

**YORK DIOCESE CHILD PROTECTION &
SAFEGUARDING CHILDREN POLICY**

Updated: August 2011

POLICY & PRINCIPLES RELATING TO CHILD PROTECTION AND
SAFEGUARDING CHILDREN

- The Diocese of York is committed to the protection, safeguarding, care and nurture of all children within the church community.
- The Diocese of York will carefully select and train ordained and lay ministers, as well as volunteers and paid workers who work with children and young people, using the Criminal Records Bureau / Independent Safeguarding Authority and the highest quality safe recruitment practices, to check the background of each person.
- The Diocese of York will respond without delay to every complaint or allegation made that a child or young person is a risk of, or has suffered, harm.
- The Diocese of York will fully cooperate with statutory agencies during any investigation they make into allegations of abuse or neglect concerning a member of the church community.
- The Diocese of York will seek to offer informed pastoral care to any child, young person or adult who has suffered abuse.
- The Diocese of York will care for and supervise any member of our church community known to have offended against a child, working alongside statutory agencies as appropriate.
- The Diocese of York recognises in all its work that the welfare of children is paramount.

Although this document is specifically aimed at the protection and safeguarding of children and young people, many of the principles are also relevant to the safeguarding of vulnerable adults.

Introduction

The child protection procedures for the Diocese of York have been developed from the House of Bishops' policy, 'Protecting All God's Children'. Additional material has been taken from 'Working Together to Safeguard Children 2006' and the Children Acts 1989 & 2004. Sometimes you will find an article or document written by child protection professionals working locally or nationally. These are acknowledged as they appear, but full references for the other sources used in these procedures appear on the Contacts page in Section 3.

Child protection is a very broad field, and there are important topics that are not specifically included here: domestic violence, drug and alcohol-abusing parents, parents with mental health problems that are negatively impacting on their ability to care for their children, Internet grooming and others. The principle of placing the child's welfare at the heart of whatever we do gives you the responsibility to seek advice if you feel these are an issue for the children and/or families with whom you work. But if you need advice on any specific situation, help is available from a number of sources within the diocese. See the Contacts page in Section 3 for further information.

A Christian approach to child protection asks both individuals & communities to create a safe environment for children, to act promptly on any complaints made or concerns raised, to care for those who have been abused in the past, and to minister appropriately to those who have abused children. This approach takes seriously both human propensities to evil but also the God-given resources of goodness.

How to use this folder

The folder has three sections.

In **Section 1** you will find the essential 'nuts and bolts' information you need to help you understand and implement the child protection policy. It is important that those who are working with children read this section and become familiar with it, as well as undertaking appropriate levels of child protection training if they have not already done so.

Section 2 has useful material that you may need in specific situations, e.g. what we mean when we talk about 'Local Safeguarding Children Boards', or what you should do if someone deemed to pose a risk to children moves into your church community. This section may be of interest for background knowledge and discussion, but does not need to be read at this stage. Just be aware that when something happens that causes you concern, it is worth looking in this folder for guidance on how to proceed.

In **Section 3** you will find copies of useful forms, checklists etc. that will help you manage the practicalities of child protection work effectively. These can be photocopied as and when you need them. Alternatively, you can download them from the diocesan web site, where the contents of this folder are posted in full: www.dioceseofyork.org.uk/

Section 3 ends with a list of book references and useful telephone and web site contacts.

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Section 1: The Essentials

What Do We Mean by a 'Child'?

In this document, as in the Children Acts 1989 and 2004, a **child** is anyone who has not yet reached their 18th birthday. 'Children' therefore means 'children and young people', and these terms are used interchangeably throughout this document. The fact that a child has reached 16 years of age, is living independently or is in further education, is a member of the armed forces, is in hospital, in prison or in a Young Offenders' Institution, does not change his or her status or entitlement to services or protection under the Children Act 1989. The term 'parent' includes all those who have parental responsibility for the child. There may be other adults who have contact or care of children about whom you have concerns in relation to their contact with or care of a child. In these circumstances, most of this guidance will still apply, but you should always seek advice from one of the sources listed in the Contacts section.

All those working with children & their families, parents or carers should:

- be alert to potential indicators of abuse or neglect
- be alert to the risks that individual abusers, or potential abusers, may pose to children
- share and help to analyse information so that an assessment can be made of the child's needs and circumstances
- contribute to whatever actions are needed to safeguard and promote the child's welfare
- take part in regularly reviewing the outcomes for the child against specific plans
- work co-operatively with parents, unless this is inconsistent with ensuring the child's safety.

Parish Responsibilities in Working with Children:

Each parish (or benefice) should accept the prime duty of care placed upon the incumbent and the parochial church council to ensure the well being of children in their care. In order to meet this responsibility, the Parish should:

- Create a culture of ‘informed vigilance’, which takes children seriously.
- Ensure that appropriate health and safety policies and procedures are in place.
- Provide appropriate insurance cover for all activities undertaken in the name of the parish.
- Ensure that current Health and Safety requirements are met for all groups involving children. Child care providers e.g. pre-school and nursery groups or after-school clubs should take advice from the Diocesan Children’s & Youth Advisor about the regulations for their activity and the need to register the group with the Local Authority.
- Adopt and implement the York Diocese Parish Child Protection Policy and Procedures, which is based on the House of Bishops Policy. Consideration should also be given to specific local parish requirements.
- Appoint a Parish Child Protection Representative, and inform the Diocesan Secretary of this person’s details. The Child Protection Representative should be someone without other pastoral responsibility for children in the parish. This person must ensure that any concerns about a child, or the behaviour of an adult in relation to children, are appropriately reported both to the statutory agencies and to the Archdeacon. The CP Representative post is subject to a Criminal Records Bureau check/Independent Safeguarding Authority registration.
- Ensure that appropriate pastoral care is available for those adults who have disclosed that they have been abused as children.
- Provide, as appropriate, support for all parents and families in the congregation, being particularly aware of parents whose children have suffered abuse.
- Ensure that those who may pose a threat to children and young people are effectively managed and monitored. (See Section 2 for further advice).
- Appoint a person, who may be different from the Child Protection Representative, to be a children’s advocate. This person should be someone whom children know they can talk to about any problems, if they so wish.
- Display the “Childline” telephone number prominently on a notice-board that is accessible to children.
- Ensure that all those authorised to work with children and young people, or in a position of authority, are recruited according to current Safe Recruitment Practice guidelines, and appropriately appointed, trained and supported while in post.
- Provide all personnel authorised by the PCC to work with children with a copy of the Parish Child Protection Policy, Procedures and Good Practice Guidelines.
- Pay particular attention to children with special needs and those from ethnic minorities, to ensure their full integration within the church community,

remembering that children with disability or those for whom English is not their first language or are isolated in any way are always more vulnerable to abuse.

- Review the implementation of the Child Protection Policy, Procedures and Good Practice Guidelines annually, to ensure that the Parish is adhering to the practice laid down within the Policy.
- Rural parishes or parishes held in plurality may wish to join together to implement the Policy and Procedures. It should be noted, however, that people working in isolated situations can be vulnerable and extra care should be taken to ensure that behavioural guidance and Child Protection Policy, Procedures & Guidelines are followed.
- Provide appropriate insurance cover for all activities with children and young people that are undertaken in the name of the parish.
- Local ecumenical projects should agree which denomination's Child Protection Policy to follow, and this decision should be ratified by the Archdeacon and other appropriate church leaders.

Home and church

Common sense (and the law!) says that registration is not required for home-based arrangements, for example parents taking turns to drive their children to church. But the activity becomes 'regulated', and the person carrying it out is required to be registered, at the point where it is the organisation and not the family that takes responsibility for that person being in the role and doing that piece of work.

See Page 46 for the Specimen Parish Child Protection Policy Document

The Parish Child Protection Representative:

The Child Protection Representative has an essential role in a parish in relation to child protection. S/he should be a lay person who has a special interest in the care and welfare of children and young people and an ability to liaise with and advise those who work directly with them. The representative should have an understanding of child protection issues, either through outside employment or through training provided by the parish, Diocese or Local Safeguarding Children Board.

In some circumstances it may be necessary for the parish priest to be the child protection representative, but this is generally not desirable as the parish priest should be available in a supporting role when difficulties arise.

What sort of person is suitable?

A Child Protection Representative should have:

- A developed understanding of the issues relating to safeguarding children and child protection;
- Up-to-date training (at least every three years) in child protection issues;
- A sound knowledge of the parish Child Protection Policy, the York Diocesan Child Protection Policy, Procedures & Guidance, including how these should be implemented within the parish context.

What knowledge and skills are required?

The Child Protection Representative needs to:

- Ensure that workers (paid and voluntary) are aware of the parish Child Protection Policy, Procedures & Guidance;
- Respond to any concerns that a child might be at risk of significant harm;
- Understand the boundaries of appropriate confidentiality;
- Understand and co-operate with the Criminal Records Bureau checking process and Independent Safeguarding Authority (ISA) registration;
- Encourage workers to undertake training and ensure that training is kept up-to-date;
- Keep appropriate records of work with children, including logs of events (both regular and 'one-off' events involving children), confidential files regarding CRB information/ISA Registration and child protection concerns, and a parish record of those attending child protection training;
- Be a source of support for workers and be ready to talk through any concerns they might have.

The Child Protection Representative is supported by the local Archdeacon, who in turn is supported by the Diocese of York Child Protection Advisor and the Diocesan Youth Advisor (See Contacts, Section 3)

What are the responsibilities of the Child Protection Representative?

The Child Protection Representative (CPR) is chosen primarily for their good standing in the local church and community, their integrity, common sense and particularly for their independence. It is therefore not appropriate for someone to fulfil this role who is actively or regularly engaged within the Parish in children's or youth work, overseeing such work, or closely related to such a person. This does not debar them from being asked to help out on an occasional or very limited basis. The CPR does not need to be experienced in social work or children's work, although it is recognised that this may be advantageous. The CPR will need to obtain an 'Enhanced Disclosure' check from the Criminal Records Bureau. (See: A Guide to Criminal Records Bureau Disclosures).

The Child Protection Representative (CPR) should be responsible to the incumbent, and these two people should work together to implement the Parish Child Protection Policy, Procedures & Guidance.

The reasoning behind the appointment of CPRs is to have a person to whom concerns about a child, the behaviour of an adult or allegations of abuse can be reported without a conflict of interest. Experience shows that if concerns are reported to a person closely associated with children's or youth work, a conflict of interest may arise, albeit subconsciously, between addressing the needs of the child and supporting the worker or workers involved.

CPRs will need to attend appropriate child protection/safeguarding children training and ensure that those working with children and young people also take up such training opportunities at regular intervals. Child protection training is available within the diocese (see the Diocesan web site for current information) and from time to time appropriate training may also be provided locally by other agencies or Local Safeguarding Children Boards, details of which can be found on Local Safeguarding Children Board's web sites.

The CPR has the following responsibilities:

- To **familiarise** themselves with the parish's Child Protection Policy and make sure that the PCC review it annually. A declaration form of review and renewal should be sent to the Diocese Archbishop's Child Protection Advisor (see Appendix 1)
- To ensure that copies of the parish Child Protection Policy, and the 'good practice guide' (see Appendix 1) are given to all existing and new workers in the Parish.
- To produce a report for the PCC Annual General Meeting regarding child protection work in the parish during the previous year and any changes to the parish policy. This report should be read to the Annual General Meeting for its comments.
- To ensure that all volunteers who work with children, sign the Confidential Declaration form and to take up references.
- To retain all the CP forms in a secure place and ensure their confidentiality
- To ensure that all those who work with children know the contact details of those from whom child protection advice can be accessed.

- To ensure that any person with anxieties about child welfare is able to discuss their concern with the parish Child Protection Advisor, or the Archdeacon if more appropriate.
- To ensure that any allegations of abuse behaviour by someone working for the parish (either paid or volunteer) is immediately brought to the attention of the Archdeacon for advice and support, and further actions to be taken as per Diocesan policy.
- To ensure that there is a Childline poster on a notice-board in every place where children meet, and the Parish Child Protection Poster is displayed within the church.
- To **ensure** that the parish's Child Protection Policy is adhered to, and to raise any concerns in this respect with the incumbent and churchwardens, or the PCC or in the last resort with the Archdeacon who will liaise with the York Diocese Child Protection Advisor.
- To **receive** any concerns as to the safety or well-being of children and young people in relation to the church, or concerns raised by a church member in respect of any child or young person known to them.
- To **respond** to concerns (as directed in the Child Protection Policy) by discussing and agreeing an appropriate response with the person raising the concern. Depending on the nature of the concern this response may range from discussing the matter with the incumbent or churchwarden, to (in an emergency) immediately contacting the police or local social services department. It will in almost all circumstances involve contacting, at an early stage, the Archdeacon who will liaise with the York Diocese Child Protection Advisor as appropriate.
- The CPR will **NOT** investigate the concern beyond asking the person raising the concern such questions as may be necessary to establish the facts on which the concern is based e.g. what is it that you are worried about; what have you seen/heard/ that makes you concerned; who have you spoken to about your concerns etc.
- The CPR will keep an accurate note of any concerns received and of their response. If a disclosure of abuse has been made by a child or young person, the CPR will record the child's own words, or the words used by any person that has told them of their concerns.
- The CPR will be expected from time to time to attend training events appropriate to this position. It is expected that such training will be attended at least once every three years.

To ensure that there is an effective means of contacting the CPR, the PCC are responsible for publicising the position within the church and parish.

Additional Responsibility

Depending upon the circumstances of individual parishes and the CPR, it may be appropriate for the CPR to act as the local person responsible for checking 'Evidence of Identity' required when individuals apply for a Disclosure Check. (See section on Criminal Records Bureau and York Diocese Criminal Records Bureau Disclosures Guide).

The Criminal Records Bureau (CRB)

NB In 2010 Independent Safeguarding Authority (ISA) will be the body that will provide Registration for all those working with children (and vulnerable adults). It will become an offence to employ any person (or apply for employment working with children or vulnerable adults), without ISA Registration. Details are yet to be finalized, but there will eventually be an end to multiple checks being made by different organizations. The new, more straightforward system will be very welcome, but until further announcement regarding ISA implementation in 2010, the current system of CRB checking will continue to operate. Replacement pages for this section will be sent as soon as the new system is formally launched.

The Criminal Records Bureau is an executive agency of the Home Office. Its primary purpose is to help employers and voluntary organisations make safer recruitment decisions. It is an offence to appoint a person who is banned from working with children (Criminal Justice and Court Services Act 2000 Part 2 S35) to work in any capacity with children or young people (i.e. those below 18 years of age). The CRB is a national agency, which gives the opportunity for all who work with children to be checked through a consistent disclosure service. It became operational in the spring of 2002, and provides a 'one stop shop' for ascertaining whether an individual has a criminal record, has been under police investigation, has been banned from working with children by the courts or has had his/her name placed on the lists of those unsuitable to work with children and young people held by the Department for Education and Skills or the Department of Health.

Although it is not a legal requirement for the Church to use the CRB service, the House of Bishops regards it as a mandatory element in the recruitment process (of both paid and unpaid workers) and CRB checks have been adopted in the Diocese of York as a necessary prerequisite for posts involving work with children or vulnerable adults.

All Anglican or Anglican-sponsored activities that involve work with children must be based on a clear understanding of how and when CRB checks should be undertaken. If in doubt, advice can be sought from the Administrator of Criminal Records Bureau Disclosures at the Bishopthorpe Palace or the Archdeacon (see Contacts, Section 3).

The CRB does make a charge for checking people who will be paid employees, but not for volunteers. For the purposes of definition, anyone receiving payment for a position, other than reimbursement of expenses, is deemed to be employed. This definition will be relevant when considering the status of retired clergy receiving fees.

