do what you wanted long or short term?
- (vi) Update the risk assessment

5.2 Let the PCC and other people know.

6. INSURANCE

6.1 Parishes and other organisations must ensure that they have appropriate insurance cover for all activities involving children. This must cover both health and safety and the child protection requirements described by this policy.

SECTION 3 SAFE RECRUITMENT PRACTICE

*The Church has prepared guidance on safe recruitment, **Safeguarding Guidelines relating to Safer Recruitment** (CofE 2010)*

WHY BOTHER- WE KNOW THE PEOPLE IN OUR PARISH AND THEY WOULDN'T HURT ANYONE.

Safe recruitment practice is about making sure that the parish has checked that people working with children and young people have not done anything in the past which makes them a danger.

It also makes sure that everyone knows what is expected of them when they are involved in a Church activity - at the very least, it is good manners.

1. WHO MUST USE SAFE RECRUITMENT PRACTICE?

1.1. All those involved in recruiting staff and volunteers must comply with safe recruitment practice. This means that all those roles for which a Disclosure and Barring Service (DBS) check is required must take account of this procedure.

1.2 Full information about the management of the DBS process can be obtained from the Bishop's office.

2. RECRUITING YOUR WORKERS

2.1 Recruiting your workers carefully will not stop people harming children, but it can go a long way towards it.

2.2 When you know what you are going to do and how many people you need, you can decide what jobs you want them to do and write a short description.

3. THE JOB DESCRIPTION

3.1 The job description must include:

- (I) Whether there are any special qualifications; *for example, should a choir leader have a degree in music, or should the leader of your group have taken training for the work?*
- (II) If they have not, will you want them to get training?
- (III) What hours will be required? *Remember all work requires preparation and clearing up time. This can mean some time outside the activity itself.*
- (IV) What, as exactly as possible, will be involved? *For example, if the children are very young, will they need to be taken to the toilet? Will it involve playing games? What sort of games?*
- (V) Who will the worker be responsible to? *The incumbent? The youth group leader? The choirmaster?*
- (VI) What will the worker be responsible for?

- (VII) Will the task need a DBS check? *This will depend on the amount of contact with children: see 1.2 above.*
- (VIII) Will the post need a Confidential Declaration? *All posts working with children and vulnerable adults require a Confidential Declaration to be completed as part of the recruitment (See section 8.1 below).*

4. EQUAL OPPORTUNITIES

4.1. If you are planning to employ someone, then it is necessary to make sure that you comply with the law, for example by making sure that you do not discriminate on grounds of gender, race, or disability, unless there are particular reasons linked to the job which require this.

For example, a counsellor for sexual matters working with teenage girls might reasonably be expected to be a woman.

5. ARE YOU GOING TO ADVERTISE?

5.1. If you advertise any post for which a DBS check is required (see 1.2 above), you must say in the advertisement - even if this is in the parish magazine.

5.2 You should also say where to get information about the post. This should include someone to talk to, as well as written information about the work and the project.

6. REPLYING TO APPLICANTS AND APPLICATION FORMS

6.1 Large organisations, such as the Diocese will have a standard application form.

6.2 It is a good idea to have a simple application form. This makes it easier for people to know what information is needed and for the organisation to make sure it asks the right questions.

7. DBS CHECKS

See 1.2 above

7.1 Every PCC must have a nominated person for managing applications for Disclosure and Barring Service (DBS) checks in their parish. This person may also be the Parish Child Protection Representative.

7.2 An Enhanced DBS Check is required for all individuals in roles where they work with children, this includes clergy, readers and licensed lay ministers and lay ministers, youth leaders and musical directors where a choir includes young people. It is not necessary to DBS check everyone in a choir or welcome rota just because a child is present.

7.3 DBS checks require an individual's identity to be confirmed by a properly authorised person. This check is carried out by the nominated person.

7.4 Completed DBSs should be sent to the Bishop's Office to be forwarded to the Disclosure and Barring Service. The Bishop's Office will notify the parish of the outcome. For more information including guidance on roles requiring a DBS check, contact the DCPA.

7.5 Overseas applicants

Based on Safeguarding Guidelines Relating to Safer Recruitment published by the Church of England

7.5.1. Immigration requirements

To comply with immigration law, as a general rule anyone from outside the European Economic Area who wishes to work in the Isle of Man must be sponsored by the employer in the Island in accordance with the points-based system. The Diocese must carry out the necessary immigration checks to verify that those to be employed by the Church have the right to enter or remain in the Isle of Man and are not subject to any restrictions which will prevent them from working in the Island.

7.5.2 Safeguarding requirements

These must be applied both to foreign nationals and to British citizens who have lived outside the UK and the Isle of Man for a period of time. This includes a DBS disclosure if the applicant has spent any time in the UK or Isle of Man within the last five years.

In the case of a foreign national, a certificate of good conduct from the relevant embassy, High Commission or police force must be obtained *before* any offer of employment is confirmed. Failure to obtain this could result in the person obtaining entry clearance to take up work which the Diocese was no longer able to offer. It could also result in the Diocese losing its licence to sponsor foreign nationals under the immigration rules.

8. CONFIDENTIAL DECLARATIONS

8.1 All applicants interviewed must be asked to complete a confidential declaration form. The form is brought to the interview and will only be opened if the applicant is to be offered the post. If the applicant is not offered the post the form must be returned unopened.

9. REFERENCES

9.1 You must always ask for 2 references which give an idea about the suitability of the person applying for the job. These must not be provided by relatives, and should always be followed up.

10. INTERVIEWING

10.1 Applicants must be interviewed

- To give the organisation a chance to decide whether they are suitable; and
- To give the applicant a chance to ask questions and decide whether they want the role.

The Interview Panel

Interviews should never be carried out by one person alone. Panels should include

- one senior person with overall responsibility for the project - for example the incumbent or a churchwarden;
- one person with responsibility for the running of the project.

10.2 It is good manners to let both successful and unsuccessful applicants know your decision in writing.

11. MAKING THE APPOINTMENT

11.1 Offers of appointment should be put in writing.

11.2 If the offer is accepted, if it is a paid post the person concerned should receive a formal letter of appointment or a contract setting out the conditions of appointment.

11.3 Whether the statement of the main terms and conditions of employment is in the form of a letter or a contract, it is important to ensure that it covers the possibility that an employee may be suspended on full pay in the event of their being subject to a child protection investigation or other misconduct. This is for their protection as well as yours.

12. INDUCTION

12.1 It is important to make sure that people are well informed about the work that they are being asked to do. This is done by means of an induction programme.

This will include:

- Making sure that the person is introduced to key people in the organisation
- Making sure that he/she knows their way around the building
- Meets the relevant child protection advisers and identifies training needs.

PART C: TAKING ACTION

SECTION I. MAKING A REFERRAL

TELLING SOMEONE ABOUT IT

It is the job of the Diocesan Child Protection Adviser (DCPA) to provide advice and support whenever there is information that a child may be being abused. He/she works directly with incumbents and Parish Child Protection Representatives, as well as senior clergy, readers and licensed lay ministers, to make sure that referrals of abuse are dealt with fairly and thoroughly.

The DCPA must be told immediately about all allegations of abuse and will, at that point determine what actions the Diocese will take.

The DCPA will always contact the police and DSC about all allegations of abuse.

Even if the person passing on the information does not want to make a complaint about the abuse, advice must still be sought from the DCPA.

I. WHERE DOES INFORMATION ABOUT CHILD ABUSE COME FROM?

1.1 Information that a child may have been abused can come from almost any source: the police, a parishioner, the child or the friend of a child.

1.2 This information is usually called an 'allegation' because, although a claim may be believed, it must be supported by an investigation which may lead to court and/or disciplinary action.

1.3 Allegations may be about something that is going on now or be about something in the past. Allegations about abuse in the past must be treated as seriously as allegations about abuse which is happening now.

