

# PROCEDURES



## G1. Implementing a policy in a parish <sup>1</sup>

Everyone, as a citizen, has a responsibility for the safety, well-being and protection of others. Everyone within the church community also has a responsibility to ensure that there is a welcome for all people, including those seen as vulnerable. A policy about the safeguarding of vulnerable people should be the concern of the whole congregation and therefore should be presented to the Parochial Church Council for adoption and be reaffirmed at least annually.<sup>2</sup> This is an opportunity for church members to remember their commitment to one another. Everyone should be alert to situations where those who might be vulnerable are exposed to unacceptable risks.

Those who work with vulnerable people often find themselves in challenging situations and need the support, prayers and encouragement of everyone in the congregation. Sometimes workers may be confronted with difficult behaviour on the part of those with whom they are working; sometimes workers may have to face difficult decisions about incidents that may need to be reported to the statutory authorities.

The congregation and church workers need to be clear about the procedures which should be followed when there are concerns about people being harmed or abused. Those who work most closely with vulnerable people in lunch clubs, day centres, and Bible study groups or as pastoral visitors, etc., are in a unique position to get to know them. As a result workers might learn about things that give cause for concern or they may see others, sometimes including fellow workers or church members, behaving in ways that may be described as abusive or potentially harmful. When visiting a care home, for example, a visitor may observe another resident showing signs of abuse.

Workers should have a good knowledge of the guidelines for good practice and should be implementing them; they should know what to do if they learn of any incidents where vulnerable people are being mistreated or abused.

Not all concerns about the welfare or safety of a vulnerable person need the public authorities to be involved; sometimes it may be that the concern focuses on behaviour and attitudes that are not immediately harmful and then the matter should be dealt with through training or discussion. The choices of the adult concerned should if at all possible be accepted. The response to any concerns should always be proportionate and appropriate to the issue. Parishes should do their best to provide a safe place for those who may be vulnerable.

Where the parish organizes special activities or groups for vulnerable people, care should be taken to ensure that those who work in these activities are carefully appointed, supported and supervised. Recruitment to other positions of trust should be carried out sensitively but thoroughly to try to prevent inappropriate appointments being made. The Parochial Church Council together with the incumbent carries a duty of care for the safety of those who attend or use the church. The Council should, with

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<sup>1</sup> Section 2.5 Promoting a Safe Church 2006

<sup>2</sup> A sample parish policy on the safeguarding of adults in the Church is included in the Appendices



the help of the diocese, ensure that a policy is in place that reflects the need to safeguard vulnerable people and that it is being implemented and has appropriate resources. The Council needs to find ways to communicate the policy to the whole congregation. Clergy in particular need to be aware of the pastoral needs of vulnerable people, their carers and those that work with them.

The PCC must appoint a named individual (Parish safeguarding coordinator for Vulnerable Adults) to act as the key person to speak on behalf of vulnerable people both within the congregation and to outside bodies. Ideally the appointed person should have some experience in this field.

Such a person may be the most appropriate person to receive information about concerns and will need to listen carefully, possibly discussing the matter with the adult concerned and making a decision about whether these concerns should be passed to an outside statutory body such as the police or the local authority Adult Services. The lead person should always liaise with and seek advice from the Diocesan Safeguarding Adviser. It is accepted that some parishes may find it difficult to appoint someone to undertake this responsibility and the role can be incorporated with the role of the Parish Child Protection Coordinator is that is more practical.

## **G2. What is Abuse?**

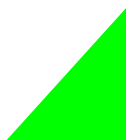
"Abuse is a violation of an individual's human and civil rights by any other person or persons

"Abuse may consist of a single act or repeated acts. It may be physical, verbal or psychological, it may be an act of neglect or an omission to act, or it may occur when a vulnerable person is persuaded to enter into a financial or sexual transaction to which he or she has not consented, or cannot consent. Abuse can occur in any relationship and may result in significant harm to, or exploitation of, the person subjected to it."