The CRB offers two levels of check: standard and enhanced. The Diocese of York always requests the enhanced level check for any post where there is the expectation of regular contact with children (or vulnerable adults); this will also be requested for any posts that offer the workers public credibility and unsupervised access to children because of their roles within the Church. The enhanced level check searches not only records of criminal convictions but also checks for non-conviction information from local police intelligence records which a senior police officer thinks may be relevant e.g. where someone has been questioned about, or involved in, a crime but not charged.

Positions that involve substantial or unsupervised access to children are exempt from the provisions of the Rehabilitation of Offenders Act 1974. This means that the CRB check will disclose ALL criminal convictions and intelligence, regardless of how long

ago the offence was committed or intelligence gathered, or whether it is relevant to the particular post. The check may also reveal dealings with police/social workers from many years ago. For this reason, it is always best for those undergoing a CRB check to disclose to the Priest who checks the form anything that might come up on the search. A criminal record does not necessarily mean that the applicant will not be allowed to take up the post (see 'Clear and Blemished Disclosures', below).

CRB checks can only be requested by organizations that are registered with the CRB. Individuals for example, or small charitable societies cannot request checks. In the Diocese of York, the Registered Body is the Archbishop of York's Office. All CRB checks must go through the office, where the appointed Counter-signatory for the CRB gives them a final check before sending them off. (See Contacts Section for details of the Administration of Criminal Records Bureau Disclosures office).

It must be emphasised that CRB checking will only ascertain if there is any KNOWN reasons why a person may be unsafe to work with children. Although there is clearly real value in this system, a clear CRB check should never be seen as a guarantee, as many perpetrators of child abuse will be unknown to the Criminal Records Bureau because many perpetrators are not known to authorities. Additionally, it must be acknowledged that those who seek to harm or abuse children will actively seek roles where they can work with children, especially if that work is unsupervised. A high level of vigilance must always be maintained.

How the CRB Process Works in the Diocese of York

If you have been offered a paid or voluntary position with children (or vulnerable adults) in the Diocese of York, the offer will be made subject to a CRB check. You will be asked to fill in the CRB form and also an additional 'confidential declaration' form for Diocesan use.

The CRB form requires original proofs of both identity and address, in order to make sure the check is accurate. For the CRB form, you will also be asked to provide a referee who has known you for two years or more. The confidential declaration form asks for two referees; at least one of these should be your employer, if you are employed. The CRB form comes with a guidance note listing exactly what is needed. Read it carefully and it will help you avoid mistakes.

Once you have filled in the form, you must have your ID documents carefully checked; this is normally done by your Parish Child Protection Representative. S/he will then fill out the separate 'Confirming ID' form. **This must be done at the time of examining the documents, and cannot be sent separately.** The Child Protection Representative is required to check original documents only and to make sure there is an exact match between the form and the document of name, address, date of birth and any unique numbers (e.g. passport number). However well the person checking your documents knows you, s/he is required to sign the statement on the form that declares the **original** documents have been seen and checked by them.

Once signed by you and the priest, the CRB form is returned to the Archbishop of York's Office. If you are a Priest, your confidential declaration also goes back to the Archbishop's Office. For lay workers, the confidential declaration form is kept in the local church office by the Child Protection Representative, firstly for taking up references and then for confidential, secure filing in the parish office.

At the Archbishop's Office, the Counter-signatory does a final check and then signs the form before sending it off. The reply that comes back from the CRB after the checks have been done is called a disclosure and a copy of the disclosure certificate will be sent both to you, at the home address given on the form, and to the Counter-signatory at the Archbishop's Office (as the registered body that initiated the check). If there is no information on police records, this is called a clear disclosure. If some information has been found, this is called a blemished disclosure.

Clear and Blemished Disclosures

If your CRB check has come back clear, the Counter-signatory will inform whoever requested the check that you are cleared to proceed to appointment. If your CRB form comes back blemished, the Counter-signatory will inform the York Diocese Child Protection Advisor, who will need to decide how relevant the information is to the post in question. Any decisions will usually involve the Archdeacon, Parish Priest, yourself and the Child Protection Advisor, but may also involve relevant outside agencies such as Children's Social Services or the Local Safeguarding Children Board Manager.

Confidentiality is given a high priority at all times in these discussions. Further information will be gathered by the appropriate person (usually the Diocese Child Protection Advisor, with help from other Diocese or child protection professionals if necessary) and a decision made about whether or not the post can still be offered to you. Minor offences and/or convictions from years ago, for example, will not carry as much weight as serious violence and/or more recent convictions. If the appointment cannot be offered, the reasons will be explained to you and you will be offered pastoral support.

The decision of the Archdeacon, and Diocese Child Protection Advisor will always be final. However, if you believe the information held by the CRB to be inaccurate, you do have the right to challenge it with the CRB directly, but the parish or diocese cannot undertake this on your behalf.

Frequency and 'Portability' of CRB checks

Disclosure information is only accurate on the day it is issued. The older the disclosure, the less it can be relied upon. The Diocese of York has adopted good practice guidance in renewing CRB checks for existing posts every five years, on a rolling programme. The Archbishop's Office for the Administration of CRB Disclosures will inform all clergy when their updated check is due, but the responsibility for this reminder to lay people should be taken by the Parish Child Protection Representative in the Parish concerned.

Portability: With the exception of Clergy and Readers, who are checked on every change of post, if someone is moving from working in one Parish to another Parish within the Diocese, and has had a CRB check undertaken by the Archbishop's Office for the Administration of CRB Disclosures within the past 5 years, then there is no need to renew the CRB check. However, CRB checks undertaken by another organisation or agency, or Diocese, cannot be accepted by a Parish or the Diocese. Therefore, anyone wanting to take up a paid or voluntary position within the Parish/Diocese will need a new CRB check before doing so even if they have recently had a CRB check by another organisation (e.g. if they are a teacher, nurse etc).

Safer Recruitment of Volunteers for Work with Children and Young People

This safer recruitment guidance (which also applies to vulnerable adults) includes:

- all clergy who have the freehold, hold the archbishop's licence or permission to officiate
- all ordinands before they are presented to the Archbishops' Advisory Panel
- all accredited lay workers and readers who hold the archbishop's licence or permission to officiate
- any other leaders in the Church whose office of trust gives them the opportunity or the expectation that they might have regular or unsupervised contact with children
- those people whose jobs involve supervising work with children, young people
- the parish Child Protection Representative, and Children's Advocate where applicable
- all people employed by the Diocese, Minster or any parish whose work may involve regular and direct contact with children
- all volunteers whose work or activities may involve regular and direct contact, including leaders of mixed age activities such as bell-ringers, choirs, servers etc
- members of religious communities and similar bodies whose ministry may involve contact with children

Appointment of Volunteers and Employees

Careful selection, induction and supervision procedures should apply to all Church appointments, whether they are for paid staff or volunteers. Prospective appointees should be regarded as job applicants and have a defined role. They should also complete an application form and have an appropriate interview.

Along with the application form, applicants should be asked to fill in the Diocese of York's Confidential Declaration Form. This asks for two referees, one of whom should, if possible, be the current employer or the incumbent of the present or previous church. ALWAYS check references rigorously and carefully.

If the decision is made to appoint, the appointment should be confirmed in writing. All appointments should be subject to a satisfactory Criminal Records Bureau (CRB) disclosure (enhanced level) and a probationary period. A written letter of appointment should make this clear. Forms for the CRB check are available from the Archbishop's Office. Until a response is received from the CRB, the appointee should not begin work.

Once a satisfactory disclosure has been obtained from the CRB, the appointee should be formally commissioned and may start work. S/he should be issued with a copy of the Parish Child Protection Policy, Procedure and Guidelines for working with children (see Section 2). Appointees to the role of Child Protection representative should also be issued with a copy of the Diocese of York Child Protection Policy, Procedures & Guidelines.

Significant Harm: Definitions of Abuse

The trigger for making a child the subject of an inter-agency child protection plan is an agreement between the relevant agencies that the child has suffered, or is likely to suffer, significant harm without such action to keep them safe. In considering whether a child has been abused, these are the definitions currently used in child protection work:

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

- protecting children from maltreatment
- preventing impairment of children's health or development

Child Protection is a part of safeguarding and promoting welfare. This refers to the activity that is undertaken to protect specific children who are suffering, or are at risk of suffering, significant harm. Effective child protection is essential as part of wider work to safeguard and promote the welfare of children. However, all individuals should aim proactively to safeguard and promote the welfare of children so that the need for action to protect children from harm is reduced.

Physical Abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces illness in, a child.

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

Sexual Abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, pornographic material or watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

Neglect is the persistent failure to meet a child's basic physical and/or psychological needs, likely to result in the serious impairment of the child's health and development. Neglect may occur during pregnancy as a result of maternal substance abuse. Once a child is born, neglect may involve a parent or carer failing to provide adequate food and clothing or shelter, including exclusion from home or abandonment, failing to protect a child from physical and emotional harm or danger, failure to ensure adequate supervision including the use of inadequate care-givers, or the failure to ensure access to inappropriate medical care or treatment. It may also include the neglect of, or unresponsiveness to, a child's basic emotional needs.

Organised Abuse may be defined as abuse involving one or more abusers and a number of children. The abusers concerned may be acting in concert to abuse children, sometimes acting in isolation, or may be using an institutional framework or position of authority to recruit children for abuse.

Spiritual Abuse, whilst not a 'recognised' abuse as such, can be considered on a par with Emotional Abuse, in that inappropriate expectations may be imposed upon children and young people. It may involve conveying to children the dire consequences of sinfulness so causing children to accept what someone is preaching / teaching / saying through bullying and causing children to be fearful. To say "You won't go the heaven if you get run over by a bus on your way home" is a form of bullying, exploitation of emotions, manipulation of young minds and a corruption of the Gospel message.

This is not to stilt the message that a loving God wants each of us to respond to his love, but abuse can happen when fear tactics are used to get conversion results. Instead, allowing reflection and an ability at any age to consider carefully what is being taught should be the norm.

Child abuse linked to belief in 'possession' or 'witchcraft', or in other ways related to spiritual or religious belief:

The belief in 'possession' and 'witchcraft' is widespread throughout the UK. It is not confined to people from particular countries, cultures or religions, nor is it confined to new immigrant communities in the UK.

Nationally, the number of known cases of child abuse linked to accusations of 'possession' or 'witchcraft' is small, but children involved can suffer damage to their physical and mental health, capacity to learn, ability to form relationships and self-esteem. Such abuse generally occurs when a carer views a child as being 'different', attributes this difference to the child being 'possessed' or involved in 'witchcraft', and attempts to exorcise him or her – either by themselves or through a faith leader. A child could be viewed as 'different' for a variety of reasons, such as disobedience, independence, bedwetting, nightmares, illness or disability. The attempt to 'exorcise' may involve severe beating, burning, starvation, cutting or stabbing, and/or isolation, and usually occurs in the household where the child lives.

Any suspected case of such abuse MUST be reported to the Archdeacon.

Responding to Concerns About Possible Abuse:

It is the duty of every Christian to be vigilant about the safety and care of children in the congregation. Those church members who have direct contact with children are more than likely than most to become aware of potential child protection issues. Such people are usually other parents, youth workers (including leaders of uniformed organisations) clergy, head servers, children's workers, music group leaders, choir directors and organists.

Anyone who is worried about the behaviour of another member of the congregation or the demeanour of a child has a duty to voice those concerns to the parish Child Protection Representative. It is important that anyone expressing concerns should be respected and that his or her concerns should be taken seriously. The Child Protection Representative should keep a careful record of such conversations, as well as all decisions and actions taken (see role of Child Protection Representative). These records should be kept in a secure place and in accordance with data protection requirements. The Child Protection Representative will decide whether a) they need further advice (through the Archdeacon) or b) that they need to make a referral to children's social services or to the police. **No one other than the statutory authorities (Children's Social Services or the Police) should ever attempt to investigate child protection disclosures or concerns.**

Clergy or lay people may hear child protection concerns relating to their church school or uniformed organisations, or indeed any other organisation. These concerns should be reported to the relevant organisation's child protection lead.

What to do if a child tells you about abuse:

Most children find it enormously difficult to tell about abuse; if they have summoned up the courage to talk to you, it is important to listen carefully. Remember that it is not your job to decide whether the child is telling the truth or not – despite the fact that children very rarely make up stories of abuse – there are specialised staff within a variety of agencies that are highly trained to undertake such work. Your role is to let the child talk at his/her own pace – don't ask questions, don't jump in to fill pauses, just listen. Try to keep the conversation going with encouraging nods, murmurs and repetitions of what has been said. Make sure the child knows you are taking what s/he says seriously, and that you will try to help. Never speak directly to the person against whom the allegation has been made as this is likely to increase the risk to the child.

Never promise not to tell; you will almost certainly have to share the information in order to help keep the child safe. Once the child has finished telling you what has happened, you need to seek advice. Explain to the child that this kind of thing happens to a lot of children, and you are going to find out from the people who help those children what to do. Enlist the support of your Parish Child Protection Representative or Archdeacon, who can contact the Diocese Child Protection Advisor as necessary, but remember the need for confidentiality. Even if the account the child has given information to you that seems vague or unlikely, still take advice from your Parish Child Protection Advisor or Archdeacon. You can do this, if necessary, by discussing the situation without mentioning any names. (See Contacts in Section 3 for the telephone numbers). If in doubt, it is always better to make a referral to children's social services rather than doing nothing.

In an out-of-hours situation, in an evening or weekend youth club for example, the immediate decision you will face is whether the child is safe to go home, especially if the alleged abuser is there. If you can wait until the next day to act, make sure the child is comfortable to go home, and tell him/her that you will be talking to someone tomorrow and you will keep in touch with the child (don't forget to discuss with the child what would be a safe way for you to contact them). If you believe the risk to the child is serious and immediate, or the child does not feel safe to go home, call the local out-of-hours social work team (also known as the Emergency Duty Team) or the Police (See Contacts in Section 3 for telephone numbers). When you call, make clear that this is a child protection matter. They will advise you what to do next.

As soon as possible after receiving the information from the child:

- Make a careful record of what has happened: what the child told you (use his/her words as closely as you can, even if the child used 'slang' words), when and where the alleged abuse took place, who was involved, and when and where the child told you about it.
- Record any calls you made e.g. to your Parish Child Protection Representative, the Archdeacon or Children's Social Services or the Police, including any decisions made or agreements for action reached – remember to record the names of the people that you have discussed the situation with. Put a full date and time on the record. (See Recording Form in Section 3).
- If you have not already discussed the situation with them, contact your Parish Child Protection Representative or Archdeacon to relate what has happened and seek advice. Go over the Record Form together to make sure it is clear, then give it to the CP Representative or Archdeacon for filing in a secure place. The information in your Record Form might be needed by other agencies at some time in the future.
- Call Children's Social Services, if you have not already made an emergency referral. Have at hand all the details you have about the child, including their name(s), address and date of birth if at all possible. Follow up the call with a written referral (you will be advised whether there is a specific form that you need to use).
- If the alleged abuse involves a worker in the church, whether paid or voluntary, contact the Archdeacon for further advice (see 'Contacts', Section 3), who may suggest that you speak directly to the Diocese Child Protection Advisor. Such allegations must always be investigated by agencies outside the Diocese staff.
- Arrange continuing support within the church for the child, yourself and the family as appropriate, in collaboration with Children's Social Services.

The child or young person is likely to need a significant amount of support. As mentioned above, this may be able to be provided in whole or in part from within the Church community. However, there are many other ways in which a child can get such support as well, including from the NSPCC, NHS Child and Adolescent Mental Health Services and a number of voluntary organisations. Your local council's Children's Social Care Services will be able to advise of local support services for children (as well as their parents and carers).

What to do if an adult tells you about abuse that occurred when they were a child?

Many of those who have experienced child abuse never told anyone about the abuse when they were a child. As an adult they may find that they are suffering from repeated memories of the abuse that get in the way of their daily living activities or cause them a lot of distress – it is particularly common that such memories are more strongly aroused when they are working with children, or when they have children of their own.