1.4 When someone comes forward with information about suspected child abuse, it is important to remember three things:

- (i) It may contain information which means that a child or children are currently at risk
- (ii) While the allegation may be referred to the police or the DSC, it should not be discussed with anyone other than the DCPA, the incumbent (unless it is about the incumbent) or the Parish Child Protection Representative.
- (iii) It should never be discussed with the person to whom it relates - this could put a child in danger.

1.5 Do I have to go to the DCPA?

1.5.1 It is open to anyone wishing to report child abuse in the Church to refer directly to the police or the DSC if they want to, but it will be more efficient to go via the DCPA.

1.5.2 If the referrer decides to go straight to the departments, it is still important to let the DCPA know as soon as possible what has happened, as he/she will be able to

make sure that the Diocese takes all the steps needed to protect children. He/she will also make sure that the police and DSC are supported in their roles.

2. SHOULD I EXAMINE THE CHILD TO LOOK FOR BRUISES?

Parish staff and volunteers must never undress or examine a child without parental consent.

3. HOW ARE CHILD ABUSE COMPLAINTS USUALLY SHARED?

3.1 Allegations may be made in a face to face conversation, on the telephone, by email or in a letter. Different types of response may be needed as a result and these are described here.

3.2 Verbal allegations: children

When a child makes an allegation of abuse, whether by phone or face to face or by other means such as texting, it is very important to remember that the child him or herself is likely to be interviewed by the police and asked to make a statement .

- The child should be allowed to talk, but should not be questioned; the wrong questions can result in the contamination of evidence and may do great harm.
- The age of the child must be borne in mind: a teenager will need a different response to a child under 10.
- Record the conversation in writing as soon as possible, and in any event within 24 hours.
- Never promise the child that the conversation will be kept secret.
- Under no circumstances should any attempt be made to undress or examine the child physically: this may be treated as an assault.

3.2.1 Must a child's parents be told?

(i) If an allegation of abuse is directed at one or both of the child's parents, the police and the DSC must be told and given the opportunity to consider what action they wish to take. In such a situation the DCPA will be able to advise and make the first contact with these organisations.

(ii) If the allegation is against any other party than the parent, the DCPA will determine how the parents are to be told. This will involve discussion with the police and the DSC.

3.3 Verbal allegations: adult survivors

An adult who is talking about abuse from the past may do so in a meeting or on the telephone. The setting may not necessarily be in a formal counselling session.

- The person concerned must be made aware that what is said cannot necessarily stay confidential. The information is likely to be passed to the police or the DSC if it seems as if a child may be at risk.
- Be clear about exactly what is being said and the outcome that the person making the allegation expects. No promises about the final outcome can be made, as this may depend on the police or the DSC.
- Advice must be sought immediately from the DCPA who will decide what further action is to be taken.
- Record the conversation as soon as possible, and in any event within 24 hours.

3.4 Written allegations

3.4.1 All allegations made in writing should be formally acknowledged by the recipient within 24 hours of receipt. The response should include advice that the allegation will be referred to the DCPA for action.

3.4.2 It is important to ensure that information about the allegation reaches the DCPA as soon as possible.

HOW DO I MAKE A RECORD?

The Diocese will have Child Protection Record Books for use by those who are involved in ongoing investigations. If you have just taken a message or talked to someone you should write it down in a confidential diary, or you may keep a note in the password protected section of a computer to which only you have access. Otherwise, simply write an account on a piece of paper. This must be kept securely. It is a good idea to make a copy in case it is needed. You can give a copy to the person who made the allegation if they want one.

Your account should include:

- (i) The names of the people present, including your own**
- (ii) What was said**
- (iii) The date on which it was said**
- (iv) To whom it will be sent**

3.5 Allegations against clergy, readers and licensed lay ministers

3.5.1 All allegations against clergy, readers and licensed lay ministers will fall within the scope of the Clergy, Readers And Licensed Lay Ministers Discipline Measure 2003. They must be referred immediately to the DCPA.

3.6 Allegations against paid staff, volunteers and office holders

3.6.1 All allegations relating to office holders, staff and volunteers within the parish will also need to be considered as having the potential result of dismissal if substantiated. They must be referred to the DCPA.

SECTION 2. TAKING ACTION: THE INVESTIGATION

THE ROLE OF THE DIOCESAN CHILD PROTECTION ADVISER (DCPA)

The role of the DCPA is central to all investigations of allegations of child abuse in the Church. It is his/her responsibility to make certain that such allegations are referred promptly either to the police or the DSC.

All such allegations must be referred to him/her within 24 hours of being made.

The DCPA is also responsible for:

- (i) Briefing the Bishop about any matters of concern arising from the investigation**
- (ii) Day-to-day liaison with the police and DSC during the investigation**
- (iii) Attending child protection strategy meetings convened by the DSC**
- (iv) Ensuring that the Diocesan Child Protection Core Group meets on a regular basis**
- (v) Briefing the Diocesan Registrar of all allegations relating to clergy, readers and licensed lay ministers**

1. WHOSE RESPONSIBILITY IS IT TO INVESTIGATE CHILD ABUSE?

1.1. Carrying out a formal investigation into claims of child abuse is a specialised and complex task which is carried out only by the police and the DSC.

1.2 When one of these two organisations decides that a child protection investigation may be needed, the first step is usually for the Department of Social Care to hold a strategy meeting to decide how the investigation will be managed.

1.3 This meeting will consider whether any immediate action is needed to protect the children involved, as well as what that action should be. This may include whether the alleged abuser should be arrested and whether the child protection team wishes to develop a child protection plan; or whether to take court action to protect the children.

2. WHO FROM THE CHURCH GOES TO THE STRATEGY MEETING?

2.1 The DCPA will usually be invited to attend strategy meetings when the allegation is about:

- A member of the clergy, readers and licensed lay ministers in any role; or
- An officer of the parish or volunteer who may have abused his/her role and is reported to have harmed a child within the church: for example a churchwarden, organist or youth leader.

2.2 The DCPA may also attend strategy meetings even when an allegation has no relevance to any activity within the church community but may affect the work that is done there. Other Diocesan representatives may attend strategy meetings with, but not instead of, the DCPA.

3. WHO IS INVOLVED AT THE DIOCESAN AND PARISH LEVELS?

See Part A section 2

4. PLANNING THE RESPONSE TO AN ALLEGATION OF ABUSE: CLERGY, READERS AND LICENSED LAY MINISTERS AND OTHER LICENSED MINISTERS

4.1 When told about an allegation of abuse, the DCPA will notify without delay:

- the Bishop
- the Archdeacon
- the Diocesan Registrar
- the Director of Communications
- Dept of Social Care Designated Officer

4.2 The Isle of Man DSC has a procedure for dealing with incidents and will set up a Managing Allegations Strategy Meeting (MASM) in accordance with that procedure

4.3 The Core Group

4.3.1 The DCPA will then arrange a Core Group meeting to oversee the management of the investigation within the Diocese. (for terms of reference, see box).

4.3.2. Meetings of the Core Group will be confidential: outside the membership information will be distributed by agreement of the members; and to the Bishop and the Diocesan Registrar. Note: on the advice of the Registrar, an early decision will be taken about the detail of information shared with the Bishop so as to ensure the integrity of any following action under the Clergy, Readers And Licensed Lay Ministers Discipline Measure.

4.3.3. It will be the responsibility of the DCPA to ensure that meetings are minuted and the minutes distributed promptly. Clerical support to the DCPA will be available from the Bishop's office.

4.3.4. A copy of the minutes will be retained by the DCPA on the Diocesan child protection records

4.4 The Action Plan (the Plan)

4.4.1 In developing the Plan, the Core Group must:

(i) Take into account issues relevant to possible disciplinary action, including suspension and allocation to alternative duties; any recommendations relevant to these must be referred to the Bishop, whose responsibility it is to decide whether disciplinary action is required in relation to clergy, readers and licensed lay ministers.