(No Secrets, Department of Health 2000)

## **G3. Vulnerability**

Human beings are, by their very nature, subject to the chances and changes of this world. Each one has strengths and weaknesses, capacities and restrictions. At some time everyone will be vulnerable to a wide range of pressures, concerns or dangers. No one is invulnerable; some people may consider themselves to be strong but, when circumstances change, strengths can quickly disappear. Some people by reason of their physical or social circumstances have higher levels of vulnerability than others. It is the Christian duty of everyone to recognize and support those who are identified as being more vulnerable. In supporting a vulnerable person we must do so with compassion and in a way that maintains dignity.



In order to bring into focus those people for whom the Church should have a particular care this working definition may be helpful:

A **vulnerable adult** is defined (by the Law Commission) as a person over 18 years, who is or maybe in need of community care services by reason of mental or other disability, age or illness; and who is unable to take care of him or herself against significant harm or exploitation.

They may include:

- People with a mental health problem or mental illness (including dementia)
- People with a physical disability
- People with a sensory impairment
- People with a learning disability
- People who are frail and/or experiencing a temporary illness.

#### **G4. What is mistreatment, abuse or harm?**

Mistreatment is defined in *No Secrets* as 'a violation of an individual's human and civil rights by any other person or persons'. It is any misuse of a pastoral or managerial relationship, from the most serious to less severe behaviour, which lies at its root. Mistreatment covers abuse, bullying and harassment. These categories are not watertight and can merge into one another. Harm is what results from mistreatment or abuse.

Abuse may be perpetrated by an individual or a group. It may be accepted or exacerbated by the culture of an institution, in which case it is described as institutional abuse. Abuse concerns the misuse of power where control and/or authority can manifest as a criminal offence.

Harassment, bullying and exploitation, discrimination and oppression are other types of behaviour which are not acceptable within church ministry.

Abuse can take place in the person's home, day centre, family home, community setting and in public places (including churches and ancillary buildings). The list is endless.

Anyone can potentially be an abuser, for example:

- Carers or volunteers
- Health workers, social workers or any other professional person
- Relatives, friends or neighbours



- Another vulnerable adult
- A visitor or someone providing any kind of service
- Someone who deliberately exploits vulnerable and/or older people

Domestic abuse is widespread in our society and the Church needs to respond supportively to those experiencing such abuse. See the Church of England's report *responding to domestic abuse* (2006).

A carer might be being physically or emotionally harmed by the person they are looking after.

All those who work in regular, face-to-face contact or have responsibilities for adults or are in positions of trust should be aware of the potential for the misuse and abuse of power.

Training in good practice and awareness of adult abuse and the proper recruitment of those who work in any recognized ministry on behalf of the Church is therefore essential.

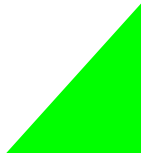
The possibility of vulnerable people being harmed is not confined to their lives outside of the Church. Church workers need to be vigilant to protect vulnerable people from harm whilst they are attending worship or other meetings or activities or being visited by someone from the congregation.

There is a specific range of issues that need to be addressed about church buildings, to ensure they are safe and accessible. In addition the Church has a responsibility and duty of care to ensure that all those who are closely involved with vulnerable people are behaving in safe and appropriate ways.

Of course many people will be good friends of people who have impairments – it is not appropriate to try to 'legislate' their friendship, only their responsibilities when acting on behalf of the Church. All church workers have a responsibility to treat all those they minister to with respect.

## G5. Different forms of abuse

- *Physical*: such as hitting, pushing, locking someone in a room;
- *Verbal*: abuse such as shouting and/or swearing;
- *Emotional*: such as bullying, taunting or humiliating someone;
- *Financial*: such as misusing, withholding or taking someone's money; abuse of a position to make people offer gifts, leave legacies or change a will;



- *Neglect*: such as not providing necessary food, care or medicine;
- *Sexual*: such as inappropriate touching, forcing someone to take part in any sexual act against their will;
- *Discrimination*: such as ill treatment due to the person's age, gender, disability, religious beliefs or race which may include harassment;
- *Institutional*: such as lack of individual care, no flexibility of bedtimes or waking, deprived environment and lack of stimulation;
- *Spiritual*: such as attempts to 'force' religious views or values onto people, intrusive healing and deliverance ministries which result in people experiencing physical, emotional or sexual harm.