It is important that any adult suffering in this way is able to access pastoral care from an appropriate person in their Parish – if they have chosen you to tell about the abuse, then you are probably the person that they see as ‘appropriate’ in terms of someone that they feel that they can talk to.

As an adult, the person telling you of the abuse in their childhood has the right to expect you to keep their information confidential, but if there is any reason to believe that the person who abused them is still in contact with children, then there is a risk that the abuser is continuing to present a risk to children.

As soon as any adult starts to tell you about their childhood abuse, you must be clear with that person that if they inform you of the name or any identifying details of the abuser, you may have to breach their confidentiality in order to protect any children that the abuser currently may have contact with. This will allow the adult disclosing a history of abuse to continue to seek support from you whilst maintaining control over what information they share with you.

It can feel very uncomfortable to hear of abuse that has occurred to someone when they were a child whilst knowing that the abuser may still be a risk to children, but not having enough information to be able to approach the relevant investigative agencies (social services or the Police) to seek advice as to how to protect those children. You will probably need to seek some support for yourself to be able to continue to effectively support the person who has made such a disclosure to you.

Over time, the adult disclosing childhood abuse may feel able to contact the Police to inform them of the abuse, thus enabling the authorities to act to prevent harm to any children that the abuser currently has contact with. Police Authorities now have Child Abuse Investigation or Protecting Vulnerable People Teams who will often be happy to meet with the person who you are supporting to discuss what would happen if they gave the details of the abuse and abuser to the Police. This then allows the adult to make an informed decision as to whether to formally report the abuse to the Police.

It can be an extremely frightening thought for any adult victim of child abuse to make a report to the Police, as often they will have experienced threats from the abuser as to what they will do to them if they ever tell of the abuse. Therefore, your role is not to try to persuade the person seeking your support to report the abuse, but to work with them until they may feel strong enough to decide to make such a report at some point in the future.

What to do if a child or an adult tells you that they have abused a child?

If someone discloses to you that they have abused a child in any way (including children or young people who have abused other children/young people, often using an imbalance of power e.g. age, size, ability etc, to abuse another child or young person) you have a responsibility to inform the relevant agencies of this disclosure, however long ago the abuse was committed. However, that doesn't mean that you cannot continue to support the person who has told you of the abuse. If they have told you of abuse that they have committed it is a good indicator that they want help. You will need to tell the person who has made the disclosure to you that you have to inform Children's Social Services or the Police to enlist their support and help, BUT you must only do this if you are sure that doing so will not put yourself at any risk.

Enlist the support of your Parish Child Protection Representative or Archdeacon, who can contact the Diocese Child Protection Advisor as necessary, but remember the need for confidentiality. Even if the account that the person has given seems vague or unlikely, still take advice from your Parish Child Protection Advisor or Archdeacon. You can do this, if necessary, by discussing the situation without mentioning any names. (See Contacts in Section 3 for the telephone numbers).

In an out-of-hours situation, in an evening or weekend youth club for example, call the local out-of-hours social work team (also known as the Emergency Duty Team) or the Police (See Contacts in Section 3 for telephone numbers). When you call, make clear that this is a child protection matter. They will advise you what to do next.

Reporting Alleged Abuse – confidentiality and the legal position:

“If someone believes that a child may be suffering, or may be at risk of suffering, significant harm, then s/he should always refer his or her concerns to the local authority social services department ... While professionals [and others] should seek, in general, to discuss any concerns with the family and, where possible, seek their agreement to making referrals to social services, **this should only be done where such discussion and agreement seeking will not place a child at increased risk of significant harm**”
Working Together to Safeguard Children 2006, HMSO.

Any failure to refer could endanger a child’s life or well-being and also compromise the Diocese of York’s commitment to creating a safe environment for children and young people. Responsible and informed judgement must be exercised by all concerned.

Although there is not at present in the UK any mandatory requirement to disclose information about suspected child abuse to the statutory agencies, society increasingly acknowledges a moral responsibility to do so. The House of Bishops, and York Diocese, expects those with concerns about a child to consider the matter of disclosure very carefully, taking seriously the public interest in safeguarding a child’s welfare and having a proper regard for the needs and rights of all those involved, whilst bearing in mind the principle enshrined in the Children Act 1989 that *the child’s welfare is paramount.*

General Duty of Confidence:

Both the law and societal moral codes impose a general duty not to pass on information that has been shared with the clear expectation that it will be treated in confidence. However, this duty is not absolute and there are exceptions to the above duty where regarding disclosures of confidential information to prevent or detect a crime or serious misconduct, or disclosures in the public interest. **Thus, where a child is judged to be at risk of significant harm, it is legally allowed as well as appropriate and highly desirable to disclose relevant information to the statutory agencies who are responsible for acting to protect children, even where the child or parents withhold their consent for such information to be shared.**

Where information that suggests that a child is at risk of, or has experience, significant harm is received in confidence, the person giving the information should, where appropriate, be encouraged to share the information with the statutory authorities. In the case of young children, this will need to be facilitated by the person receiving the information in the first instance. Alternatively, the person receiving the information should inform the person who has made the disclosure that, now being in possession of that information the person in receipt of the information has a duty to inform the statutory authorities in order to protect the child/children concerned. It is generally thought to be best practice to be clear with the person sharing the information that this is a duty that the person in receipt of the information has, rather than asking permission to share the information, as even if permission is denied, the duty to share the information remains.

The key factor in deciding whether to share confidential information is *proportionality*: is the proposed disclosure a proportionate response to the need to protect the welfare of the child? The degree of information shared, and the number of people with whom it is shared, should be no more than is strictly necessary to meet the public interest in protecting the health and well-being of a child/children. Only those professionals who **need** the information to protect the child should receive the information e.g. the Parish Child Protection Representative would need the full information to enable them to make a referral to children's social services, but the Archdeacon would not.

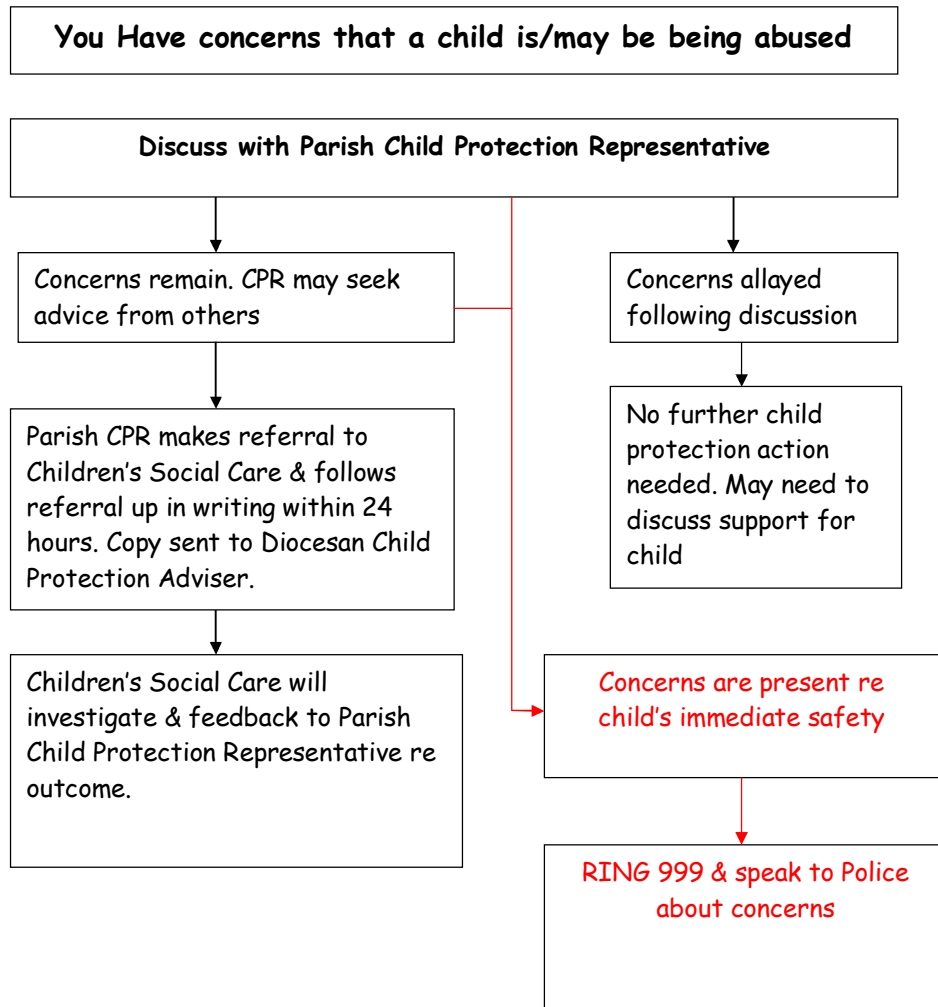
Confession:

It is possible that information relating to child protection issues may be disclosed in the context of confession. Canon law constrains a priest from disclosing details of any crime of offence that is revealed in the course of formal confession; however there is some doubt whether this absolute privilege is consistent with civil law¹. Where a penitents own behaviour is at issue, the priest should not only urge the penitent to report it to the police or children's social services, but may judge it necessary to withhold absolution until this evidence of repentance has been demonstrated.

It is in everyone's interests to recognise the distinction between what is heard in formal confession (however this might take place), which is made for the quieting of conscience and intended to lead to absolution, and disclosures made in pastoral situations. For this reason it is helpful if confessions are normally heard at advertised times, or by other arrangement, or in some other way differentiated from a general pastoral conversation or a meeting for spiritual direction.

¹ This & other legal issues relating to confidentiality are given detailed consideration by the Legal Advisory Commission in its opinion entitled "The Clergy & Confidentiality" (May 2002), and published in "Legal Opinions concerning the Church of England"

**Flow Chart :
What to do if you are worried that a child is being abused**



Section 2: Diocesan Allegations Policy

It is important that there is a clear procedure for dealing with Safeguarding allegations made against any person within the context of church life. In other words, procedures must not be improvised.

This policy spells out the procedure in detail. It is summarised in the flowchart at the end.

At the first stage, any allegation must be reported to the diocesan secretary or (if unavailable) the relevant archdeacon. The person who makes that report must not begin an investigation, because that could make the work of official agencies more difficult or even impossible.

This policy refers to 'employees'. That is for the convenience of using a single term to cover all instances. In the area of Safeguarding, the law and good practice make no distinction between paid employees, volunteers and office holders, ordained and lay people. In this policy, 'employees' includes all those.

If suspension or dismissal is necessary, the relevant authority will need to take that action in each case. For someone working within a parish, that authority is likely to be the incumbent and churchwardens on behalf of the PCC. For diocesan employees, it will be the diocesan secretary on behalf of the DBF. For clergy, the archbishop and archdeacons will need to act within the terms of the Clergy Discipline Measure. Failure to take any necessary action is itself potentially dangerous, and in the most extreme instances may place individuals at risk, as well as exposing the church to a loss of public confidence.

Remember that the first point of contact must be the diocesan secretary or your archdeacon.

Principles

1. The framework for managing cases set out in these procedures applies to a wider range of allegations than those in which there is reasonable cause to suspect a child is suffering, or is likely to suffer, significant harm. It also caters for cases of allegations that might indicate that a person is unsuitable to continue to work with children in their present position, or in any capacity. These procedures should therefore be used in respect of all cases in which it is alleged that a person who works with children has:
 - Behaved in a way that has harmed a child, or may have harmed a child;
 - Possibly committed a criminal offence against or related to a child; or,
 - Behaved towards a child or children in a way that indicates s/he is unsuitable to work with children
2. These procedures apply to situations where there are allegations or concerns relating to any person, who works with children either in a paid or unpaid capacity, behaviour or conduct towards children:
 - Where the concerns relate to issues arising from their employment
 - Where the concerns relate to issues arising from activities, either in a paid or unpaid capacity, outside of their normal employment
 - Where the concerns relate to issues arising from a person's family or social life
 - Where the concerns relate to issues arising from previous employment or activities.

3. These principles underpin the management of allegations against any one who works in a paid or unpaid capacity within the church or diocese:
 - The welfare of the child is the paramount consideration.
 - The Named Senior Officer (NSO) for York Diocese is the Diocesan Secretary. He is responsible for ensuring compliance with policies and procedures relating to allegations against staff
 - York Diocese has designate dthe Archdeacons as the senior managing officers (SMO) who will be informed of all allegations against staff and who will notify the Local Authority Designated Officer (LADO) of all allegations against staff and volunteers.
 - Those subject to allegations or concerns in respect of children should be informed of those concerns as soon as possible, but with due regard to protecting evidence and disclosure of information, and ONLY after the agreement of the LADO that they be informed.
 - It is not the responsibility of the recipient of the allegation to determine its validity; failure to report an allegation could result in disciplinary action.
 - A decision to suspend staff members or volunteers will rest with the employing organisation/charity in discussion with the LADO and York Diocese SMO, and should be based on the decision of the strategy discussion (where held) that children are at risk, or the investigation would be impeded, or that the alleged behaviour is so serious that the member of staff or volunteer faces the possibility of dismissal. Suspension in these circumstances should be seen as neutral action.
 - A child protection and / or police investigation must take priority over any internal investigation.
 - In the interests of the young person making the allegation and to avoid further interviews, wherever possible the Police or social services statements/records should be requested to inform an internal enquiry.

Roles

4. Working Together to Safeguard Children 2006 introduced three new roles to ensure allegations against professionals and volunteers are managed effectively:

Local Authority Designated Officer (LADO)

5. The LADO provides an oversight of individual cases: providing advice and guidance to employers and voluntary organisations; liaising with the police and other agencies, and monitoring the progress of cases to ensure that they are dealt with as quickly as possible consistent with a thorough and fair process.
6. All allegations against childcare professionals and volunteers should be notified to the LADO and it is therefore important that the relevant LADO's contact details are known.
7. The LADO's responsibilities include:
 - Management and overview of individual cases from all partner agencies of the Local Safeguarding Children's Board (LSCB)
 - Providing advice, information and guidance to Senior Managing Officer (organisations) (SMOs)
 - Monitoring progress of cases to ensure all cases are dealt with within set timescales as set out in Working Together to Safeguard Children 2010
 - Ensuring a consistent and thorough process for all adults working with children and young people against whom allegations are made
 - Liaising with Police and Social Care where further action on their part may be required

- Responsibility for maintaining information databases in relation to all allegations and producing qualitative and quantitative reports for LSCB's and DfES
- Attendance at strategy meetings and liaising with chairs of strategy meetings
- Contributing to LSCB training and awareness raising
- Providing assistance to agencies in the discussion of suspension (the power to suspend is vested in the employer alone)
- Liaison with Crown Prosecution Service
- Discussing with the SMOs about the need for referral to the Protection of Children Act or to the accused persons regulatory body
- Coordinate, collect and maintain appropriate data

Named Senior Officer (NSO)

8. The named senior officer has overall responsibility for; ensuring that York Diocese operates procedures for dealing with allegations in accordance with the guidance in Working Together 2010 (Appendix 5); resolving any inter agency issues; and liaising with the LSCB on the subject.
9. The NSO's responsibilities include:
- Ensuring that the organisation complies with the standards identified and agreed by the LSCB for managing allegations and employing and maintaining a safe workforce.
 - Ensuring that LSCB procedures for managing allegations are reflected and implemented within agency procedures
 - Ensuring that the workforce is aware of and uses the procedures in relation to the allegations against adults working with or on behalf children,
 - Ensuring that the organisation has in place systems for reviewing cases and identifying and implementing any changes require improving procedures and practice.
 - Resolving any inter-agency issues which affect the implementation of LSCB procedures
 - Ensuring that the identify and key roles of NSO, LADO and senior manager (organisations) are reflected in agency policy and procedures
 - Ensure effective recording and reporting arrangements are in place.