(ii) Pass any information relevant to the investigation which comes to light to the Diocesan and statutory authorities

(iii) Monitor the support to those affected by the investigation, namely:

- the victim and his/her family, where applicable
- the perpetrator and his/her family, where applicable
- the parish or deanery community, individually and as a group

4.5 Planning the Response to an Allegation of Abuse: laity

4.5.1 When allegations of abuse are made about members of a congregation, it is essential to tell the DCPA, even if the police and DSC have already been informed. He/she will discuss with the incumbent, the Archdeacon and the Mission Partnership Team Leader what actions may be needed to support the parish.

4.5.2 Investigations involving people with an active role in parish life can be as distressing and painful as a clergy, readers and licensed lay ministers investigation. It may therefore be necessary to convene a local Core Group to monitor events. This group should normally consist of:

- The DCPA
- the Archdeacon:
- the incumbent and/or churchwarden(s)
- the Mission Partnership Team Leader
- The Parish Child Protection Representative

4.5.3 The group will consider what action and resources are required to manage the issues involved, which may include suspension or dismissal if a church officer, a paid member of staff or a volunteer is implicated.

Pastoral support issues should be considered as set out in Section 3, Pastoral Support.

The Diocesan Safeguarding Core Group (The Core Group): Terms of Reference

1. The Core Group is responsible for making sure that arrangements are in place to manage the period of the investigation and its aftermath. This meeting shall include:
 - The DCPA
 - the Isle of Man Archdeacon or Dean, and, as appropriate :
 - the Director of Communications
 - the Isle of Man Mission Partnership Team
2. The Bishop may ask an independent person to chair the Core Group.
3. The meeting will meet once a month as a minimum during the investigation.
4. The role of the Core Group is:
 - (i) To collect information about the allegation; the progress of the investigation; the impact of this on those affected
 - (ii) To ensure that those involved in managing the case are fully aware of their roles and responsibilities
 - (iii) To prepare and monitor an Action Plan
 - (iv) To consider any public statements prepared by the Director of Communications
5. The Core Group will develop the Action Plan for managing the investigation and its aftermath.
6. This Action Plan will take into account:
 - (i) The nature of the allegation
 - (ii) The process of the investigation
 - (iii) The way the process will be managed by diocesan officers, i.e. their specific roles and responsibilities
 - (iv) Whether any press briefings are required
 - (v) Any advice provided by the Diocesan Registrar
 - (vi) Support arrangements needed by
 - The victim and the victim's family
 - The perpetrator and the perpetrator's family
 - The parish and the local community
 - (vii) the need to ensure the integrity of any resulting Clergy, Readers And Licensed Lay Ministers Discipline Measure (CDM) investigation
7. Representatives of the Isle of Man Constabulary and Safeguarding teams may be invited to attend the Core Group.
8. The Diocesan Registrar and the Bishop will be copied into the minutes of all Core Group meetings and minutes.

4.6. Completing the Investigation

4.6.1 The length of time needed to investigate an allegation of abuse is unpredictable and depends on factors outside the control of the Diocese. If the police are involved, it is probable that 6 months at least will be required before a decision will be made by the Attorney General's Chambers as to whether or not to prosecute.

4.6.2 The strategy group will meet throughout this period to ensure that the necessary steps are taken to protect the child, but the level of activity is likely to diminish once an arrest has been made and/or the child is regarded as safe.

4.6.3 The Diocese may need to continue its Core Group meetings well beyond this time, particularly if an incumbent has been involved. The stages are likely to be:

- Implementing any disciplinary process
- Support to those who continue to be affected
- Deciding on the terms of an independent review of the investigation
- Reporting to the Child Protection Reference Group for its consideration

SECTION 3. KEEPING RECORDS

Keeping records is important because they are one way of trying to establish the truth. If records are inaccurate or sloppy they can mean that people may be accused wrongly or that victims do not receive fair treatment.

The records kept in child protection investigations are extremely confidential and will be regarded as sensitive data under the Data Protection Principles. They contain information which could do a lot of harm if it is shared with people who do not have the right to know it.

1. WHAT TYPE OF RECORDS ARE KEPT

1.1 Records in child protection investigations fall into two groups:

- Records of interviews and actions
- Records of meetings

2. RECORDS OF MEETINGS

2.1 All meetings that form part of a child protection investigation will be minuted and a copy distributed to each person present at the meeting. Copies of minutes must be stored securely by those who receive them.

3. RECORDS OF INTERVIEWS AND ACTIONS

3.1 These records will be held in a Diocesan Child Protection Record Book (the Book) which will be issued to those involved in the investigation.

3.2 The Book will be numbered and a record of the number held by the DCPA.

3.3 All copies of the Book will returned to the DCPA at the end of an investigation.

4. WHERE WILL CHILD PROTECTION RECORDS BE KEPT?

4.1 As soon as is reasonably practicable, all records of child protection investigations in the Diocese will be held in the Bishop's Office by the DCPA in hard copy form in a secure cabinet.

4.2 This record should hold a copy of all written material associated with the investigation, and is the property of the Diocese of Sodor and Man.

4.3 The record will also hold minutes of all meetings and a log of all activity in the case. This will include hard copies of all electronic records, which must be clearly dated and the source identified.

4.4 Electronic records should always be stored in a password protected section of the PC to which only authorised individuals have access.

5. WHAT CHILD PROTECTION RECORDS CAN BE SHARED?

5.1 The Church is committed to co-operating with the DSC in the course of investigations. Although this does mean sharing information, it does not mean that personal files and documents can be handed over to the police.

5.2 All records made as part of the activity of the Church are the property of the Church and any request to examine records must be made in writing to the Diocesan Registrar, who will then advise as to the action to be taken.

5.3 The police can obtain a warrant to gain access to records; courts can also order their release.

6. WHAT FORM MUST A RECORD TAKE?

6.1 Other than when the Diocesan Child Protection Record Book is used, records should always be typed. All records should:

- (i) Be marked confidential
- (ii) Should have the name of the person to whom they relate clearly shown at the top
- (iii) Contain the date on which the interview took place
- (iv) Contain the date on which they were made
- (v) Be signed by the author

7. WHAT HAPPENS WHEN THE INVESTIGATION IS COMPLETE?

7.1 Clergy, Readers And Licensed Lay Ministers

In the case of investigations relating to clergy, readers and licensed lay ministers, the record will be sent to the Bishop's Office and held with the blue clergy, readers and licensed lay ministers file. Management of clergy, readers and licensed lay ministers files is subject to the protocols set out in 'Confidential Files on Clergy, Readers And Licensed Lay Ministers' (Lambeth Palace March 2009)

7.2. All other records

In the case of all other investigations, the file will remain secure in the Bishop's Office.

7.3. Area/Parish Records

Any records created for the purpose of a child protection investigation must be transferred to the DCPA at the Bishop's Office once the investigation has been completed.

USING DIOCESAN SAFEGUARDING RECORD BOOKS

Guidance on taking notes that may be required in criminal or civil proceedings.

- (i) In order to make sure that the records kept in child protection proceedings are accurate, comprehensive and up to date, the Diocese of Sodor and Man requires those involved to make use of a Safeguarding Record Book.
- (ii) The use of such a Record Book is to ensure that those involved in investigations into allegations of abuse keep records which will be reliable in the event of subsequent criminal or civil proceedings. These proceedings can include disciplinary investigations.
- (iii) Notes which are taken in the course of investigations may be relevant and important to the giving of evidence in these proceedings. Because memories can be unreliable, it is important to make sure that all notes are made as soon as possible to the time at which the events to which they refer actually happened. Notes taken at the time of events or immediately after are called 'contemporaneous' notes.
- (iv) They may refer to any kind of contact, such as telephone calls, meetings, visits and interviews.
- (v) In order to make sure that no claim can be made that the record has been tampered with, it is important to keep the record in a bound notebook with numbered pages. The contents should be handwritten.