Any or all of these types of abuse may be perpetrated as the result or deliberate intent and targeting of vulnerable people, negligence or ignorance.

## G6. Reporting mistreatment

Many clergy and lay people will visit vulnerable people. If they suspect that someone is being mistreated in some way, they should always take responsibility for doing something about their concerns.

If someone tells you about abuse or you have concerns your role is to respond sensitively and pass the information on to the Diocesan Safeguarding Vulnerable adults Adviser or directly to social services or to the police.

Disclosure may take place many years after a traumatic event or when someone has left a setting in which they were afraid. This delay should not, in itself, cast doubt on its truthfulness.

Remember many vulnerable people rely on their carers for support, shelter and care and therefore the reporting of mistreatment needs to be undertaken with sensitivity.

If a vulnerable adult discloses abuse

### Do

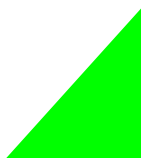
- Stay calm - Remember that this is an important conversation with someone who may be more anxious than you are
- Make sure that the vulnerable person is safe from immediate risk.
- Listen positively to what they are saying and take it seriously
- Accept what is being said (this is not the same as deciding whether the allegation is true or not – others will address this later)



- Avoid leading the person and keep any questions to the absolute minimum. Ask only what is necessary to ensure a clear understanding of what has been said. This is particularly important when dealing with vulnerable people who may succumb to suggestive questioning.
- Be aware of interpreting what the person is saying, especially if they have learning or physical disabilities which affect their ability to communicate or English is not their first language. An independent interpreter should be used if there is any kind of communication challenge.
- Be aware of the possibility that medical evidence might be needed
- Discuss and negotiate with the Vulnerable Adult what you will do next and why
- Ascertain the wishes of the alleged victim/witness about what they want to do or happen.
- Explain boundaries of confidentiality i.e. that you have a duty of care to report matters of alleged abuse and information will be shared only on a needs to know basis.
- If it is a matter that you must report, inform them that you are duty bound to do so.
- Report to the Diocesan Safeguarding Vulnerable Adults Adviser or to social services or the police
- Write down what was said by the person disclosing as soon as possible.

#### Remember

- You must not attempt to deal with the problem alone.
- The primary responsibility of the person who first suspects or is told of abuse is to report it and to ensure that their concern is taken seriously.
- Under no circumstances should anything be done that might be construed as an investigation of the allegation, as action of this nature may contaminate evidence should a formal investigation by either the police or local authority be instigated.
- In the first instance the allegation should be reported to the Parish Safeguarding Vulnerable Adults Coordinator and or incumbent who will consult with the Diocesan Safeguarding Adviser.
- Anyone has the right to contact Social Services but the Diocesan Safeguarding Adviser must be informed and is always available for consultation.
- If necessary he/she will liaise with Social Services on your behalf.



- Failure to observe these guidelines may leave a vulnerable adult unprotected against further abuse.

### **Do Not**

- Press the person for more details; this will be done at a later date.
- Stop someone who is freely recalling significant events; (for example, don't say 'Hold on we'll come back to that later,' as they may not tell you again.
- Be judgmental or voice your own opinion
- Do not promise to keep secrets; you cannot keep this kind of information confidential.
- Contact the alleged abuser.
- Pass on the information to anyone other than those with a legitimate need to know,' such as the Parish Safeguarding Adults Adviser, Incumbent and Diocesan Safeguarding Adviser.