Senior Manager within the Organisation (SMO)

10. The senior manager within the organisation has overall responsibility for ensuring procedures are followed at an operational level. This person may be, or may represent, the employer
11. The SMO's responsibilities include:
- Ensuring that LSCB procedures properly applied and implemented
 - Providing advice, information and guidance for staff within the organisation
 - Being the senior manager within the organisation to whom all allegations or concerns are reported
 - Clarify information regarding details of specific allegations
 - Gather any additional information which may have a bearing on the allegation e.g. previous known concerns, care and control incidents, etc
 - Liaise with LADO where allegations against staff or volunteers are made
 - Providing the subject of the allegation with information and advise them to inform their union or professional body in accordance with LADO advice
 - Requesting advice from Social Care should the allegation be unfounded as the child young person may be in need of services themselves or the police

may need to be involved if allegation deemed to be deliberately malicious or invented

- Attend Strategy meetings where required
- Liaise with LADO and HR where employers disciplinary action required
- Ensuing that risk assessments are undertaken as and when required
- Ensuring that effective reporting and recording systems are in place which allow for the tracking of allegations through to the final outcome
- Undertaking appropriate checks with data the agency may hold
- Providing reports and information as required by NSO
- Raising awareness of the need to empower children and young people who are in vulnerable positions by ensuring their agencies produce good whistle blowing and complaints procedures for all children.
- Ensuring appropriate and relevant training programmes are in place for staff
- Ensuring that relevant support programmes are in place for staff, parents, and young people

Procedure

12. Any member of staff or volunteer, who receives an allegation or concern relating to a child made against another member of staff, must immediately inform the Parish Child Protection Advisor, who will immediately inform the York Diocese Senior Manager within the Organisation (SMO). Failure to act on information or a concern may result in disciplinary action.
13. An allegation or concern should be reported to the SMO when a child has suffered or is likely to suffer harm from:
 - Abuse *or*
 - Actions, which a reasonable person could foresee, may result in harm (i.e. the person acted recklessly) *or*
 - The failure to provide an appropriate response to safeguard a child from harm (i.e. failure to protect or provide appropriate assistance) *or*
 - Failure to follow a procedure or policy which, resulted or, was likely to result in harm to a child
14. Details of the allegation or concern should be recorded (and securely retained) as soon as possible after the event occurred. All subsequent events, discussions and decisions should be recorded and passed to the SMO.
15. Where the SMO is uncertain as to whether a referral should be made to Children's Social Care, advice should be sought from the LADO prior to making a referral to Children's Social Care.
16. The SMO will immediately refer the allegation or concern to the relevant Local Authority Designated Officer (LADO).
17. York Diocese Named Senior Officer (NSO) should be notified of all allegations against staff irrespective of whether the allegation or concern relates to an employee of York Diocese or Parishes within the Diocese. The NSO will seek advice as necessary from the York Diocese Child Protection Advisor.
18. Where the concerns relate to the SMO the information should be discussed directly with the NSO at York Diocese.
19. The responsibility to investigate concerns and allegations against staff rests with social services and the police. Enquiries under s.47 Children Act 1989 and criminal enquiries always take precedence over internal and disciplinary investigations.

20. Under no circumstances should the concern or allegation be discussed or raised with accused person. Where the concern relates to a situation, which is alleged, occurred to a parishioner on child of parishioner or is within the person's professional duties, limited enquiries may be made by the SMO to establish the validity of the allegation. However, such enquiries should be limited to establishing, where possible, the person or alleged victim's whereabouts when the incident was alleged to have occurred.
21. Where an allegations has been direct made by a child or young person (i.e. below the age of 18 years) the child (where appropriate) or young person, and their parents or carers, should be advised of the intention to refer to the LADO and their views and co-operation sought, unless there is reason to believe that doing so may place the child at increased risk of significant harm or impede an investigation.
22. All allegations and concerns should be referred to the relevant LADO by the SMO within the same working day. Where it is considered that the allegation or concern is serious² and requiring an immediate response the matter should be referred to Children's Social Care or the police in line with the York Diocese Child Protection Procedures.
23. Following the making of a referral to the LADO a Strategy Discussion / Meeting will be held. The relevant SMO will usually be invited to attend in order to share information and inform internal processes. Any decision to suspend a member of staff or volunteer should be informed by the Strategy Meeting.
24. Investigations into allegations against members of staff should adopt the approach recommended by Working Together to Safeguard Children (2010), where child protection enquiries, a police investigation and disciplinary processes are considered as related though independent strands. The fact that a prosecution is not possible does not mean that disciplinary action is not necessary or feasible. Evidence of an employees conduct should be considered using the test that an event was happened 'on the balance of probability'.

Action resulting from disciplinary processes

25. Investigations into allegations against members of staff may result in one of four possible outcomes:
 - It has been proved conclusively, or on the balance of probability, that a person did not commit the alleged act, and was not culpable either through their actions or behaviour for the allegation having been made, *or*,
 - It has been proved on the balance of probability that a person did not commit the alleged act, but acted unprofessionally or irresponsibly, and was culpable for the allegation having been made, *or*,
 - The investigations were inconclusive and concerns continue to exist, *or*,
 - The person has been found to have committed the act by a criminal court or in the conclusion of a child protection investigation.

² *An allegation or concern should be regarded as serious where:*

- *It is believed a child has suffered significant harm or*
- *Is likely to suffer significant harm or*
- *Any delay would compound the risk to the child or*
- *Where a delay may act to impede an investigation.*

26. In all cases a record of the concern along with the outcome should be placed on the persons personnel file, if they have one, & if not a record of the concerns & outcome should always be sent to the Diocese Child Protection Advisor to hold on file.
27. Where it is found that a person did not commit the alleged act or that there are no grounds for concern and they were not culpable, the person should be notified in writing of the decision and no further action should be taken with a copy placed on the persons personnel file if they have one, & if not a record of the concerns & outcome should always be sent to the Diocese Child Protection Advisor to hold on file.
28. Where it is found that a person did not commit the alleged act although was culpable for the allegation having been made, the person should be notified in writing of the decision and consideration given to the degree of culpability. Where it is felt that a person's actions were irresponsible or negligent, disciplinary action should be considered. In less serious situations an action plan should be devised to address the issues raised.
29. Where investigations are inconclusive, consideration should be given to the commissioning of an independent assessment, for the purpose of assessing the risk posed to young people. If it is assessed that a person poses a risk to young people the outcome of the assessment should be presented to a disciplinary hearing.
30. In all cases where a person has been found to have committed the alleged act, disciplinary proceedings should be instigated.

Action following a person's dismissal

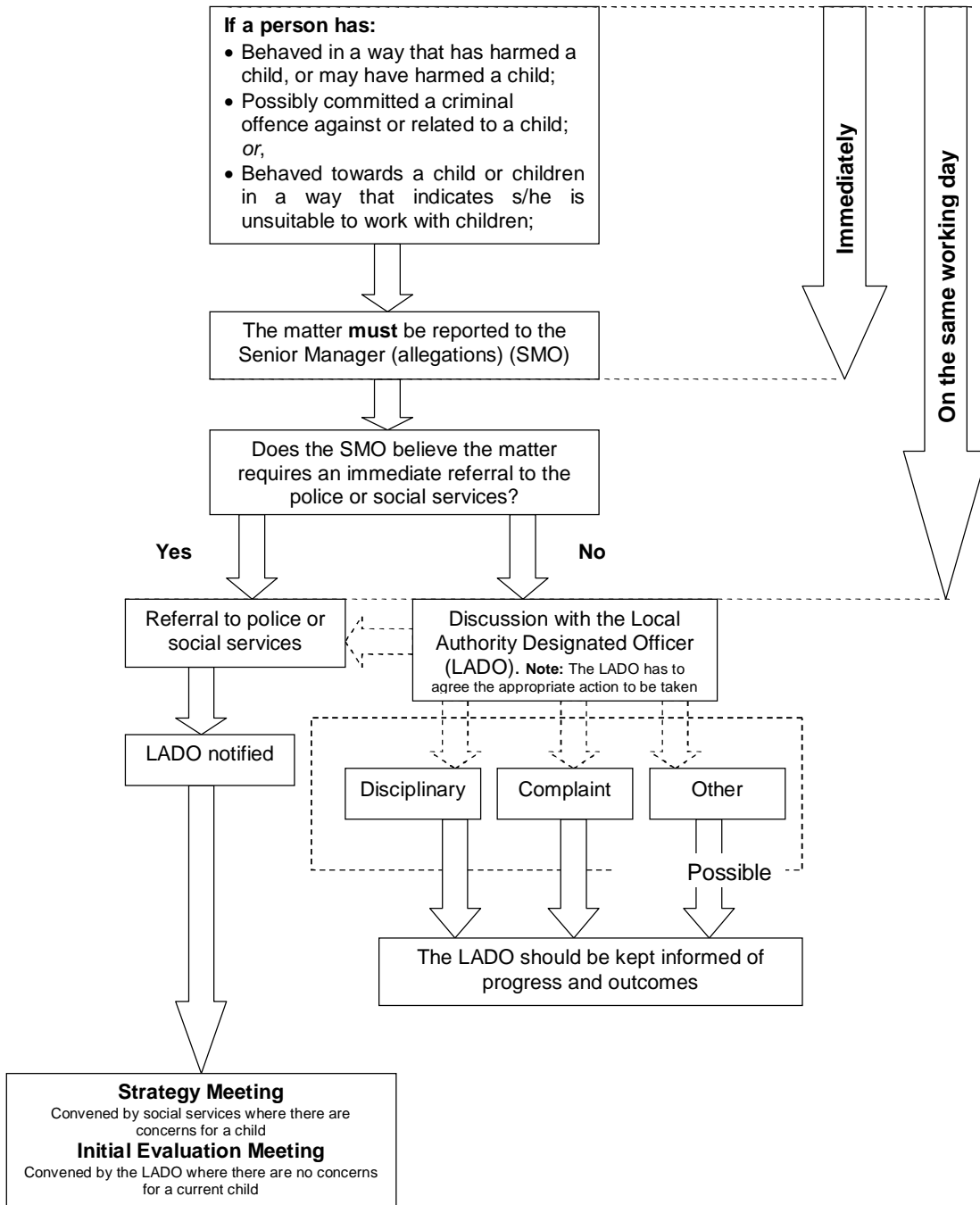
31. The following guidance relates to a person who has been dismissed for misconduct, or has resigned or retired prior to the findings of a disciplinary hearing (taken from the Protection of Children Act Guidance 1999)
32. The Protection of Children Act sets out the circumstances where a childcare organisation **must**, and other organisations **may**, refer names to the Secretary for State for consideration of inclusion in the Protection of Children Act List. These are:
 - 32.1 That the organisation has dismissed the individual on the grounds of misconduct (whether or not in the course of his employment) which harmed a child or placed a child at risk of harm;
 - 32.2 That the individual has resigned or retired in circumstances such that the organisation would have dismissed him, or would have considered dismissing him, on such grounds if he had not resigned or retired;
 - 32.3 That the organisation has, on such grounds, transferred the individual to a position within the organisation which is not a child care position;
 - 32.4 That the organisation has, on such grounds, suspended the individual or provisionally transferred him to such a position as in (c) above, but has not yet decided whether to dismiss him or to confirm the transfer.
33. Additionally and very importantly, childcare organisations and other organisations may refer names to the Secretary of State in other circumstances. This would be where they have dismissed an individual, he has resigned, retired or has transferred to a position within the organisation which is not a child care position and where information not available to the organisation at the time has since become available. On the basis of that information the organisation has formed the opinion that, had the information been available at the time and if (where applicable) the individual had not resigned or retired, the organisation **would have, or would have considered** dismissing him on the grounds of misconduct, which harmed a child or placed a child at risk of harm.

34. **“Would have dismissed”** This covers the situation where an individual has engaged in misconduct which satisfied the criteria for referral (i.e. misconduct which harmed a child or placed a child at risk of harm), and has possibly been suspended or moved whilst the matter is investigated by the employer. As a result of the employer’s investigation (and possibly a disciplinary hearing) the employer is **satisfied that the individual has carried out the misconduct and as a result should be dismissed or moved to a non-childcare post**. However, before this decision can be communicated to the individual he resigns/retires. The point here is that the employer **has come to the conclusion that dismissal was appropriate in the circumstances**. The employer can only come to this conclusion because he has completed his enquiry into the allegations.
35. **“Would have considered dismissing”**. This type of referral will be where an allegation has come to light, which satisfies the criteria. However, before the employer has had the opportunity to complete his investigation the individual retires/resigns. Until the employer has completed his investigation he cannot conclude, with any degree of certainty that he would have dismissed. Whilst the employer should undertake all investigations open to him it may not be possible to conclude all enquiries. For example, if a child made an allegation of abuse the employer would need to interview the child and seek any corroborating evidence from any independent sources. He should also attempt to obtain the individual’s comments on the allegations. In the circumstances where the employer has only been able to obtain one side of the story (for example where it has not been possible to get the individual’s comments), it is difficult for him to conclude that he would have dismissed the individual. He could only realistically conclude that he **would have considered dismissing** the individual. Employers could only come to that conclusion bearing in mind the nature of the allegations made; dismissal would have been a serious possibility – i.e. within the range of reasonable options.
36. It is important here for all employers to note that referrals are not required when dismissal of the individual was **not a serious option**. For example, when it would only have been a passing consideration within the range of possible options but not a real possibility. If a referral was made in such circumstances the Secretary of State would take the matter no further on the basis that it would not be appropriate for the individual to be included on the List. Misconduct after the individual left his position is never relevant for this purpose; because once he had left the post he could not have been dismissed.

Record Keeping:

37. It is important that employers & York Diocese keep a clear and comprehensive summary of any allegations made, details of how the allegation was followed up and resolved, and details of any action taken and decisions reached, on a person’s confidential personnel file and give a copy to the individual. If the person concerned does not have a personnel file then a record of the concerns should always be sent to the Diocese Child Protection Advisor to hold on file.
38. Such information should be retained on file, including for people who leave the organisation, at least until the person reaches normal retirement age or for 10 years if that will be longer.
39. The purpose of the record is to enable accurate information to be given in response to any future request for a reference. It will provide clarification in cases where a future CRB Disclosure reveals information from the police that an allegation was made but did not result in a prosecution or a conviction. And it will prevent unnecessary re-investigation if, as sometimes happens, allegations re-surface after a period of time.

Responding to allegations against staff flowchart



Section 3: Further Information

Working Together: Local Safeguarding Children Boards (LSCBs)

The Children Act 2004 led to changes in the way children are provided for in our communities. Social Services and Education have now become fully integrated and are known by the new joint title of 'Children and Young People's Services'.

Education and social work still carry on, of course, with trained teachers and social workers in each case, but they no longer work in isolation from each other, or from their agencies such as Health and Police. In addition, each LA had to establish by 1st April 2006 a Local Safeguarding Children Board (LSCB) that provides a new, broader, statutory inter-agency approach to the safeguarding and promoting the welfare of children. Its central focus remains the protection of children from significant harm, but there is also a new broader responsibility for the promotion of the welfare and general safety of children.

Effective work in protecting children from harm requires properly co-ordinated activity across a wide range of agencies, both statutory and voluntary, including what are known in the new procedures as 'faith groups'. The Anglican Church, as a prominent faith group in most British communities, is likely to be found working with the LSCB on a range of issues. The LSCB helps to co-ordinate an effective joint effort by all the various agencies represented in the community, but all partner agencies keep their own lines of accountability. The LSCB has more recently been placed on a statutory footing and therefore has the power to *direct* any organisation working with children, young people of adults who may be perpetrators of abuse, including the Church, but is also able to help and support us to follow procedures effectively. Similarly, the Church can contribute an understanding of the Christian 'faith-group' context to the operations of the LSCB. It is all a matter of understanding the variety of practices within the local community, in the hope that a better understanding and better communication must inevitably mean a better service to vulnerable children and families.