Notes recorded must be:

Factual - nothing that could not later be read out in a court or tribunal.

Direct speech may be quoted, even if this is offensive.

Give the date and time of the event to which the notes refer.

Write in ink at the time of the event or as soon as possible afterwards. State where the notes were written and why there has been a delay. Give the time at which the note-taking ended.

Original and not copied from elsewhere. If the original notes were on a notepad or piece of paper, retain this and keep it with the Record Book.

Errors and alterations

If you make a mistake, cross it out so that it remains legible and initial it. Do not erase the mistake.

No leaves should be removed.

No blank spaces should be left. If they are, they should be lined through and initialled.

No overwriting or use of conflicting fluid/strips

No writing between lines

No separated pieces of paper

Amendments and alterations should be initialled

Notebooks and other documents should be stored until required by the DCPA

SECTION 4. PROVIDING SUPPORT

It is the responsibility of the Diocesan Child Protection Core Group to ensure that support during and after investigations is properly organised to those affected: this section is therefore part of the Terms of Reference for this Group.

I. WHOSE JOB IS IT TO PROVIDE SUPPORT?

1.1 Different people need different kinds of support, depending on their situation.

1.1.1 For example, the Bishop has a specific role in providing pastoral support to parish clergy, readers and licensed lay ministers, which is regarded very seriously by the Church. Similarly the duty to provide pastoral care in parishes is the duty of the incumbent.

1.2 In practice, this does not mean that either the Bishop or the incumbent must do everything themselves; and this may, in any event, not be possible. Those providing direct support should not be part of any investigation or disciplinary proceedings. In some cases they may be chosen from outside the Diocese to ensure neutrality.

1.3 The police advise that those providing support should not communicate with each other about the allegation, or any aspect of the investigation so that evidence is not contaminated.

2. CONFIDENTIALITY AND SUPPORT

2.1 No guarantee of absolute confidentiality can be given as part of the provision of support. Experience of child protection investigations shows that all information must be shared - the importance of one piece of evidence may not be apparent when it is seen in isolation.

3. WHAT IS SUPPORT?

3.1. Support is usually made up of four different elements:

- (i) Information giving;
- (ii) Practical: perhaps financial, but also help with such issues as transport or, in extreme cases, accommodation;
- (iii) Psychological: counselling and advising
- (iv) Spiritual

3.1 Information giving

Provision of information takes different forms. As a matter of principle, the Diocese will never provide misleading information to any party to the investigation.

Wherever possible, the Diocese will work within a media strategy to make sure that information about matters likely to interest the press is made available in advance of any public disclosure.

In considering how to provide information, attention should be given not only to the needs of the parish as a whole, but to specific groups, such as youth groups or choirs if the perpetrator was associated with these.

For example, where it is alleged that a child has been abused by a member of the church, strong feelings of shock, anger and disbelief will be experienced by members of the congregation and parish staff alike. At various stages, people will need opportunities to ask questions, express their feelings and listen to the views of others.

Should a situation such as this arise, it will not be possible to minimise it. People will need an environment of openness, and opportunities to deal with the many issues that emerge. It may

be necessary to involve Diocesan specialists to help different groups address the information with which they are confronted.

Key persons: DCPA; Bishop; Archdeacon; Mission Partnership Team Leader; incumbent where appropriate

3.2 Practical support

This may mean making sure that transport is available for people to attend meetings or interviews. In some situations it may mean helping with advice if a family is left without financial support. It may also be necessary to consider help with accommodation, in extreme circumstances.

Key persons: DCPA; Bishop; Archdeacon; Mission Partnership Team Leader; incumbent where appropriate

3.3 Psychological Support

This means providing a range of opportunities to allow people to share concerns and anxiety. This can be by use of a helpline, or ensuring that there is a named contact with whom people can talk through what is happening. It may be through the provision of specialised counselling, in which case the responsibility for ensuring that the provision is satisfactory must be clearly allocated.

Key persons: DCPA, Bishop; Archdeacon; Rural Dean/Mission Partnership Leader; incumbent where appropriate

3.4 Spiritual support

Encountering the reality that lies behind child abuse can be extremely difficult for church members. This type of support may be needed in services or in the course of one to one relationships. Those providing this support need to understand that it is demanding and difficult for those involved in its provision.

Key persons: DCPA, Bishop; Archdeacon; Mission Partnership Team Leader; incumbent where appropriate; spiritual life adviser

4. WHO IS LIKELY TO NEED SUPPORT?

4.1 During the investigation support is likely to be needed by the parish; the child or young person and their family; and the alleged perpetrator and his/her family.

4.2 It is the responsibility of the Core Group to identify and plan for the different forms of support that may be needed.

5. SUPPORT FOR THE PARISH

5.1 What happens if the incumbent is implicated?

5.1.1 When allegations are made against a parish priest, it is the responsibility of the Archdeacon in partnership with the Mission Partnership Team Leader to manage the impact of the investigation on the parish and report what is needed to the Core Group.

5.1.2 As well as the general terms of reference for the Core Group, key issues to consider will be

- the situation of the victim
- whether the alleged victim's family belongs to the church
- the status of the alleged perpetrator in the parish
- the length of time of church involvement by either the victim and/or the alleged perpetrator and their family
- whether or not the alleged abuse came to light via a source in the congregation.

5.1.3 The Bishop may take the decision to suspend the individual, without prejudice, while the investigation is underway.

5.2 If the incumbent is not implicated

5.2.1 Where the incumbent is not involved, the brunt of any demand for support is likely to fall on him or her.

5.2.2 It is essential that incumbents are not left to manage such difficulties alone, and for this reason a local Core Group will be needed (as described in section 3, Investigating Abuse). The Terms of Reference will be the same as for a Diocesan Core Group and the key issues will be as those set out above.

6. SUPPORT FOR THE CHILD OR YOUNG PERSON

6.1 The principle which must be used here is that the victim should not be expected to leave any parish or group in a parish.

6.1.1 Support for the child will depend on whether the abuse was carried out by a family member, a member of the church community or other trusted adult, or a stranger.

6.2 The Church should always work in partnership with the parents or carers of the child as well as the statutory agencies involved to ensure that support is adequate and appropriate.

6.3 Where it is alleged that abuse was carried out by a fellow church member, the child and his/her parents or carers may reject contact from members of that church. However, if no attempt is made to make amends and to offer support or contact, this may mean that the child will fear that both the abuse and its consequences are their responsibility and that they are to blame.

6.4 While an investigation is current, no formal support such as counselling should be offered without consultation with the DCPA, who will have sought guidance from the investigating officers and will therefore be in a position to advise on what action is appropriate

6.5 If the child chooses to confide in a member of the congregation, then this person may be the most appropriate person to make the contact and to provide support.

6.6 What happens if the child leaves an activity?

6.6.1 Where the alleged perpetrator was a member or leader of a particular group a child may be reluctant to return to the activity for fear of meeting this person. Children should always be made aware that the abuser is no longer present.

6.6.2 If a group such as a choir or a youth group is involved, any issues of anger or resentment at the loss of the alleged or proven abuser must be sorted out. It is not uncommon for groups to have difficulty in accepting that leaders or members may have harmed a child and that they did not know this was going on.

6.6.3 Failure to deal with these issues can cause serious difficulty for the child if they do not want to re-join the group.

6.6.4 Arrangements for a child who has left will need to be managed with the child's parents and with the DCPA who may seek advice from those involved in the investigation.

6.7 Children and the care system

6.7.1 In a few, very rare cases, children may be removed from the family home and looked after by the DSC. In such cases, the DSC has a duty to ensure that children are able to keep in touch with family and friends and with their faith.

6.7.2 If a child involved in church activities is placed away from the family home, the DCPA will liaise with the DSC to ensure that contact with the child's church activities is promoted and supported.