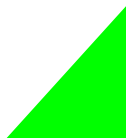
## **G7. Recording**

**At the first opportunity make a note of the disclosure and date and sign your record. You should aim to:**

- Note what the people actually said, using their own words and phrases.
- Describe the circumstances in which the disclosure came about.
- Note the setting and anyone else who was there at the time.
- Separate out factual information from your own opinions.
- Use a pen or biro with black ink, so that the report can be photocopied.
- Be aware that your report may be required later as part of a legal action or disciplinary procedure.

## **G8 Concern or allegation**

- Where a concern exists that a vulnerable adult may be being abused, may have been abused or be at risk of abuse, such a concern must initially be treated in the same way as an allegation
- Refer the concern to the Diocesan Safeguarding Adviser promptly so that further action may be considered. If a vulnerable adult is at immediate risk, a referral must be made to the police or Adult Services and then the Diocesan Safeguarding Adviser should be informed.
- Do not alert the alleged abuser, either directly or indirectly.





- When a referral is made to the police or Adult Services by a person other than the Diocesan Safeguarding Adviser, all information must be passed to the Diocesan Safeguarding Adviser by the end of the next working day and followed up in writing.

## **G9. Diocesan Procedure**

Any report of abuse will be taken seriously and looked into in a fair and thorough manner by all parties. Working with other organisations, the Adult Services department of the Local Authority may have a coordinating role which might involve:

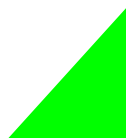
- Talking to you and other people involved to find out what has happened;
- Carry out an investigation;
- Planning what to do to protect the person being abused
- Supporting the person and their carers through the process;
- Closely monitoring the situation in the future
- Separate support will be offered to both victim and abuser. It is recommended that the Incumbent should co-ordinate rather than provide the support to either party.

If a crime is suspected the Police will carry out an investigation, working alongside other agencies.

## **G10. Allegations against church workers**

Church workers themselves may be suspected of mistreatment of an adult or another worker. Workers may not be following a code of conduct for church workers. If the abuse of adult appears to be a criminal offence the police must be informed and a referral must be made to the local authority. In these circumstances or if a worker has failed to follow an agreed code of conduct consideration should be given to suspension during an investigation. With less serious matters such as inappropriate behaviour or attitudes the worker's superior should approach the worker with the aim of identifying ways of improving the situation. The worker should be informed that disciplinary proceedings might be brought if there is no improvement.

People suffering from mistreatment may wish to make a complaint. A possible complaints procedure is provided in Procedure 4 of the House of Bishops' policy Promoting a Safe Church.



## **G11. Action following a referral about a person in a position of trust**

Once a concern has been identified that a vulnerable adult may have been harmed by a member of the Church community and a referral made to the statutory authorities, it is important to liaise closely with them during any investigation. This is always a difficult time and needs to be carefully managed. It is the responsibility of the Diocesan Safeguarding Adviser to co-ordinate the Diocesan response, attend strategy meetings with the other agencies and interested parties and work with them during the investigation. The incumbent, or the Archdeacon in the case of clergy referrals, will be responsible in consultation with the Diocesan Safeguarding Adviser for the co-ordination of support in the parish.

The highest degree of confidentiality should be maintained and only the people who need to know should be informed of the circumstances. The Diocesan Director for Communications should manage all media relations.

## **G12. Suspension**

In all circumstances where an allegation is made relating to beneficed or licensed clergy, licensed, or accredited lay-workers, paid lay staff or volunteers, consideration must be given to whether a person should be suspended from their duties whilst the statutory agencies undertake any investigation. Suspension should be seen as a neutral act.<sup>3</sup>

Suspension allows for an individual to stand down or stand aside while matters of concern are considered. The suspension is primarily for the protection of children and vulnerable adults but the needs of the person themselves and their family should also be considered particularly in the light of media attention. In order to decide whether or not to suspend the person, the Bishop (or employer or manager) should seek legal advice and consult with the Diocesan Safeguarding Adviser who will have taken advice from the statutory agencies involved in the multi-agency strategy meeting. This advice will assist in determining whether it is possible and appropriate to suspend the person temporarily or ask them to take leave of absence or have their duties curtailed to prevent contact with children. Decisions should always err on the side of caution. Any information provided to the individual regarding the reasons for suspension must not prejudice any subsequent investigation. A person should always be suspended if he or she is charged with a criminal offence against a child or vulnerable adult.