You can read more about LSCBs in 'Working Together 2006', which is available for loan from the Diocesan Secretary or on line via the website of the Department for Children, Schools and Families, or the Every Child Matters website. Perhaps the most important thing to note in relation to child protection in the Church is that co-operation with the LSCB, and with the policies and procedures it oversees, is an effective way of making sure that we keep to the best possible practice in our work with children. Most LSCBs (there is an LSCB in each Local Authority) have their own websites which usually contain their Multi-Agency Safeguarding Children / Child Protection Procedures and details of the training that they offer as well as contact details for LSCB staff, at the least. In the Diocese of York, we are committed to working with our partner agencies on the LSCBs wherever appropriate. In common with most other dioceses, we have a diocesan group that deliberates on any relevant child protection/safeguarding children matters; in the Diocese of York this is called The Positions of Trust Group and is currently Chaired by the Archdeacon of Cleveland. The group includes the Diocese of York Child Protection Advisor, who helps us to keep up to date with child protection and safeguarding children matters.

Guidelines for Work with Children and Teenagers

1. Avoid working in one-to-one situations with children wherever possible. Make sure there is always another adult within earshot. Try to have a man and a woman at each mixed-age activity. Adults leading a session with children should not smoke or use or have recently used alcohol or illicit drugs.
2. Those undertaking one-to-one counselling or pastoral work must adhere to the highest standards of conduct in their working relationship with the child, and should have received appropriate training. Know your own level of competence, and do not step beyond it; if a situation becomes difficult, seek advice straight away. Be clear at the start what you and the child are planning to achieve by meeting, and the limits of what you can offer. Meet at an agreed time, in a place that affords an ability to talk confidentially without being secretively 'tucked away', and let a colleague know what you are doing. Write up a confidential log straight after the meeting.
3. Socially acceptable physical contact between adults and children in a public place is quite proper and appropriate where it can be readily seen by others and is not hidden away. Physical contact with children should be minimal, and solely intended to meet the needs of the child rather than the adult. It is important to be sensitive to, and respect, each child's sense of personal space. Avoid playing 'rough and tumble' games with children or making provocative or 'teasing' comments, even in fun. These can very easily be misinterpreted by children and young people, especially by those who are vulnerable.
4. Keep an up-to-date register of all children attending a group: date of birth, home address, telephone number and names of parents/carers should be included.
5. The ratio of adults to children must be sufficient to ensure safety and comply with the requirements of the Children Act 1989. These requirements are particularly relevant to work with children under the age of eight. If you are providing care for young children, particularly in a group that runs for two or more hours per day for more than five days a year, you will usually need to register the group with Ofsted (Office for Standards in Education). Some groups e.g. sports clubs that exist only to teach one specialist activity, do not have to register. But the rules are quite complicated, and if you are unsure about whether the group needs to be registered or not, always check with Ofsted. You can call Ofsted's helpline on 0845 601 4771.
6. All U18s³ need to provide a parental consent form when they join a group or activity. (specimen form is provided in Section 3). If the child is 'in care' (i.e. under a Care Order to the Local Authority) then this form must be signed by a senior manager within that Local Authority, NOT the Foster Carer.
7. Children may attend worship or other activities unaccompanied by an adult. Where this is the case, try to establish if parents know where the child is and what time s/he is expected home. If necessary, encourage the child to leave at the appropriate time to get home for this deadline. If a child is joining a regular activity, record his/her name, age, and address on a registration form and ask the child to bring it back signed next time. Make every effort to make direct contact with the parents,

³ except where an U18 is married

particularly of a younger child, by sending information home or providing a contact telephone number for them to call you. No child should ever be taken on a trip away from the church site without a parental consent form.

8. The premises used should be safe and well maintained. Particular consideration should be given to safety checks of play equipment, furnishings, fire alarms etc. Seek advice from the Diocesan Children's and Youth Advisor if necessary on the latest Health and Safety regulations, including appropriate risk assessments for activities and outings. Keep a suitably stocked First Aid kit always accessible during children's activities (special children's First Aid kits are available from most major retailers of pharmaceutical goods). Make sure that all planned activities, on or off site, are covered by an adequate insurance policy.
9. Workers must be receptive to what children and teenagers in their care have to say. If a child makes a complaint or an allegation about the behaviour of an adult within the church or the community, listen carefully without making a judgement on how plausible what you are hearing might be. (See 'What to do if a child tells you about abuse' in Section 1). If a complaint is made about someone in the church, this must ALWAYS be referred outside the church for advice about how to proceed. **You must always contact the relevant Archdeacon without delay.**
10. **NEVER** promise any child, young person or adult that you can keep what they tell you confidential, e.g. if you are spoken to by someone who states that they want to tell you something but need you to promise them that you will not tell anyone else. It is essential to respond to such requests (in age appropriate language, of course) by informing the person that you will be respectful of their wishes but that you have to retain the right to disclose any information which suggests/may suggest that any person is at risk of significant harm.

Guidelines for taking young people on residential trips away

No child under the age of 8 can be taken away on residential activities without the child's parent or guardian.

Information to parents

It is important that parents should have full information before giving consent. This should include:-

- Aims and objectives of the event or activity
- Date of the event and its duration
- Details of venue, including arrangements for accommodation and supervision
- Travel arrangements
- Name of group leader and contact numbers
- Information about financial, medical and insurance arrangements

Parental consent

Each child or young person under the age of 18 (unless they are over 16 and living away from home or married) must have the written consent of parent or guardian. This gives authority to the person named as responsible for the activity to take the young person away and to act "as a careful parent would". It does not transfer parental responsibility.

Insurance

Make sure that insurance is adequate for the activities planned, especially any hazardous activities.

Accommodation

Boys and girls must have separate sleeping and washing facilities, which are private to them. Mixed groups must have adults of both genders involved. Adults should have separate accommodation but in close proximity to the young people. Any other arrangements e.g. "Sleep-overs", "Lock-ins" and "All-night" events should be carefully explained to parents beforehand and their consent sought to the arrangements.

Supervision

Ratios of helpers to young people should be strictly followed:

- For over 8's there must be at least 1 helper for the first 8 children and then 1 helper for every additional 12 children.
- Every group must be led by at least two adults. When physical activities are planned staffing levels should be increased accordingly.

Adults should avoid being alone with children.

Parents should be informed beforehand if it is intended to allow groups of young people to go off unsupervised - e.g. for shopping.

Recruitment of volunteers to take children away

All volunteer helpers must sign or have signed the Confidential Declaration form regarding criminal convictions and other behaviour, and have a CRB disclosure at the enhanced level. They should agree to follow the Guidelines for Behaviour (included in this section).

Support of helpers

All volunteer helpers should be clear about their responsibilities e.g. being in charge of the money or First Aid etc., and they should know to whom they should go if they have a concern about a child or any other worries.

Premises

Insurance, First Aid kit and fire precautions should be checked.

Transport

See guidance on transporting children, in this section.

Permission for the event

A detailed description of the event should be presented to the church council so that permission may be given and the event covered by the parish insurance. If there are to be any potentially hazardous activities undertaken this description must include an assessment of the risks involved.

Guidelines for Volunteer Drivers

For use only where churches are regularly using volunteer drivers as part of a planned activity

(adapted from Anglican website www.safeguardingadvice.org.uk)

- The consent of parents must be sought if activities are planned that rely on children being transported by volunteers.
- All those who drive children on Church-organised activities should be over 25 and should have held a full driving licence for over two years.
- All cars that carry children should be comprehensively insured. The insured person should make sure that their insurance covers the transporting of children during church activities. The insurance certificate and the driver's licence should be shown to the priest in charge or the Parish Child Protection Representative before the activity takes place.
- All cars that carry children should be clean and in a roadworthy condition.
- All children must use suitable seat belts and child safety seats appropriate to their age/weight. If there are no seat belts/child safety seats children should not be carried.
- At no time should the number of children in a car exceed the usual passenger number.
- If a child is known to have a disability or special need, consideration should be given whether to have a non-driving adult in the car. This adult should sit in the back, behind the driver, with the child in the seat beside him or her.
- Any driver who has an endorsement of 6 points or more on their licence should not transport children.
- Any driver who has an "unspent" conviction for a drink driving offence or for dangerous driving or racing on the highway should not transport children.
- If, in an emergency, a driver has to transport one child on his or her own, the child must sit in the back of the car.

Where a volunteer is regularly driving children, a CRB check is required. The driver should also be issued with two copies of this advice. One copy should be signed by the driver and filed with the confidential declaration. **NB: As previously stated, ALL volunteers who undertake any work with anyone under 18 years of age MUST complete a Confidential Declaration form or have a CRB Disclosure (as appropriate) before commencing such work.**

Appointment of youth workers: advice note

It is not generally advisable to appoint young men or women under the age of 21 to be youth leaders with youth groups of 14+ years. Experience has shown that where the age of the youth leader and the youth is quite close, and at an age where levels of maturity vary widely, it can become difficult for the youth leader to maintain the professional distance that is essential to the work. This becomes especially problematic in cases where a relationship might develop between the youth leader and one of the youth group members.

In addition, there are two relatively new criminal offences in law that employers need to note. It is a criminal offence for someone in a position of trust, responsibility or authority with 16-18 year olds to engage in a sexual relationship with those in his/her care, even though the young person is over the age of consent. It is also a criminal offence for an adult to 'groom' a young person. Grooming is the term used for befriending children or young people with the purpose of engaging in a sexual relationship at a later date.

We support all attempts to safeguard the children and young people in our care. However, naive and/or immature youth workers, particularly if recruitment and supervision procedures are not scrupulously followed, could find themselves in a situation where their naivety costs them a career with children and a blemished CRB status where there was no evil intent. We would therefore advise any church that is planning to appoint a youth worker to seek up-to-date advice on recruitment matters from the Diocesan Children's and Youth Advisor as a matter of good practice. We would further advise churches not to appoint a youth worker under the age of 21 without discussing the situation either with the Diocesan Youth Officer or the Archdeacon.

However, there may be 'youth workers' or those training to be Youth Leaders who are under the age of 21 years, but they should always be working in the presence of a formally appointed Youth Leader (over 21 years of age) and never left in sole charge of any individual or group of young people. This is to ensure that emerging youth leaders and workers are encouraged to develop their skills and potential without putting either young people or themselves at risk.

Protocol for visiting groups to cathedrals and parishes e.g. choir, mission teams from the UK or abroad

Groups that include children or groups that will be working directly with children:

When arranging the visit, ensure that the group is aware of its child protection responsibilities. Does the group have its own child protection policy?

List the adult members of the group and check them on arrival.

Obtain a signed statement regarding the Criminal Records Bureau (CRB) disclosure of each adult, and state particular requirements e.g. accommodation, counselling, activities.

All adults should have a CRB disclosure, either clear or where information received has been deemed irrelevant. It is the responsibility of the group to arrange CRB disclosures. If the group is coming from outside the U.K., the adults in these groups should have

been carefully recruited using whatever checking arrangements are possible in the country of origin or, if not available, suitable references.

Groups of adults not expected to have direct contact with children:
(these adults are unlikely to be eligible for a CRB disclosure)

When arranging the visit ensure the group is aware of your Child Protection policy.

Obtain a list of visiting adults and check them on arrival.

Obtain a signed statement from the leader/organiser of the group about whether they are aware of any information/convictions/barrings that show child protection concerns.

State any particular requirements of the parish/cathedral to comply with the child protection policy.

On occasion there may be a child protection concern about a member of an adult group. This may not necessarily bar the group from an event but an assessment of risk needs to be done, in consultation with the York Diocese Child Protection Advisor if necessary. Factors to be considered will include the following:

- Is the group likely to come into contact with children during the event?
- Is it possible to supervise the person concerned and does that person agree to be supervised?
- Is the group being accommodated in families with children?
- Does the leader of the group recognise the concerns or are concerns being inappropriately minimised by the group leader?
- Does the building allow separation of adults and children?
- Is the event a public service?

All visiting groups should be covered by their own insurance and be aware of their responsibilities. The cathedral/parish will remain responsible for health and safety issues for their institution.

Requiring a signed statement and perhaps providing a brief guide to your child protection procedures will encourage groups to think through safety issues if they have not done so already. However, your own good practice, awareness and common sense are the main ways of safeguarding any children for whom you are responsible.

Ministering to People who Might Pose a Risk to Children

Research⁴ has indicated that a higher proportion of convicted offenders against children may be found in church congregations than in the population generally. Many congregations will include people who have abused children amongst their worshippers, and sometimes their history will be known to the incumbent and others. Not all will have committed sexual offences: some will have been guilty of neglect, physical or emotional abuse.

The Church has a duty to minister to **all** people, whatever their background. However, the responsibility to children includes a duty of care to keep them safe from those who might seek to harm them; the welfare of children must always be our paramount consideration.

As well as people with convictions against children there are others whose position in a congregation may need to be carefully and sensitively considered to decide whether

³ unpublished research by Donald Findlater of the Lucy Faithfull Foundation

they pose a risk to children. This would include people convicted of violent or sexual offences against adults, including domestic violence; people involved in drug or alcohol addiction, or those whose medical conditions or disabilities that might, in rare cases, result in erratic behaviour.

If a congregation is generally aware of how offenders, or others who may pose a risk to children, will be treated it will be easier to deal confidentially with a specific case, should one occur. The procedure for ministering to people who have a history of sexual abuse against children is included below. Where a priest or any other member of the congregation is aware of possible risks as described in the previous paragraph, advice must be sought. In the first instance, contact the local Archdeacon (see Contacts, Section 3).

Ministering to people who are known to have sexually abused children⁵

Where a sex offender is known, befriended and helped by a group of volunteers to lead a fulfilled life without direct contact with children the chances of re-offending are diminished. This gives the Church an important role in the prevention of child abuse.

When it is known that a member of the congregation has sexually abused a child the Archdeacon should be consulted. A course of action to minimise risk can then be agreed in consultation with the Diocese Child Protection Advisor and/or local Safeguarding Children Board procedures. Child sexual abuse is a compulsive pattern of behaviour, and it is important to set up an agreement with the offender that protects children and yet gives him/her the opportunity to be included in the ministry of the Church.

If the person's victim attends the church the person should be introduced to another congregation. Consideration must also be given to others who have been abused in the past. The person should not accept any role or office in the church that gives him/her access to children and/or young people, OR any role that gives him/her the kind of status or authority that might make a child believe the person to be trustworthy. A frank discussion should be held with the person who is entering into the agreement, explaining that a small group from the parish will need to know the facts in order to create a safe environment for children and for the person who has previously harmed children.

If possible, the membership of the group should be agreed with the person. It is likely to include the clergy, churchwardens, Parish Child Protection Representative and any befriending volunteers. If there is a children's work co-ordinator, s/he will need to be informed that an agreement is in place and that this person should not be approached to volunteer for such work and that should the person concerned try to seek any work with children, the Parish Child Protection Representative must be informed.

This small group should offer support and friendship as well as supervision. They should endeavour to keep open channels of communication. No-one else except the

⁴ protocol drawn up in collaboration with CCPAS, the Lucy Faithfull Foundation, the Methodist Church, and others.

Archdeacon and Diocese Child Protection Advisor should be informed of the facts/history without the person's consent. The highest levels of confidentiality should be maintained.

It will be necessary to establish clear boundaries, both for the protection of children and young people and to lessen the possibility of the person being wrongly accused of abuse. Prepare an agreement, in consultation with the Archdeacon and Diocese Child Protection Advisor, that might include the following elements:

- attendance at specific and agreed services/meetings only
- sitting apart from children
- staying away from areas of the building where children meet
- only attending a house group where there are no children
- declining hospitality where there are/will potentially be children present or within a household
- never being alone with children
- never working or be part of a mixed age group that includes children

The person who is the subject of the agreement should be asked to sign it, and the agreement should be carefully and strictly supervised. Do not make any alteration to the terms before talking to the Archdeacon and Diocese Child Protection Advisor.