DOs and DON'Ts

Do:

- treat the child normally
- give the child the usual opportunities to join in all the group's activities
- accept that the child may show his or her anxieties/distress through aggressive or withdrawn behaviour, so make allowances
- be patient; affirm and reassure the child if or when s/he shows distress
- if the child expresses concern about what is happening, continue to reassure him or her that this is not their fault
- tell the parents if the child is upset during a group activity.

Don't

- question the child about the alleged abuse
- question the child about what is happening
- question the child about his/her feelings
- attempt to contact the child if the parents/carers don't want you to.

7. SUPPORT FOR THE CHILD'S FAMILY

7.1 The parents of a child or young person abused within a Church setting may be angered by what has happened and may not want to hear from the congregation or to have any contact made with their child. This may extend to brothers and sisters who also are involved in other children's activities in the church.

7.2 It is the responsibility of the incumbent (or Archdeacon/Bishop in clergy, readers and licensed lay ministers cases) to work out with the family what is or is not acceptable to them. This should be undertaken after discussion with the DCPA, who will be able to provide guidance from the investigating officers.

7.3 Any direct contact with the family during the investigation will need well-defined boundaries as a result of the need for confidentiality: for example the identity of the alleged victim may not be known to the congregation.

7.4 What is the reason for working with the family?

7.4.1 The purpose of any intervention with the family is to:

- (i) find out what support, if any, the family would find helpful from the Church.
- (ii) make sure that family know that the parish and the Diocese are working with the investigating officers and taking the matter very seriously.
- (iii) communicate to the family that the alleged perpetrator, if he/she held a position of responsibility in relation to work with children, has been suspended from these duties pending the outcome of the investigation.
- (iv) advise the family that there is an independent group of people who could be available to provide support if they prefer to receive help from someone outside the congregation.

8. SUPPORT FOR ADULT VICTIMS

8.1 Claims of abuse in the past should always be taken seriously by the Church and reported to the police.

8.2 Adult victims of past abuse do not always complain directly to the church or the Diocese about historic abuse. In such cases every attempt should be made in joint work with the police or any other agency to ensure that the victim is able to speak with the DCPA:

- so that they are aware that their concerns have been heard by the church
- so that the Diocese has access to information which may allow disciplinary action to be taken if the police or Attorney General's Chambers decide that no action is to be taken
- so that they are given the opportunity to seek help and support from the church in a form that is acceptable to them.

Criminal injuries compensation

Whenever a complaint is investigated by the police, consideration should be given as to whether there is a case for a claim under the Criminal Injuries Compensation Scheme 2005.

The DCPA should always confirm that this has been drawn to the attention of the child's parents or any adult survivors

Further information about this can be obtained from Victim Support Isle of Man on 679950.

9. SUPPORT FOR THE ALLEGED PERPETRATOR AND FAMILY

9.1.1 In the event of criminal proceedings, it may take 6 months to 2 years to reach a decision about prosecution and a further year to bring a case to court. As a result, the timing and continuity of pastoral care will have considerable resource implications.

9.1.2 The provision of support for an alleged perpetrator will be affected by:

- (i) The role of the perpetrator him/herself
- (ii) Whether the abuse relates to a child within the church community
- (iii) The role of the police; and
- (iv) The role of the DSC

9.2. The role of the alleged perpetrator

9.2.1 If the alleged perpetrator occupies a position within the Church, whether this is paid or voluntary, it will be necessary to consider suspension without prejudice- that is to say, no judgement as to any outcome will be made. This is dealt with in Section 5.

9.2.2 If the person concerned has no specific role, and the allegations relate to a historic situation or have taken place outside the church community, then it will still be necessary to consider what steps should be taken to protect all children in the church community during the investigation. This may include suspension without prejudice, as above.

9.2.3 This action forms part of the support package in that it is designed in part to forestall the possibility of further allegations within the community itself.

9.3 The role of the Police

9.3.1 In conducting the investigation, the police may determine that the person concerned should be charged and bailed.

It will be the role of the Court to set any bail conditions and these may be designed to diminish the risk of contact between the alleged victim and the perpetrator.

9.4 The role of the DSC

When there is abuse in the family home, the DSC may take steps to ensure that the alleged perpetrator is removed rather than the child. It is possible that such a requirement could be made in the case of an incumbent.

While the DSC and the police have no powers to direct the Church to act in specific ways, both agencies are likely to react with concern if no significant attempts are made to secure the protection of children during an investigation.

9.5. Working with the alleged perpetrator

9.5.1 The Church should put in place a clear framework for what is and is not acceptable behaviour while the investigation is in hand. This will be established with the person concerned and any relevant office holders, such as the churchwardens, either by the Archdeacon and the DCPA in the case of clergy, readers and licensed lay ministers, or by the incumbent and the DCPA within parishes.

9.5.2 If a person is named as working with the alleged perpetrator, they must be provided with a clear brief, which must be agreed by the Core Group.

9.5.3 The content of the approach should be empathetic for their situation, without colluding with or reinforcing any version of events.

9.5.4 Close contact must be maintained between the DCPA and the statutory agencies about any events involving the alleged perpetrator.

9.5.5 The individual providing pastoral support will not normally be part of the Core Group, nor would they have responsibility for disciplinary action.

9.6 Completing an Investigation

9.6.1 It is frequently the case that investigations do not end with any clear result. The fact that the Attorney General's Chambers does not pursue a prosecution may not mean that the alleged perpetrator is exonerated .

9.6.2 **A Risk Assessment:** The Diocese will always need to complete a risk assessment to determine whether or not the balance of probabilities test is satisfied. If it is, then there may be a need for disciplinary action by the Diocese or parish; and there will be a need for a Working Agreement with the person concerned. See *Part D Working with Offenders*.

9.7 Support for the alleged perpetrator's family

9.7.1 The damage to all members of the alleged perpetrator's family cannot be overstated. A compassionate, non-judgemental, accepting and practical response from significant people in the parish may be appreciated by family members.

9.7.2 Different family members are likely to need or ask for different kinds of help. There is frequently conflict and the stories told may be inconsistent. Questions may be asked to which there is no answer which can be given without breaching confidence.

9.7.3 The church leaders should be aware that, if there are children in the family, the child protection service will have a duty to ensure these children are not or have not been at risk of abuse. It may be that these children become part of their enquiries.

9.7.4 The alleged perpetrator's children may be involved in similar activities to the child or children making the allegation. Judgements will be needed about how this will be managed within the parish. There will be issues of confidentiality, and therefore restrictions on who can know what information.

9.7.5 As with the other aspects of the work any actions need to be planned, co-ordinated and set up via the Core Group and DCPA, in collaboration with the investigating agencies.

10. SUPPORT FOR THE REFERRER

10.1 Any person making an allegation of possible abuse must receive the full support and encouragement of the incumbent, whose responsibility it is to make sure that information is acted on.

10.2 The referrer is likely to be interviewed by both the police and the DSC. It is the responsibility of the DCPA to support him or her in any discussion and to accompany him or her to these meetings if asked to do so.

10.3 Referrers may well experience considerable doubt about their action and worry that they may have made things worse for the child or for the alleged perpetrator's family.

10.4 If the identity of the referrer becomes known, there may be a mixed reaction to him/her from within the parish. They may be subjected to hostility and criticism.

10.5 It will be important to provide close liaison between the incumbent and the DCPA to ensure that appropriate ongoing help is provided. The DCPA may set up ongoing support for him/her from the Core Group if this is requested.

11. SUPPORT FOR CHURCH MEMBERS WITH SIGNIFICANT ROLES

11.1 A child protection enquiry within a church community will have widespread consequences for a long time as information comes out.

11.2 Those affected may include:

- (i) The children and youth workers.
- (ii) Leaders of other activities, for example, music group, choir, bell ringers, etc.
- (iii) Staff members as well as the incumbent.