The incumbent and any others involved in the agreement should offer close support and pastoral care.

The agreement should be reviewed at regular intervals (at least 3 monthly) to ensure that it is still being followed exactly as written. An agreement must remain in place so long as the person is a part of the congregation, whether or not his/her name appears on the Sex Offenders Register. If the agreement is broken, seek advice from the Archdeacon. As a final resort, you may have to consider banning the offender from church. In this case, alert the Archdeacon who, in discussion with the Diocese Child Protection Advisor may feel it necessary to alert other local churches, the police or the probation service, if appropriate. If the person cannot be banned because they live in the parish, the advice of the Diocesan Registrar should be sought and a high level of supervision maintained.

In some cases, offences only come to light after many years. In such situations great sensitivity will be required – but remember that there may still be a substantial risk to children and an agreement will still be appropriate in most cases.

Circles of Support and Accountability:

This type of organisation offers a system of structured befriending and supervision for sex offenders, usually at the point of release from prison. Many of the volunteers involved in the circles are recruited from churches, although the offenders are not necessarily Christian. If a known sex offender who attends a church is also part of a "Circle of Support", they will have a specific contract with the circle as well as any parish arrangements agreed with the Archdeacon and Diocese Child Protection Advisor.

For further information and advice, contact the Archdeacon or Diocese Child Protection Advisor (See Contacts, Section 3)

Child Protection and Mixed-Age Groups in the Church

One of the positive things that the church can offer is a place where young and old, children and adults can be together, including worship and learning about the faith together. Children have the opportunity to get to know adults in a shared activity; perhaps singing, making music, bell ringing, acting together, study groups or parish weekends. When these activities include children without their parents or carers being present, it is the responsibility of the PCC or equivalent body to make sure that these children are cared for within health, safety and child protection guidelines.

The House of Bishops' child protection policy; 'Protecting all God's Children 2004' explicitly recognised this fact and drew adults in mixed age activities into its child protection procedures. Experience has shown that such groups are vulnerable to infiltration by people seeking to harm children. The opportunity for regular informal contact can enable a potential offender to gain the trust of a young person, enabling them to move on to offend. It is expected that all such groups will recognise the need to provide a safe environment, including the need to exclude from their activities those shown to be a risk to children.

Implementing the policy

All groups should arrange a meeting for their adult members to learn about the need for child protection. Members should agree and sign up to good practice guidelines.

These should include:

- Not arranging to meet children outside the group without their parents' permission.
- Not giving extra tuition in your own home.
- Not giving lifts to a child on his/her own, or without the parent's permission.

All adults in groups where they have regular contact with children but do not take on any other responsibility or role should sign a "Confidential Declaration" form (see Section 3) and apply for a CRB disclosure. Further guidance may be available from relevant specialist groups e.g. the Royal College of Church Musicians or the Council for Church Bell Ringers.

All leaders of groups where there is an expectation of child members, even if there are none at present, should be appointed through the 'safer recruitment' procedure and apply for a CRB disclosure.

Occasional visitors to the group should be under the supervision of a properly appointed person. If attendance becomes more regular, they should be asked to complete the same process as the leaders/ members mentioned above.

Communicating Electronically

(adapted from a document by Stephen Barber, Child Protection Advisor, Diocese of Oxford, January 2007).

This section of the Diocese Child Protection Policy concerns the use of mobile phones, email, SMS (text) messages, MSN Messenger, Social Networking sites and other electronic communication methods.

The issues involved in communicating electronically are not very different from those in face to face communication, except that the person is not with you, so neither of you can use facial expressions or body language to clarify your meaning, nor can any person using some methods of electronic communication (e.g. web chat) be absolutely certain exactly who they are communicating with. It is also normally private, so others are not there to provide a context and background. Finally, it usually creates a detectable record, which could, if necessary, be printed out and used in evidence.

Those who wish to abuse young people often start with electronic communications and then attempt to lure young people into an unprotected face to face meeting. Therefore, good practice is to communicate in such a way that achieves its purpose without unintentionally encouraging habits in young people, which could be dangerous.

A few Do's and Don'ts

- If young people want you to have their mobile phone numbers, email addresses or similar, make sure that their parents know and have agreed.
- Keep communications short. If you need a discussion, fix a time to do so face to face during or following the group, and follow the good practice guidelines for workers with children.
- Use an appropriate tone: friendly, but not over-familiar or personal. Beware of 'jokey' remarks: these are often misinterpreted, especially when conveyed electronically.
- While communications should be friendly, they should not suggest or offer a special relationship.
- Respect the young person's confidentiality, unless abuse is suspected or disclosed.
- Before sending your communication, ask yourself: would you be embarrassed if it were seen by the young person's parents, or church officials?

Information about the Sexual Abuse of Children:

(Based on the NSPCC's 'Protecting Children from Sexual Abuse in the Community', developed by Elizabeth Pennington, former Diocesan Child Protection Advisor, Coventry)

Sexual abuse, while only one of the four categories recognised as contributing to 'significant harm' under the terms of the Children Act 1989, nonetheless often causes more concern to those who work with children than all the others. This may be because it is by nature secretive and difficult to detect and deal with, as well as social taboos. The most frequently asked questions about sexual abuse, and responses, are therefore included in this section.

Who sexually abuses children and young people?

Approximately 90% of convicted abusers are male. Whilst women do perpetrate sexual abuse and there is probably some under reporting of females, evidence at present shows it is predominantly an offence committed by males.

Children can be sexually abused by adults or by other young people, although there is almost always an imbalance of power involved.

Can we recognise a sexual abuser?

There is no easy way to identify someone who may sexually abuse children and there is no such thing as a typical sex offender. Abusers do not look different from other people. They are found in all walks of life and at all levels of society. They may sometimes hold respected positions in the community. They can come from any racial, cultural or religious background. They could be someone you know, someone in your church, a parent of one of your children's friends, a relative.

What are the implications of this?

Many adult sexual offenders report that they began their behaviour around the age of 13 or sometimes younger. This means that when they are finally discovered they may have been sexually abusing others for many years and their behaviour will have become compulsive and hard to break. It also means that if a young person engages in inappropriate sexual behaviour it would be dangerous simply to view it as teenage "experimentation" which they will grow out of.

Why do people abuse?

The reasons why adults abuse are very complex. Sometimes they will have been abused themselves and are repeating pattern of behaviour that they learned earlier in life, or be responding to past hurts or unmet needs. Sexual abuse of vulnerable children may meet a need for power and control or for self-gratification. Although their behaviour is appalling to most people, and extremely harmful to the children that they abuse, it is important to remember that the abuser themselves was once an innocent child, and it is their life experience that has brought them to their current behaviour. Help for the abuser where possible and protection of children is what is needed rather than vilification.

Does sexual abuse just happen?

A sexual abuser may claim that they did not know why the behaviour happened or that it was a result of stress, sexual frustration or misuse of drugs or alcohol. There is no evidence that this is the case; abusers may not understand why the abuse, but they do plan their sexual abuse of children. Equally, although the use of drugs or alcohol may help the abuser to disregard their innate knowledge that abuse of a child is wrong, the use of drugs or alcohol in itself does not 'cause' abuse.

Sexual abuse, or the opportunity to abuse, is almost always carefully and meticulously planned, often over a long period of time. Abusers may choose friendships or relationships with adults who already have children, or may choose employment or voluntary work where they will have positions of responsibility over, or unsupervised access to, children.

How can sexual abusers justify their behaviour?

Unless the sexual abuser is a sadistic offender who thrives on the pain of others, he or she will have to develop thought patterns (distorted thinking) that deny or minimise the harm caused to others. This allows them to live with themselves. Some of the ways an abuser tries to justify such actions include claims like:

- The child wanted the sexual experience
- Children are seductive and provocative
- It won't harm them
- The child liked the sexual experience
- It was a "one-off" and it won't happen again

The distorted thinking of a sexual abuser can be fed in a number of different ways including pornographic literature or on-line images of both adults and children, seeking out other like-minded adults, or by misrepresenting children as sexual beings. In attempting to deny or minimise the effects of their abusive behaviour, a sexual abuser may appear very plausible. This can draw other people into their way of thinking.

One of the ways an offender can deny responsibility or seek to avoid having to address their behaviour through treatment is by claiming a religious conversion. When this is the case, it would be important to know whether faith in God has really led to true repentance, including taking full responsibility for the abuse, seeking to repair its damage and seeking to prevent a relapse by receiving the support of others.

Can a sexual abuser be 'cured'?

There is no evidence that a sexual abuser can be 'cured' of a desire to abuse children. All the available evidence suggests that the behaviour will have developed over a, usually long, period of time and will be so entrenched that it will have become an integral part of a person's character, making its powerful urges difficult to control.

The most effective way for abusers to change their behaviour is by developing an insight into their pattern or cycle of behaviour and by keeping away from situations where child abuse could occur. To ensure that there is no further offending the abuser is likely to require a long-term specialist programme, and long-term supervision, so that they cannot develop or reinforce their distorted thinking. Once discovered, adult sexual abusers will need to have controls placed on their behaviour to ensure that they do not have opportunities to abuse other children.

How do sexual abusers operate?

Sexual abusers usually operate by befriending either children or adults who will enable them to have access to children. They are often talented and likeable people. They are often very good at making friends with children. They can be extremely plausible and other adults may be convinced that the interest they show in children is totally innocent. They will go to great lengths to get close to children and are often well organised, manipulative and sophisticated in the ways they attach themselves, not just to children, but also to families, where they take time and effort to build up trust.

How do sexual abusers gain access to children?

Sexual abusers gain contact with children in all sorts of ways. Most contacts are not random, but are the results of careful advance planning. Sexual abusers are extremely good at relating to children and gaining their confidence and trust. They are often well known to the child or their family, where they are seen as a safe and trusted person. Others will seek positions and/or activities that give them easy access to children. Here they will bide their time, building up trust and confidence, sometimes over a considerable period, in order to prevent or allay any suspicions of their intentions. Some of the positions and/or activities sexual abusers are known to seek include:

- a leader of or helper with a children's activity
- a coach or volunteer in children's sport
- a worker in a school
- a worker in a caring profession
- a member of a mixed age activity, such as a church choir or bell ringing team.

Are all children equally vulnerable to sexual abusers?

Sexual abusers will be attracted to children of different ages and characteristics. Some will abuse only pre-pubescent children; others will approach older children. Some will abuse boys, others girls and some will abuse children of both sexes. Some abusing adults may operate alone whilst others may be linked into an organised network. If an abuser is having a sexual relationship with another adult, this does not mean that they are not a risk to children.

Sexual abusers rarely pick children at random. They are skilled at identifying children who may be particularly vulnerable to their approach. They may single out a child who is:

- left alone for long periods of time without proper supervision
- bored, lonely or bereaved
- in care or away from home, at school or on holiday
- emotionally deprived and particularly looking for love, affection or seeking attention
- lacking in confidence
- too trusting
- already a victim of bullying or abuse
- disabled and in need of high levels of intimate care
- unable to communicate well for whatever reason
- eager to succeed in activities such as sport, music, schoolwork or in other activities, which may allow him/her to be manipulated by a potential abuser.

How do sexual abusers target children?

Sexual abusers will often carefully introduce or “groom” children into a sexually abusive relationship. They will begin by getting to know the child and showing them special attention. They frequently use a progression of activities, which may begin with apparently innocent physical contact such as coaching for physical recreations. Other grooming activities may include:

- forming a friendly relationship with the child and/or their parents or carers
- taking a strong interest in the child and his/her activities
- seeking opportunities to be alone with the child
- giving the child gifts, toys or favours
- offering to take the child on trips, outings or holidays
- gradually introducing the child to physical contact, which a parent may initially view as innocent, but which becomes increasingly sexual over time
- telling the child that what is happening is not wrong, or that it’s because the child is special/loved etc.

If undiscovered, this behaviour is likely to become increasingly intrusive progressing into sexual abuse. Alcohol or other substances and pornography are often used in the process. An adult sexual abuser can regularly abuse the same child over many years. The abuse of other children at the same time is also common depending on the level of access and opportunity.

In addition to "grooming" the child, an abuser will also "groom" other people around them to create the impression that they would not be capable of such an action. If they are discovered, the people around them may find it difficult to believe the allegations and may defend the abuser rather than think about the needs of the child. In such situations the child will feel very distressed that they are not believed and may be under pressure to retract their allegations.

Why don't children tell anyone what is happening?

Sexual abusers will use many different ways to ensure that a child remains quiet about the abuse. They will frequently use a child’s natural fear, embarrassment or guilt, as well as threats of punishment, to stop him/her telling anyone about the abuse. Children are put under immense pressure by their abuser to keep the secret. Some of the ways in which abusers may exert pressure over children include:

- making the child believe that they have a special relationship or secret
- making the child believe that he/she invited the abuse so that she/he feels guilty
- telling the child that no one will believe any allegation/disclosure
- making the child believe that if a disclosure is made the family will be split up or parents/carers sent to prison
- offering gifts, money or other items
- threatening or using violence towards the child
- making threats against someone or something close to the child
- isolating the child and discouraging relationships with others who could be told
- encouraging the child to become emotionally dependent upon the abuser so that he/she fears losing the relationship with the abuser.

What can we do to prevent this abuse occurring?

Any organisation that works with children has the potential to be targeted by sexual abusers. It is well known to local police forces that many sexual abusers consider church activities with children to be a particularly easy target. This is why it is vital that churches develop safe practices in their work with children and in recruitment of employees and volunteers.

Undertaking A Risk Assessment for Activities with Children & Young People (i.e. those under 18 years of age)

What Is A Risk Assessment?

A risk assessment is an important step in protecting yourself, other workers (including volunteers) and your church, as well as complying with the law. It helps you focus on the risks that really matter – the ones with the potential to cause real harm. In many instances, straightforward measures can readily control risks, for example ensuring spillages are cleaned up promptly so people do not slip, or that no one works alone and unseen by other adults when working with children and young people.

The law does not expect you to eliminate all risk, but you are required to protect people as far as ‘reasonably practicable’. This section tells you how to achieve that with a minimum of fuss.

This is not the only way to do a risk assessment, there are other methods that work well, particularly for more complex risks and circumstances. However, this method is likely to be the most straightforward for most activities undertaken by parishes.

A risk assessment is simply a careful examination of what, in your dealings with children and young people, could put children / young people, workers, or volunteers at risk of some form of ‘harm’, so that you can weigh up whether you have taken enough precautions or should do more to prevent harm. Children and others have a right to be protected from harm caused by a failure to take reasonable control measures.

How to assess the risks in your workplace

Follow the following five steps:

Step 1 - Identify the hazards

Step 2 - Decide who might be harmed and how

Step 3 - Evaluate the risks and decide on necessary precautions

Step 4 - Record your findings and implement them

Step 5 - Review your assessment and update if necessary

When thinking about your risk assessment, remember that in the context of safeguarding children:

- _ a **hazard** is anything that may cause harm, such as children injuring themselves accidentally, someone having the opportunity to intentionally harm a child, or a child or young person misinterpreting innocently intentioned word or actions etc;
- _ the **risk** is the chance, high or low, that somebody could be harmed by these and other hazards, together with an indication of how serious the harm could be.

Step 1 : Identify the hazards

First you need to work out how children or young people could be harmed. When you work in a place regularly it is easy to overlook some hazards, so here are some tips to help you identify the ones that matter:

- **Walk around** your venue and look at what could reasonably be expected to cause harm – are there things that young children might find attractive to climb that could be dangerous? Are there any ‘hidden’ areas where an adult could be unseen with a child? Could young children get out of the safe area/building without an adult being aware?
- **Look at how you o things in your group** – are adults or older children asked to undertake any ‘unseen’ activities with children?
- **Ask your co-workers** (or if working with young people, ask them what they think). They may have noticed things that are not immediately obvious to you.
- **Check manufacturers’ instructions** or data sheets for any equipment you use as they can be very helpful in spelling out the hazards and putting them in their true perspective.
- Have a look back at your **accident/incident records** – these often help to identify the less obvious hazards.