(i) Child and Youth Workers

If the children subject to an investigation and/or the children of the alleged perpetrator are involved in children or young people's activities, consideration will have to be given as to whether the leaders of these activities should be told about the child protection enquiry. The subject of the allegations may choose to tell the leaders for themselves.

However the leaders or group members become aware of the situation, they are entitled to support to help them deal with what has happened.

If there is severe anger and animosity, it may be appropriate to draw on people outside the parish with experience of conflict management to work with the group.

Such decisions will be made following initial consultation and planning between the incumbent, DCPA, and the Diocesan and Youth Work Co-ordinator and Children's Advisers. The Core Group should be informed of any arrangements.

(ii) Support for leaders of other relevant groups

There will be similar concerns for leaders of other activities, should the child or the alleged perpetrator be involved in these.

The need to set up a similar support mechanism for them will be undertaken following consultation between the incumbent and the DCPA.

(iii) Support for staff members

Parishes with a staff team may be in a position to delegate different roles and responsibilities, and provide mutual support for each other. However, discussions about

the involvement of other staff members should only be made after the initial planning with the DCPA.

Access to individual support may be requested by staff members.

The staff team may find it useful at different stages to meet with a facilitator from outside the parish to reflect on the impact of the situation for them as a team.

VULNERABLE ADULTS

In some cases both victims and perpetrators may be regarded as vulnerable adults. This is likely to arise in cases involving mental illness and physical ill health. In such cases it is important to ensure that the situation is thoroughly assessed. It may be necessary to seek advice from the relevant agencies about the most appropriate response to the individual's situation. In the case of employees, including clergy, readers and licensed lay ministers, HR advice may be required.

SECTION 5. SUSPENSION, DISMISSAL AND BARRING

When there is evidence that a member of staff or a volunteer has abused a child, it may be necessary to stop them from working with children and young people. Before this is done, a risk assessment must be carried out (see Part D).

The Church in the Isle of Man should not allow anyone to work with children if they are barred in the UK. If it is discovered that a member of staff or a volunteer has been barred in the UK, the matter should be referred at once to the Bishop.

1. WHAT CRITERIA ARE USED IN DECIDING ABOUT BARRING AND DISMISSAL?

1.1 It is important to make sure that there is evidence that the person concerned has acted in such a way as to cause a risk to children.

1.2 A criminal conviction requires a very high standard of proof, whereas most disciplinary processes and tribunals operate to a standard of the 'balance of probabilities'. This means it is not necessary to have a criminal conviction for barring or dismissal to take place. It also means that acquittal in the criminal courts does not necessarily mean there should be no further internal action.

2. SUSPENDING STAFF AND VOLUNTEERS

2.1 When the police and the DSC decide to carry out a child protection investigation which involves a member of the clergy, readers and licensed lay ministers, member of staff or volunteer, suspension without prejudice must be considered. This will be in the light of the evidence available to the Church at the time.

(i) In the case of clergy, readers and licensed lay ministers this is the responsibility of the Bishop in discussion with the Diocesan Registrar.

(ii) In the case of Diocesan employees it is the responsibility of the Bishop.

(iii) In the case of parishes, it is the responsibility of the PCC, which may make arrangements for a special sub-committee to deal with the matter on its behalf.

2.2 Duty of trust and confidence

It is important to ensure that the duty of trust and confidence between the employer and the employee is respected. An employee must not be suspended except on reasonable grounds. Suspension without reasonable grounds may result in a claim for Unfair Dismissal.

2.3. Suspension

Suspension itself means that the person concerned continues to be employed by the organisation and to receive their pay, pending the outcome of the investigation. Suspension in these circumstances is 'without prejudice', a neutral and procedural

action which does not imply either guilt or innocence at this stage. Suspension is not to be considered as a disciplinary action. Every effort must be made to ensure the matter is resolved as swiftly as possible and to ensure the suspended individual is fully informed of progress.

It is important to ensure that the employment contract (statement of main terms and conditions of employment) for all employees provides for suspension on full pay in such circumstances.

‘Without prejudice’ means that there is no decision as to whether the person will be subject to disciplinary measures until the investigation is complete.

2.4. Bail

If the person under investigation is subject to bail conditions, the DCPA will need to ensure that any arrangements for suspension comply with the requirements of bail.

2.5 Providing support: see Section 4 above

Although it is usual in suspension to ask the person concerned to stay away from the group with which they are involved, this does not mean that they can receive no help of support from fellow members of the church. Consideration should be given as to who is the best person to maintain contact with the suspended employee. This would normally be their manager.

3. CLERGY, READERS AND LICENSED LAY MINISTERS DISCIPLINE

3.1 If a member of the clergy, readers and licensed lay ministers is involved, the procedures under the Clergy, Readers And Licensed Lay Ministers Discipline Measure 2003 (CDM) must be followed. A formal complaint must be made by the person concerned to the Bishop, who will take advice about what action is needed from the Diocesan Registrar.

3.2 It is essential to follow the child protection procedures found in Part C so that any evidence used in support of the complaint is fairly and accurately recorded and presented.

3.3 If the use of the CDM results in the member of clergy, readers and licensed lay ministers concerned being prohibited from orders, resigning or being moved to duties that do not involve work with children, then the steps set out in ‘Barring referrals’ below must be carried out.

4. DIOCESAN EMPLOYEES

4.1 A diocesan employee is someone employed under a contract of employment by the Bishop or the Sodor and Man Diocesan Board of Finance, whether or not paid by the Board. (A cleric holding office under Common Tenure is not a diocesan employee). The disciplinary procedures for diocesan employees are found in the contract of their employment. If allegations of child abuse are made against a member of diocesan staff, the Bishop must be informed immediately by the DCPA.

4.2 If the information about the allegation does not come from the DCPA, the Bishop must advise her/him of what has happened within 24 hours. She/he will then determine how the child protection procedures are to be implemented.

5. PARISH EMPLOYEES

5.1 Parishes which employ staff must comply with good employment practice and will therefore have a disciplinary procedure in place. In parishes, the PCC is the employer and should have a procedure in place for the oversight of this process. See: Part B Section 3 para.9

5.2 In the event of an allegation of child abuse relating to a parish employee, the DCPA must be informed immediately.

5.3 She/he will work with the parish and the incumbent in line with the guidelines of the Church of England to ensure that the correct actions are taken.

5.4 Parishes should seek advice from a professional source to ensure that they comply with employment law when suspending or dismissing employees.

6. VOLUNTEERS

6.1 Volunteers do not have the protection afforded by employment law, but it is still important to ensure that they are treated fairly.

6.2 If an allegation of child abuse is made about a volunteer, the person should be suspended from their role during the investigation. Any additional action will depend on the gravity of the allegation.

6.3 If there is no ongoing cause for concern which would meet the standards required for disciplinary action, then the person can return to their role.

6.4 If it is clear that there is an unresolved issue then they may be told to step down from their role. This should be done by the PCC and incumbent jointly following discussion with the DCPA.

7. BARRING

7.1 In the UK the Independent Safeguarding Authority (ISA) has power to bar a person from working with children. The ISA covers England, Wales and Northern Ireland, but not the Isle of Man. On 1st December 2012 the Criminal Records Bureau and the ISA were merged to form a single Disclosure and Barring Service (DBS).

7.2 Even though barring does not operate in the Isle of Man, the Church in the Island should not allow anyone to work with children if they are barred in the UK. If it is discovered that a member of staff or a volunteer has been barred in the UK, the matter should be referred at once to the Bishop.

7.3 Discussions on the operation of barring in relation to the Diocese of Sodor and Man are ongoing.

8. RISK ASSESSMENT

If it is decided to dismiss a member of staff or volunteer, it may be necessary to consider a Risk Assessment: procedures for this are available in the Church of England publication, *Working with Offenders*.

PART D: WORKING WITH OFFENDERS

WORKING WITH OFFENDERS

We don't want anything to do with these people

It's too difficult

What will people say about us?

None of these are a reason for not working with offenders, including sexual offenders.