Step 2 : Decide who might be harmed and how

For each hazard you need to be clear about who might be harmed – a child or young person, or a worker / volunteer; it will help you identify the best way of managing the risk. That doesn’t mean listing everyone by name, but rather identifying groups of people

In each case, identify how they might be harmed, i.e. what type of injury or harm might occur. For example, ‘children may fall off stage area’ or ‘adult could have opportunity to abuse child’.

Remember:

_ some workers/volunteers have particular requirements, e.g. new workers / volunteers are less well known and may act in a way to harm a child either intentionally or unintentionally; and young workers/volunteers may not be as aware as more experienced workers of how their actions could be misinterpreted or what the ‘rules’ are for working with children.

Remember that those who wish to harm children, especially via sexual abuse, will often actively seek work or volunteer to undertake activities with children and young people, or find a ‘reason’ to be in an area frequented by children and young people. Although these individuals are in a distinct minority in our society, we must always maintain an awareness of that risk.

Extra thought will be needed for some hazards;

- visitors, contractors, maintenance workers etc, who may not be in the workplace all the time;
- members of the public, if they could access the venue may be in a position to harm a child;
- any activity in a venue that you are unfamiliar with; and
- ask your co-workers if they can think of anything that you may have missed.

Step 3 : Evaluate the risks and decide on precautions

Having spotted the hazards, you then have to decide what to do about them. You should do everything 'reasonably practicable' to protect children and young people from harm. So first, look at what you're already doing, think about what controls you have in place and how the work is organised. Consider:

- Can I get rid of the hazard altogether?
- If not, how can I control the risks so that harm is unlikely?

When controlling risks, apply the principles below, if possible in the following order:

- try a less risky option (e.g. ensure that no worker or volunteer spends time alone and unseen with a child or young person);
- prevent access to the hazard (e.g. by ensuring that cleaning materials are kept in a locked cupboard);
- organise work to reduce exposure to the hazard (e.g. always having two workers present as a minimum, or ensuring that the public cannot enter the venue of the activity without ringing a door bell thus letting other adults know that they are present);
- provide welfare facilities (e.g. first aid kit).

Step 4 : Record your findings and implement any necessary actions

(See Risk Assessment Form in Section 3)

Putting the results of your risk assessment into practice will make a difference when looking after children and young people.

Writing down the results of your risk assessment, and sharing them with your co-workers and Parish Council, encourages you to do this.

When writing down your results, keep it simple, for example 'Tripping over rubbish: bins provided, weekly housekeeping checks', or 'Sometimes only one worker available: suspend group until second worker / volunteer available'.

A risk assessment to be perfect, but it must be suitable and sufficient. You need to be able to show that:

- a proper check was made;
- you asked who might be affected;
- you dealt with all the significant hazards;
- the precautions are reasonable, and the remaining risk is low; and
- you involved your co-workers and the Parish Council in the process.

Make a plan of action to deal with the most important things first. A good plan of action often includes a mixture of different things such as:

- easy improvements that can be done quickly, perhaps as a temporary solution until more permanent controls are in place;
- long-term solutions to those risks most likely to cause accidents or put a child at risk of harm;
- arrangements for training workers and volunteers on the main risks that remain and how they are to be controlled;
- regular checks to make sure that the control measures stay in place; and
- clear responsibilities – who will lead on what action, and by when.

Remember, prioritise and tackle the most important things first. As you complete each action, tick it off your plan AND ALWAYS LIAISE WITH YOUR CHILD PROTECTION REPRESENTATIVE FOR ADVICE and SUPPORT.

Step 5 : Review your risk assessment and update if necessary

Few activities or venues stay the same. Sooner or later, you will bring in new equipment, activities and procedures that could lead to new hazards. It makes sense, therefore, to review what you are doing on an ongoing basis. Every year or so formally review where you are, to make sure you are still improving, or at least not sliding back. Look at your risk assessment again. Have there been any changes? Are there improvements you still need to make? Have your workers spotted a problem? Have you learnt anything from accidents or near misses? Make sure your risk assessment stays up to date.

When you are running an activity or group business it's all too easy to forget about reviewing your risk assessment – until something has gone wrong and it's too late. Why not set a review date for this risk assessment now? Write it down and note it in your diary as an annual event.

During the year, if there is a significant change or new activity or venue planned, don't wait. Check your risk assessment and, where necessary, amend it. If possible, it is best to think about the risk assessment when you're planning your change – that way you leave yourself more flexibility.

Levels of Risk:

The 'Risk Factor' of any hazard is the PROBABILITY of it occurring x the SEVERITY of the effects if it did happen. To guide your thinking regarding risk of any situation or event, and to assist you in completing the Risk Assessment Form (CP 11) you should consider the following re probability and potential severity of risks related to safeguarding children:

If the risk factor = 0-3 (i.e. Low Risk): *If you can think of any ways to reduce the risk further, then you should use them*

If the risk factor = 4-12 (i.e. Medium Risk): *you should be able to work out what you need to do to reduce the risk, but you can always seek advice from your Parish Child Protection Representative of the local Children and Youth Officer.*

If the risk factor = 13 or above (i.e. High Risk): *you must seek the advice of your Parish Child Protection Representative or your Archdeacon.*

PROBABILITY	VERY HIGH	5	5	10	15	20	25
	HIGH	4	4	8	12	16	20
	MEDIUM	3	3	6	9	12	15
	LOW	2	2	4	6	8	10
	VERY LOW	1	1	2	3	4	5
			1	2	3	4	5
			<i>Minor Injury – no first aid required</i>	<i>Minor Injury or incident - First Aid or CP advice required</i>	<i>Severe Injury or incident - Hospital treatment or CP Referral required</i>	<i>Major injury – or significant harm of child</i>	<i>Death or major Incapacity, or severe abuse, abduction etc</i>
SEVERITY							

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CP1: Specimen Child Protection Policy

This policy, based on the House of Bishops' 'Protecting All God's Children', is recommended for use in the parishes of York Diocese. It is important to look at the policy carefully with a view to meeting the unique and specific needs of each parish. Adapt this specimen as necessary for your own needs before reproducing it and displaying it prominently on a notice-board, along with the 'Childline' telephone number. Remember that once the policy is publicised, the community has a right to expect that it will be followed just as it is written.

Rural parishes or parishes held in plurality may wish to operate a joint policy. In this case, extra attention and supervision needs to be given for the support of people who may be working in isolated situations and the children in their care.

Local ecumenical projects should agree which denomination's policy will be followed, but the policy agreed must be compatible with the House of Bishops recommended guidelines.

Parish Policy for the Protection of Children

Church Details:

Name of Church _____

Parish (in Benefice of) _____

Address _____

Child Protection Representative

The PCC has appointed the following person to be Parish / Benefice Child Protection Representative to whom any allegation or concerns about abuse should be directed. The nominated person is NOT normally one of those directly working with children and young people. They will follow the guidelines and procedures for responding to any allegations of abuse.

Parish CP Representative _____

Address _____

Telephone _____

Church Policy Statement:

YORK DIOCESE PARISH / BENEFICE CHILD PROTECTION POLICY 2009

This church recognises and values children and young people (anyone under the age of 18) as equal partners in the life and ministry of the church, and desires to encourage them to explore, discover and live out the Christian Gospel. The Parochial Church Council (hereafter PCC) takes seriously its obligations and responsibilities to protect and safeguard the welfare of any child or young person (i.e. under the age of 18 years) entrusted to the church's care.

Therefore in the church's provision and ministry, the PCC

1. Accepts responsibility for the activities of the children's and youth groups operating under its auspices.
2. Will actively seek to protect and safeguard the physical, emotional and spiritual welfare of children and young people while in the care of the church.
3. Will have clear procedures for responding to suspicions or allegations about abuse, or inappropriate behaviours towards children and young people by any member of the church, and procedures for working with known offenders attending the church
4. Will ensure that both employed and volunteer children's and youth workers and all other persons working within the church who may have contact with children or young people through this work are properly and appropriately selected and appointed as set out in the Diocese of York document: "A guide to Disclosure through the Criminal Records Bureau"
5. Will ensure that children's/youth workers and volunteers are given adequate support and training.
6. Will annually appoint a Parish / Benefice Child Protection Representative.
7. Will annually review the Parish Child Protection Policy and procedures.
8. Will maintain appropriate Third Party Liability insurance for the church work among children and young people.

Commitment to Children and Young People

In accepting the Church Child Protection Policy Statement, the PCC as agent of the whole church family in this Parish and within the Diocese of York is also committed:

A: To the children by:

- Listening to and valuing children and young people.
- Relating to children and young people effectively and appropriately.
- Ensuring their protection and minimizing risk of harm by their involvement in any church or related activities, both at the normal meeting place and when away from the normal meeting place.
- Encouraging and supporting children, parents and carers.
- To provide safe, relevant and engaging children's and youth work of the highest quality possible and with adequate resources, (bearing in mind the limitations of plant and human resources).

B: To workers, volunteers and the Child Protection Representative by:

- Giving and enabling appropriate support and training.
- Providing clear systems and procedures for dealing with concerns or allegations about abuse.
- Providing clear systems and procedures for the recruitment of workers and volunteers, including an Allegations of Child Abuse or Unsuitability to Work with Children Policy.
- Maintaining good links with Diocesan and statutory childcare authorities as necessary.

Recruitment of Children and Youth Leaders, including CRB Disclosure:

Great care will be exercised in the appointment of suitable workers and volunteers to the church's work with young people. The PCC has adopted the use of "Diocese of York Guide to Disclosure through the Criminal Records Bureau". Where access to children is regular, expected or significant (i.e. a key part of their role even if they are not in regularly contact with children), the Diocesan policy and procedures will be strictly adhered to.

In Brief: (see Guide to Disclosure)

Anyone involved in the church's work with children and young people in this parish/benefice must:

1. Provide proof of their identity. (e.g.: Passport, Birth Certificate)
2. Provide 2 referees (who have known the applicant for at least 3 years)
3. Complete a 'Declaration Form' in accordance with The Children Act 1989 and Rehabilitation of Offenders Act 1974/5
4. Obtain an up to date and satisfactory 'Enhanced Disclosure' check from the Criminal Records Bureau (CRB)

NOTE: Where a person has only occasional contact with young people, such as a supervised steward or helper at occasional events, the volunteer only need provide proof of identity, 2 referees and complete the Confidential Declaration Form. Any increased involvement will necessitate a CRB Enhanced Disclosure to be carried out.

Refer to the Diocese of York guide to Disclosure through Criminal Records Bureau document issued 2008.

Child Protection – Definitions of Abuse

The PCC recognises the following categories of abuse used by every local authority in England and Wales.

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

- provide adequate food, clothing and shelter (including exclusion from home or abandonment)
- protect a child from physical and emotional harm or danger
- ensure adequate supervision (including the use of inadequate care-givers)
- ensure access to appropriate medical care or treatment.
- It may also include neglect of, or unresponsiveness to, a child's basic emotional needs.

Physical Abuse: Physical abuse may involve hitting, shaking, throwing, poisoning, burning or scalding, drowning, suffocating, or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer fabricates the symptoms of, or deliberately induces, illness in a child.

Sexual Abuse: Sexual abuse involves forcing or enticing a child or young person to take part in sexual activities, including prostitution, whether or not the child is aware of what is happening. The activities may involve physical contact, including penetrative (e.g. rape, buggery or oral sex) or non-penetrative acts. They may include non-contact activities, such as involving children in looking at, or in the production of, sexual online images, watching sexual activities, or encouraging children to behave in sexually inappropriate ways.

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

Organised Abuse: Organised abuse is defined as abuse involving one or more abusers and a number of children. The abusers concerned may be acting in concert to abuse children, sometimes acting in isolation, or may be using an institutional framework or position of authority to recruit children for abuse.

(A child may suffer more than one category of abuse).

People who Pose a Risk to Children

- If there is good reason to believe that someone attending the church may pose a risk to children, either as a result of a criminal conviction or for any other reason, the first concern will be a commitment to the protection of all children and young people. Whilst extending appropriate pastoral care to an individual, the Incumbent and Church Wardens (or authorised agent such as the Rural Dean), will discuss with the Diocese Child Protection Officer then meet with the individual and discuss boundaries that the person will be expected to keep. A written agreement will be appropriate in such cases, and the PCC Child Protection Representative and Diocese Child Protection Officer informed and supplied with a copy of the written agreement.

Child Protection – Procedures for Referrals:

The role of Church members and nominated PCC Child Protection Representative in the event of an allegation or suspicion of abuse:

- Church members, including children's and youth work leaders and volunteers, may have concerns about possible or actual inappropriate conduct or abuse which may have occurred within a church setting or within another context, but which is drawn to their attention in a church setting; in either event the following procedures should be observed.
- The role of a church member is not to investigate beyond establishing the basic facts so that a decision can be made about what further action, if any, needs to be taken (such as a referral to the investigating agencies).
- Allow the child to speak, but be very careful not to say anything that may suggest or prompt a particular answer. Anything said by the child should be recorded, using the actual words used by the child.
- Reassure the child that you are listening carefully to them, but refrain from promising to 'keep a secret'. Make it clear that you may have to tell someone else who can help to sort things out.

- Concerns or an allegation must be shared with the nominated PCC Child Protection Representative as soon as possible, or in their absence, with either the Incumbent or Church Warden or another trusted adult, or with the Archdeacon. If the concern or allegation is about any of these people DO NOT share the concern with them. The concerns MUST be recorded, as must decisions of how to proceed, including rationale for those decisions and consultation with any other persons.
- If both are satisfied that the concerns are unfounded you need take no further action. However, the aforementioned record MUST be kept, and a copy should be forwarded to the Archdeacon.
- If the concern is a childcare issue (i.e. not thought to be abuse related, but where the parents/carer or child may need support from relevant agencies), the nominated PCC Child Protection Representative should make a referral to Social Services. However to do this will require parental permission. Seek further advice from Social Services or the Archdeacon
- If concerns remain the nominated PCC Child Protection Representative should contact the Archdeacon
- If there are concerns that a child is suffering or is likely to suffer significant harm or is in immediate danger of harm, then a referral to Social Services or the Police should be made at once by the Church member or the Child Protection Representative. Clearly state that you are making a “Child Protection Referral”. Identify yourself and the Church you are representing. You must also advise the Archdeacon.
- Any concerns in relation to child protection issues should be logged and retained securely by the Diocesan Secretary.
- Additional role of the PCC Child Protection Representative:
- The PCC Child Protection Representative should support any church member raising or reporting a concern or allegation and make sure that the above procedures have been carried out appropriately.
- Unless it is inappropriate in view of the nature of the allegation, the incumbent or Church Wardens should be informed of any referral being made as well as the Archdeacon. Do not discuss with anyone else.
- Careful consideration should also be given as to whether the Parish’s insurers should be contacted and advised of the incident or allegation.
- If the PCC Representative is unsure, or feels they need to take further advice, they should contact the Archdeacon in the first instance, Social Services or alternatively the Churches Child Protection Advisory Service Help line.
- In the event of the Archdeacon being unavailable within a reasonable time, another of the Archdeacons should be contacted. Alternatively telephone the Churches Child Protection Advisory Service Help Line. (See useful telephone numbers)

Policy Adoption

This policy is adopted and will be reviewed annually by the PCC of

(Name of Parish or Benefice)

Signed:

(Incumbent) (Church Warden)

Print Name:

(Incumbent) (Church Warden)

Date:

Useful Telephone numbers:

- Archdeacon XXXXXX XXXXXX (To be inserted by each Parish as appropriate)
- Churches Child Protection Advisory Service Help line: 0845 1204450
- Social Services (Customer Services – ask for Child Protection) (See Local Telephone Book)
- Local Police: (See Local Telephone Book)
- Ecclesiastical Insurance Group (NB: Contact with the EIG should only be undertaken following discussion with the Archdeacon or Diocesan Secretary if it is with regard to a confidential child protection related complaint or concern)

Write to:

The Managing Director
Ecclesiastical Insurance Group
Beaufort House
Brunswick Road
Gloucester
GL1 1JZ

and marked “Strictly Private and Confidential”

If it is an emergency telephone. 01452 528533

A SIGNED AND DATED COPY OF THIS POLICY MUST BE SENT ANNUALLY TO THE YORK DIOCESAN SECRETARY.