One of the biggest risks for re-offending for any sort of crime is that the offender's only friends are those who got him or her into trouble in the first place.

It is important for the Church to be a safe place for offenders as well as victims.

This does not mean letting people off the hook or being soft.

It does mean having a realistic idea of what has gone wrong and making sure that you have arrangements in place to help stop it happening again.

DO WE HAVE TO WORK WITH OFFENDERS?

Church communities are open to everybody. This means that they must be safe places for victims of abuse and for those who are seeking to make amends for wrong doing in their past.

This Part of the policy provides information about the support that can be given to people who have abused others, particularly sexual abusers and who wish to join the church.

A refusal to accept any role in working with perpetrators is a denial of Christian doctrine and runs counter to Church of England policy in Protecting All God's Children. Clergy, Readers And Licensed Lay Ministers in particular are central to the work with offenders and their victims by addressing the spiritual issues involved seriously and comprehensively.

Sometimes victims and perpetrators are part of the same church community. Managing this will require sensitivity and honesty if harm is to be avoided and respect given to the rights of all those concerned. There may be occasions on which alternative arrangements for worship may be needed for an offender in order to protect the well-being of a victim. Such situations must be handled with care.

In most cases, the fact of a past crime will not require specific action to protect children or vulnerable adults. Some offences may be serious, but not have involved any threat to a child or vulnerable adult, and it is essential that those responsible for this work within the Church are equipped to understand this distinction.

I. WHICH PEOPLE ARE A RISK TO CHILDREN? (REMEMBER: IOM DIFFERENCES)

1.1 The arrangements described here apply to the sorts of action which lead to the perpetrator being barred from working with children in the United Kingdom by the ISA or its successor, the DBS. Where they involve criminal offences they are likely to be:

- offences of physical violence towards children
- offences arising from the sexual abuse or exploitation of children
- certain drug related offences

1.2 Sometimes, although a person has not been tried by the courts, their behaviour has still been extreme enough for them to lose their job. This means that they too can be barred from working with children in the UK by the ISA or DBS.

1.3 The Diocese makes arrangements to work with people who have been assessed as likely to cause a risk to children and young people whether or not they have been subject to a criminal prosecution. The procedures for carrying out the risk assessments are described in s.3 below.

People who are supported under these arrangements are described as 'referred people' in this part of the policy.

1.4 Working with this group of people may involve close collaboration with the police and the probation services. This is always managed in the first instance by the DCPA.

1.5 *What happens if we find there is an ex-offender in the parish?*

Any parish in which it becomes known that there is an ex-offender or someone who has caused harm to children and who is likely to fall within these arrangements must tell the DCPA so that appropriate action may be taken.

2. WHAT HAPPENS WHEN A REFERRED PERSON JOINS OR LEAVES A PARISH?

2.1 The DCPA must be informed within 24 hours:

- when a referred person seeks to join a parish; or
- is found to be a member of the congregation; or
- leaves a parish

2.2 If there is an interregnum in the parish it is the joint responsibility of the churchwardens and the Parish Child Protection Representative to do this.

2.3 The DCPA will contact the police, probation and local DSC. This group will decide whether a Risk Management meeting under the Multi Agency Public Protection Arrangements (MAPPA), or an Interagency Child Protection Strategy Meeting are needed to identify the level of any risk to children and young people.

2.4 If an Interagency Safeguarding Children Strategy Meeting is needed, it is the responsibility of the DSC to decide who will be invited, but this is likely to include the DCPA and the Archdeacon.

3. THE RISK ASSESSMENT PROCEDURE.

3.1.1 To carry out the Risk Assessment, the DCPA will:

- (i) Liaise with the statutory services and the parish to put together background information about the referred person. This may include information about past convictions.
- (ii) Brief the statutory services about the referred person's relationship with the parish.

3.2 The Risk Management Meeting

3.2.1 The Risk Management meeting will involve representatives from the statutory services where appropriate; the incumbent of the parish, the churchwardens in an interregnum and the Parish Child Protection Representative if deemed necessary by the DCPA.

3.2.2 The purpose of the meeting will be:

- (i) to decide what the level of risk is
- (ii) to decide whether an individual risk assessment is required, if this is not in hand.
- (ii) to identify the issues to be addressed in the Risk Management Plan
- (iii) to agree the terms of the Working Agreement

3.2.3 In the light of this, the parish representatives will need to work out whether the risks can be managed within the resources available, or whether it will be necessary to arrange for the referred person to attend a different church.

3.3 Is the referred person told?

The referred person must be told about the action that is being taken, unless to do this will put others at risk of harm. The DCPA will liaise with the statutory agencies and the parish to ensure that any action is based on sound evidence and is properly recorded.

4. INFORMATION FOR THE RISK ASSESSMENT

(i) *The nature of the offence or suspicion:* what happened, or is claimed to have happened?

(ii) *Historical information*

For convicted offenders, this will include

- the nature of the offence and the pattern of behaviour associated with it, such as taking up voluntary work, befriending or joining mixed age groups
- response to any treatment programme
- the expiry date of any licence

(iii) *Current Information*

- Current involvement in the parish
- Known friendship/social network
- Behaviour and attitudes, awareness, empathy and acceptance of the impact of
- the offence on the child and the child's family
- possible triggers to offending activity

(iv) *Location and building*

The setting in which the risk has to be managed. Factors to consider include :

- the design of the church building and staffing levels in the parish, as this will affect the amount of supervision required.
- the range of services and other activities in the parish, e.g. mid-week services, house groups, play groups, uniformed organisations, music groups, choirs, the bell tower, servers.
- the range of specific children and youth activities in the parish.

THE RISK MANAGEMENT PANEL

The Risk Management Panel is an ad hoc committee accountable to the Diocesan Child Protection Reference Group. The role of the Panel is:

- to monitor the numbers and distribution of risk management plans across the Diocese;**
- to ensure that complex risks are identified and managed and to advise the DCPA as needed;**
- to report the above to the Diocesan Child Protection Reference Group.**

Membership of the Panel will consist of:

- a member of the Diocesan Child Protection Reference Group;**
- the Archdeacon;**
- an independent member, eg. Head of Safeguarding DSC;**
- an experienced practitioner in working with offenders.**

The Panel will be convened by the DCPA in consultation with the chairman of the Diocesan Child Protection Reference Group.

The Panel will consider the case of any referred person put to it and advise the DCPA on the appropriate action. The decision will be recorded together with the reasons for the action concerned.

The outcome will be shared with:

- the referred person;**
- the incumbent (or churchwarden in an interregnum);**
- the Archdeacon;**
- the Bishop.**

In the event of the referred person disputing the outcome, the matter will be considered by a sub-committee of the Diocesan Child Protection Reference Group (DCPRG)

5. WHO WILL CARRY OUT THE RISK ASSESSMENT?

5.1. Clergy, Readers And Licensed Lay Ministers

5.1.1 All risk assessments affecting a member of the clergy, readers and licensed lay ministers must be undertaken by an individual who is independent of the Diocese, such as a representative of the Lucy Faithfull Foundation or other suitable organisation.

5.1.2 The terms of reference for such risk assessments will be decided by the DCPA and the Archdeacon and confirmed by the Bishop.

5.1.3 Where the MAPPA team are involved, a risk assessment must always be discussed with that team and their agreement sought as to the terms and conditions involved.

5.1.4 All clergy, readers and licensed lay ministers assessments will be viewed by the Risk Management Panel, which will decide whether a meeting is required.

5.2 Laity

Risk assessments affecting a member of the laity may be undertaken by a person authorised by the Diocese to undertake the work.

6. WHAT HAPPENS NEXT?

Following the completion of the Risk Assessment, a decision will be made by the DCPA and the Archdeacon as to whether the plan should be reviewed by the Risk Management Panel.