See CP2: Checklist for implementing or reviewing the child protection policy, procedures and good practice in the parish (or church, or benefice).

CP2: Checklist for Implementing or Reviewing the Child Protection Policy, Procedures and Good Practice in the Parish (or Church, or Benefice).

(adapted from document on www.safeguardingadvice.org)

The PCC, incumbent and Parish Child Protection Representative should work together in implementing and then reviewing (at least annually) the child protection policy for the parish. The following areas should be included in the policy:

1. Identify all children's and youth activities and mixed-age activities that are the responsibility of the PCC and therefore come under the child protection procedures.
2. Check that every group has up-to-date registration forms and a register of attendance.
3. Check whether any of the Under 8 groups need to be registered with the local authority (for further advice, contact the Diocesan Children's Work Advisor, see Contacts, Section 3)
4. Identify all leaders, helpers and adults in mixed-age activities who will need to follow child protection procedures.
5. Check that every group has enough helpers and that there is a gender balance wherever possible. (For work with Under 8s, leaders must be appointed in accordance with required adult-child ratios. Contact the Diocesan Children's Work Advisor for further information.
6. Decide what training will be required and how on-going support will be given to children and young people's workers.
7. Consider whether there are any adults in the congregation who have informal contact with children, which will come under the child protection procedures e.g. verger, caretaker, mini-bus driver etc.
8. Check that all current paid employees, volunteers and adult members of mixed-age groups have signed a Confidential Declaration Form within the last three years, and have an enhanced-level CRB disclosure that is less than three years old. **NB** this procedure will change from Autumn 2008. Check in Section 1 for updated guidance (note date at foot of page of 'Criminal Records Bureau' document) or contact the Bishop's Office for further information.
9. Decide how new workers will be appointed, trained and supervised.
10. Decide who should be contacted by people who are concerned about a child or young person or concerned about the behaviour of an adult. This will usually be the Parish Child Protection Representative. Generate sufficient publicity to ensure that the congregation knows whom the contact is and how to get in touch.
11. Make sure the parish insurance policy covers all church activities on and off the premises and includes legal protection insurance for employees and volunteers.

12. Inspect all premises used by children and young people to make sure they are physically safe. Address any health and safety issues e.g. lighting, security of access, etc.
13. The Parish Child Protection Representative should hold a loose-leaf folder where concerns or notes of incidents can be kept. This should be kept confidentially in a secure place and should be maintained in compliance with the Data Protection Act.
14. Decide how the child protection policy will be brought to the attention of the congregation, volunteers, parents and children. In annual review, consider how to refresh awareness within the congregation.
15. Identify local support groups, counselling services and resources for adult survivors of child abuse and make sure the information is easily accessible to those who might need it.
16. If there are any people in the congregation who are known to have offended against children, inform the Bishop's Child Protection Advisor, who will help to initiate an agreement with that person.
17. Identify all outside groups using church premises and ensure that they either have an appropriate, compatible child protection policy or will agree to adopt the parish policy.

The Diocesan Child Protection Policy and guidelines for its implementation should be brought to the PCC for ratification. The incumbent and churchwardens should sign the Parish Policy Statement and agree a date to review the policy on an annual basis.

A copy of the policy should be placed on the church notice board or in another easily accessible place.

CP3: General Consent Form For Regular Groups/Activities

(This form should be filled in annually and kept with the group's records where it can be accessed in case of emergency. All those working with the child named on the form should be made aware of any health and dietary concerns which are given so that the child's needs may be met.)

Name of your church/parish/benefice:

Title of the Group:

Full Name of Child/Young Person:

Date of birth:

Address:

Telephone number:

Are there any medical or dietary concerns that we should know about your child? (Please continue overleaf if necessary).

Name of Parent or Carer:

Name/tel. no. of an additional contact:

I give my permission for to take part in the normal activities of this group. I understand that transport to and from the activity is my responsibility.

Signature of parent or carer..... Date.....

Name:

CP4: Supplementary Form For Going Away/Going Abroad

(This form should be used in addition to the general consent form.)

Note to Parent/Carer: Insurance Advice

If the trip involves travelling abroad, you will need to arrange your child's own personal travel insurance, which would include cover for medical expenses, loss of baggage, cancellation etc. See the trip leader for further advice.

Title and Date of Trip:

Surname of Child:

Forenames:

Date of Birth:

Age:

Home Address:

Telephone Number:

Any medical conditions which we should be aware of (e.g. asthma, diabetes, hay fever, disabilities etc):

Any prescribed medicines – name and when taken (please write very clearly):

Special dietary needs (please provide clear details):

Recent inoculations (as appropriate):

Emergency Information

Name of next of kin

Address of next of kin

Contact telephone numbers: Home:

Mobile:

Will the next of kin be at this address for the duration of the visit? **YES/NO**

If not, please give details of where they may be contacted:

Additional emergency contact: (name and telephone number):

Relationship to the child (e.g. grandparent):

If trip is going abroad please complete the following:

Passport number

Place of issue

Date of expiry

Nationality

Please read and sign:

I have read the information which has been supplied about this visit and give my permission for my child to take part in this activity.

Signature of parent/carer:

Date:

CP5: Logging a Concern About a Child's Safety or Welfare:

Name and Address of your church/parish/benefice:

Full Name of Child/Young Person:

Address:

Date of birth:

School (if known):

Account of what happened

(Write what happened as accurately as you can. Include who was involved, when it happened, i.e. day, month and time, where it happened, any other witnesses or behavioural signs that you observed. If your log includes an injury, describe it and say exactly where it was on the child. If your log includes anything that a child told you, please use the child's own words. Use a separate sheet if necessary.

Action taken: *if any referral made or professionals spoken to please give their name and organisation, and any actions that they agreed to take.*

Your name and role in the church:

Your Signature:

Date (include year) and time of the incident and of this log



DIOCESE OF YORK
CP6: CONFIDENTIAL DECLARATION FORM
FOR PEOPLE INTENDING TO WORK WITH CHILDREN AND YOUNG PEOPLE

The work that you are intending to undertake may give opportunities for unsupervised contact with children and/or vulnerable adults. This may be regular assistance with a church based group, or helping at a “one-off” event. You will be required to make a fresh declaration at least once per year, and for any activities that take place under the auspices of a different PCC.

You are therefore required to complete the enclosed confidential declaration and return it to the person designated at the end of the form. Information declared here will be checked, as appropriate, with the Criminal Records Bureau or with other relevant authorities. If you have any questions regarding the declaration, then please ask the person designated on the form.

The information you supply about your history of working with, or caring for, children and/or vulnerable adults is confidential. It may ONLY be shared, on a ‘need-to-know’ basis, in order to protect children and/or vulnerable adults. A confidential declaration must be held by the person who makes the appointments or provides the licence for all clergy and those paid employees and volunteers who have contact with children/vulnerable adults.

CONFIDENTIAL DECLARATION

Your Full Name:

Date of Birth:

Your Address:

Telephone Number:

Please answer the following questions by ticking the appropriate boxes

1. Have you, since the age of eighteen, ever been known by any name other than the one given above?
 Yes (please give details)
 No
2. Have you, during the past five years, had any home address other than that given above?
 Yes (please give details)
 No
3. Have you ever been convicted of any criminal offence? (You must include all ‘spent’ convictions however long ago, as the Rehabilitation of Offenders Act 1974 does not apply to posts involving contact with children and/or vulnerable adults. A criminal offence in the past does not necessarily mean that you will not be able to take the post applied for.)
 Yes (please give details)
 No
4. Have you ever been cautioned by the police, given a reprimand or warning or bound over to keep the peace?
 Yes (please give details)
 No

5. Have you ever had allegations made against you, been the subject of an investigation or disciplinary action by any official body in relation to your conduct with children or young people even if no further action was taken? (Include information arising from a paid or voluntary job OR from a situation where you had care of a child/vulnerable adult outside work.)
 Yes (please give details)
 No

6. Are you at present under investigation by any agency or employer?
 Yes (please give details)
 No

DECLARATION

I declare that the information given is accurate and complete to the best of my knowledge.

Signed

Date

References

Please give the names of **two** people who would be able to provide a reference. (If you are employed, one of these should be your current employer.)

Referee 1:

Name

Address

Tel:

How does this person know you?

Referee 2:

Name

Address

Tel:

How does this person know you?

Note: *Before an appointment can be confirmed applicants must provide an enhanced disclosure from the Criminal Records Bureau. Consult with the Archbishop of York's office, your incumbent or Parish Child Protection Representative for details of the process.*

Please return the completed form to the Parish Child Protection Representative.

CP 7: Letter and reference form to be sent to a referee

(Use headed church paper if possible; if not, include the name and address of the church here)

Date:

Dear *(name of Referee)*,

(name of applicant) has offered to work with children/young people in this church. Guidance following the Children Acts (1989 and 2004) indicates that all those wishing to work with children and young people for a voluntary organisation must provide the names of suitable referees. The person named above has given us your name as someone who can give a character reference.

I would be grateful if you could complete the enclosed reference form, which will be treated in the strictest confidence, and return it in the pre-paid envelope as soon as possible. In commenting on the volunteer, please bear in mind that it is the Church's duty to protect children from significant harm, and all volunteers are required to sign an undertaking to this end.

Thank you for your assistance in this matter.

Yours sincerely,

(sign and print name)

PRIVATE AND CONFIDENTIAL

REFERENCE FOR WORK WITH CHILDREN AND YOUNG PEOPLE

NAME OF CANDIDATE.....

What is your relationship to the person named above (e.g. friend, employer etc.)?

How long have you known the person?

Would you feel comfortable to know that this person is appointed to work with children or young people under the age of 18?

YES/NO

If no, please indicate any reasons, continuing overleaf or on a separate sheet if necessary.

Are there any other comments you would like to make? If so, please continue overleaf or on a separate sheet if necessary.

Signed.....Date.....

Name (please print).....

Address.....

.....

.....

Telephone number.....

Your church/parish/benefice (if applicable).....

CP8: Volunteer contract

Name of your church/parish/benefice

Name of the Worker

Job title.....

Those working with children and young people, together with the whole church, commit themselves to their care and nurture in the Christian faith. On behalf of those who worship here, we undertake to support you and the work you do in our prayers, by our interest and in the provision of resources and training.

The person to whom you are directly responsible is

.....

S/he is there to discuss any matters of concern that you may have.

The responsibilities of your work are as follows:

Once a year you will be given the opportunity to review your work and discuss any concerns you may have as well as opportunities for development and training. Working with children and young people is a responsibility but it also brings great rewards. We hope you will enjoy the work you have undertaken.

Signed (Parish Priest)

Received by (Worker)

Date

One copy of this form should be kept by you, one will be held by the person named above to whom you are responsible and a third copy will be kept by the PCC.

CP9: Accident and Incident Report Form

Name of church.....

Name of group

Address.....

.....

.....

*Use this form to record **all** accidents, injuries and dangerous occurrences.*

The form should be completed as soon as possible after the occurrence. Whenever possible, the description of the accident should be completed by the injured person. All details should then be checked by a church official. If there were any witnesses to the accident they should complete witness statements as soon as possible after the occurrence.

This section to be completed by the injured person or person involved in the incident

Full name of person injured.....

Home address.....

.....

.....

Age (if U18)

Circle as appropriate: Employee Volunteer Visitor Congregation member Child

Date of Occurrence Time of Occurrence

Place of Occurrence

Please give a full description of the accident circumstances, including a description of any apparatus or equipment involved and any injuries received and First Aid given (continue on a separate sheet if necessary).

Signed by injured person or responsible adult on behalf of a child

Date (include year):

This section to be completed by the church official

If the person involved was an employee or volunteer:

- 1. State nature of employment
- 2. Was she/he on or off duty at the time? YES/NO
- 3. If on duty did she/he continue to work after the occurrence, or go off duty? YES/NO
- 4. If she/he went off duty at what time and for how long?
.....

5. If the accident occurred at a youth or children's group meeting:

Who is normally responsible for the group?
.....

Who was responsible for the group at the time of this incident (if different from above)?
.....

Have you retained any damaged equipment or apparatus for inspection? YES/NO

Does action need to be taken to prevent such an incident happening again?
.....

Are the premises still a safe place for the group to meet? YES/NO

Is the equipment still safe to be used? YES/NO

Who else has been informed?
.....

Signature of the person in charge of the group at the time of the accident or incident (please also print name).

Signature of church official

I/we confirm that as far as I am/we are aware the above details including the description of the accident are true and complete.

Signed Print Name

Position Date

Names of Witnesses:

Please attach statements from witnesses (use separate sheet), signed and dated

CP 10: Risk Assessment Form:

Levels of Risk: Low Risk Medium Risk High Risk	Activity: Start Date: Duration:			Address of Event: Lead Worker:	
Hazard	Who May Be Affected?			Level of Risk	Action Taken to Reduce Risk
	Children	Workers	Others		

Assessment By:	Signed:	Date:
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Contacts and References

CRB Office: <i>(General enquiries about applying for a CRB)</i>	Bishopthorpe Palace	Gail Smith	01904 707021
Archdeacons:	Cleveland:	The Venerable Paul Ferguson <i>Chair of Diocesan Positions of Trust Group</i> 01642-706095 or 07770-592746 archdeacon.of.cleveland@yorkdiocese.org	
	East Riding:	The Venerable David Butterfield 01482-881659 archdeacon.of.eastriding@yorkdiocese.org	
	York:	The Venerable Richard Seed 01904-623798 archdeacon.of.york@yorkdiocese.org	
Children & Youth Officers:	Cleveland	Vacant	
	East Riding	Jon Steel	01482-838805 or 07711-880042
	York	Rev. Nigel Chapman	01347-868287
Diocesan Secretary:		Canon Peter Warry	01904-699503 peter.warry@yorkdiocese.org
Diocesan Child Protection Advisor: <i>(Contact c/o Archdeacons, Youth Officers or Diocesan Secretary)</i>		Sue Roughton	
Childline (24 hours)		0800 1111	
NSPCC		0800 800 5000 (Deaf/Hard of Hearing) 0800 056 0566 (Asian) 0800 096 7729	
Parentline		0808 800 2222	
Christian Survivors of Sexual Abuse		38, Sydenham Villas Road, Cheltenham GL52 6DZ	
Child Exploitation & Online Protection Centre		www.ceop.gov.uk	
Domestic Violence		www.womensaid.org.uk	
HOPElineUK (prevention of young suicide)		0870 170 4000	www.papyrus-uk.org

References

'Protecting All God's Children: the Child Protection Policy for the Church of England', produced by the House of Bishops (3rd edition GS Misc 725/Church House Publishing 2004/ ISBN 07151 38677). Also available at: <http://www.cofe.anglican.org/info/papers/protectingchildren.pdf>

Children Act 2004, Explanatory notes (Ch. 31) published by The Stationery Office 11/2004 992285 19585

'Working Together to Safeguard Children' A guide to inter-agency working to safeguard and promote the welfare of children, pub. The Stationery Office ISBN 0-11-271187-1

Child Protection Procedures – Diocese of Ely (2008)