7. THE RISK MANAGEMENT PLAN (THE PLAN)

7.1 The DCPA will help the parish to draw up the plan in the light of the information which emerged from the Risk Management meeting

The issues to be considered are:

- (i) The Risk Assessment, if available
- (ii) Managing any identified risks to children
- (iii) Pastoral care and support requirements
- (iv) Informing and supporting those who need to know about the situations to ensure that abusive behaviour is not repeated
- (v) How and when the perpetrator will be informed personally about the action that is being taken

7.2 Guidance and advice on the plan will be offered by the police and the DSC. It would be considered exceptional to reach a view to exclude someone from a parish.

8. THE WORKING AGREEMENT

8.1 Once the plan and the assessment have been completed, the terms of an agreement will be set out in a Draft Working Agreement by the DCPA.

8.2 The referred person should be asked to discuss his/her perception of the risks for re-offending in the context of the Church setting. This should be a detailed discussion and incorporate the information provided by the statutory agencies where this is available.

8.3 The purpose of this discussion is to give the referred person the chance to contribute to the risk management plan and also to reinforce his/her ownership of the boundaries. It is important to include activities in which he/she can join and provide support to put the boundaries in place.

8.4 Once the discussion is complete, the Working Agreement can be finalised. It must be signed by the referred person, the incumbent and the DCPA. Copies will be retained by the incumbent, the DCPA, the referred person and the probation office if one is involved.

8.5 A copy of the Working Agreement will be held in a secure file in the parish.

9. THE ROLE OF THE BISHOP AND ARCHDEACON

9.1 The Bishop and the Archdeacon must be told in writing of all Working Agreements within the Area, in order to make sure:

- that any support needed by the incumbent and the parish are available; and
- that any concerns as to practice or conduct are monitored.

9.2 This information will be held on the DCPA's record at the Diocesan office; and on the parish file in the Area office.

10. CARRYING OUT THE PLAN

10.1 The DCPA will work out with the incumbent what help is needed to carry out the plan. This will include identifying the support and guidance needed by the parish; taking note of any personal needs the incumbent may have to help them manage the

situation. This will include supervision and support by the relevant members of statutory agencies.

10.2 In very rare circumstances it may be impossible for an incumbent to offer support to a referred person. These circumstances may arise if the incumbent or his/her family have been the victim of abuse. It is not necessary for the incumbent to disclose this experience, but he/she should explain to either the DCPA or the archdeacon that support cannot be offered.

11. REVIEWING THE PLAN

11.1 Risk management plans will normally be reviewed quarterly for the first twelve months and then every six months.

11.2 Parties to the review will be:

- the referred person
- the DCPA (or his/her suitably qualified nominee)
- the incumbent
- the representative of any statutory agency involved

12. REFERRAL TO ANOTHER PARISH

12.1 The fact of a history of abusive or alleged abusive behaviour alone is not a good enough reason for a referred person to be refused help at the church of his/her choice.

12.2 Appropriate reasons to arrange attendance at a different church may be:

- that the victim/alleged victim attends the same church and contact is unavoidable
- that the parish is already supporting a referred person and the contact between the two is undesirable or unmanageable

12.3 In such a case, the referred person will be advised that the church of choice is unable to provide the necessary support and that an arrangement will be made with another parish. This arrangement will require a risk assessment and plan to be put in place in the new parish.

12.4 If a referred person decides for themselves to attend a different church, it will be necessary to ensure that the relevant incumbent or church leader is informed of the situation.

12.5 The referred person will be encouraged and supported by the current incumbent to let the incumbent or leader of the new church know about their background. If the referred person is not willing to do this, they must be told that it is the duty and responsibility of the incumbent to alert the leaders in the new church community.

13. ADULT SURVIVORS

13.1 It is inevitable that adult survivors of abuse will be present in any church community. If survivors become aware of referred persons in a congregation, there is a risk that memories of abuse may be triggered.

13.2 If this happens, parishes must be prepared to provide pastoral support and the DCPA will provide advice about sources of counselling and advice.

13.3 Protocols for disputes and dissatisfaction are set out in Part E

PART E: COMPLAINTS PROCEDURE FOR CHILD PROTECTION ISSUES

NOBODY'S PERFECT!

We all make mistakes and get things wrong - even when we don't mean to.

When dealing with child abuse, which can be complicated and painful, it is easy to slip up.

A complaints system allows people to say what the problem is and gives the Diocese a chance to put it right quickly.

1. WHAT DOES THIS PROCEDURE DEAL WITH?

1.1 This complaints procedure is to be used only for complaints about the management of the Child Protection Policy and Procedures.

1.2 It is not to be used as a substitute for the Clergy, Readers And Licensed Lay Ministers Discipline Measure, which is a separate system.

2. WHEN CAN IT BE USED?

2.1 It can be used:

- (i) If the Diocese or parish, or any other organisation within the Diocese, does not follow up an allegation of child abuse
- (ii) If there is a failure of communication with the child, young person or his/her family, or anyone else who is drawn into the investigation
- (iii) If there is a failure of the pastoral support system
- (iv) If there are failures to carry out the policy at Diocesan or parish level.

3. HOW WILL PEOPLE KNOW ABOUT IT?

3.1 A copy of the Complaints Procedure will be part of all versions of the Diocesan policy.

3.2 The Procedure will be displayed on the Diocesan website.

3.3 All those who are involved in child protection investigations as complainants, families or who are otherwise affected will be provided with a copy of the procedure.

4. WHO SHOULD THE COMPLAINT BE MADE TO?

4.1 The complaint should be made to the DCPA, unless the complaint is about his/her actions.

4.2 If the complaint is about the DCPA it should be directed to the Bishop.

5. HOW SHOULD THE COMPLAINT BE MADE?

5.1 The complaint may be made by telephone, writing or email.

5.2 Complaints must always be acknowledged in writing.

6. THE PROCEDURE

6.1 There will be 3 stages to the procedure

- (i) Informal
- (ii) Investigation
- (iii) Appeal panel

6.2 The informal stage

- (i) Once a complaint has been received, in whatever form, the Diocese will have 10 working days to consider it and respond.
- (ii) The response may include the offer of a meeting to discuss the matter.
- (iii) Any outcome must be set out in writing.

6.3 The Investigation

- (i) If the complainant is unhappy with the informal resolution, or the matter is serious, the Diocese should undertake an investigation.
- (ii) This investigation will be carried out by a suitably appointed independent person.
- (iii) 28 days will be allowed for the investigation.
- (iv) The investigator will provide a report to the Bishop, who will consider and consult on any action needed.
- (v) The Bishop will have 10 working days to reach a decision
- (vi) The complainant will be notified of the decision. This should be done in a face to face meeting if appropriate.
- (vii) The complainant has 10 days in which to appeal.

6.4 The Appeal Panel

- (i) If the complainant is not happy with the outcome of the Investigation, he or she may apply to the Appeal Panel.
- (ii) The Appeal Panel will meet within 28 days of the request for a hearing.
- (iii) The Appeal Panel will consist of 3 people appointed by the Bishop, the Diocesan Child Protection Reference Group Chair, and the Vicar General.
- (iv) The Appeal Panel will consider the Report, the comments of the Chief Executive and the view of the complainant.
- (v) The decision of the Appeal Panel will be final.

7. WHO WILL HEAR ABOUT COMPLAINTS?

7.1 All complaints will be reported to:

- The Diocesan Child Protection Reference Group
- The Bishop's Staff Team.

7.2 Information about complaints will be included in the annual child protection report submitted to the Bishop's Leadership Team.

Useful Contacts/Other Agencies

DSC	Initial Response Team	686179
Police HQ	Public Protection Unit	
	Office Hours	631493
	Out of Hours	631212
Noble's Hospital	Switchboard	650000
	A&E Unit	650040
	Children's Ward	650023
CrimeStoppers		800555111
ChildLine		8001111
NSPCC	Child Protection Helpline	800800500
Safeguarding website		iomscb@gov.im