## **G13. Pastoral support**

During the investigation the vulnerable adult will need support. Another person will need to support the alleged offender. People involved in support should be uninvolved with the investigation or disciplinary proceedings and may be chosen from outside the

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<sup>3</sup> The term “suspension” is also used in matters regarding clergy discipline for a penalty imposed after a finding of misconduct.



diocese to ensure neutrality. The Police advise that it is important that these parties should not communicate with each other about the allegation so that evidence is not contaminated. In the case of allegations against a priest the Archdeacon will need to manage the impact of the investigation on the parish.

## **G14. Communications with the media**

In the event of an incident all communications both within and outside the Diocese must be handled by the Diocesan Director for Communications who will consult with the Bishop and the relevant Archdeacon, the Parish and the Diocesan Safeguarding Adviser. Particular care should be given regarding any public statements or public prayer, which should be agreed with the Bishop. Statements for possible media use will normally be agreed at a multi-agency strategy meeting.

## **G15. Record keeping**

It is recognized that people may not make a complaint about abuse until many years after the event. It is therefore important in all circumstances where it has been considered that abuse might have taken place to make careful, factual records. It is recommended that records containing issues of child or adult abuse should be held for a minimum of 50 years. The people involved in such records should be informed that a record is being kept and if possible all parties should agree the record.

## **G16. Duty of care – insurance advice<sup>4</sup>**

All church legal bodies, usually the parish, have a duty of care towards those to whom they minister. National and diocesan good practice guidelines and the procedures in this document should be followed to ensure that insurance cover is maintained. The insurers should be contacted as soon as it is clear that a claim may be made against a diocese or parish.

## **G17. Matters to consider following an investigation**

An investigation into harm of an adult may result in a criminal conviction, disciplinary penalties, dismissal or resignation from a voluntary or paid position. Support of all concerned will need to be continued throughout the incident. Sometimes in less serious cases the person concerned will need appropriate training and extra supervision in order to be able to continue in their position.

Any abuse within the Church also creates second-order victims, those who experience a betrayal of the trust they have placed in those holding office of any kind. Members of congregations can, for example, feel let down and hurt when one of their leaders offends. Special care is required when a congregation is recovering from the effects of disclosure of abuse.

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<sup>4</sup> P2.2 Promoting a Safe Church 2006



## The Independent Safeguarding Authority

There is now a new duty to make referrals to the Independent Safeguarding Authority (ISA) providing details of individuals who have harmed or put at risk of harm children or vulnerable adults in their care.

The duty to refer is triggered by two considerations:

- An employee or volunteer appointed by the PCC or another body in the church, such as the Diocese or Cathedral has been removed from their role in working with children or vulnerable adults or that person resigns, retires, is made redundant or transfers to other activity and
- The PCC or other body in the Church thinks (on the balance of probabilities that it is the case) the incident occurred.

This duty is unlikely to arise very often but it is important when it does occur, because failure to comply may be a criminal offence. Your Diocesan Safeguarding Adviser (DSA) will advise and assist you if this duty appears to be arising.

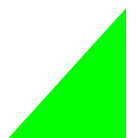
Great care will need to be taken if a person convicted of any relevant offence wishes to be employed or redeployed in a position working with the vulnerable, either adults or children. They may be barred from working with vulnerable people. Even if not barred it will only be in extremely exceptional circumstances, and following a professional risk assessment, that a person who has a conviction or caution for harming a child or a vulnerable adult in a **non-sexual manner** should be allowed to work or be a volunteer where there is the opportunity for contact with children and or vulnerable adults.

A person convicted or cautioned for any sexual offences against children or vulnerable adults should not again work with, or be a volunteer, where he or she could come into contact with children and or vulnerable adults. An agreement should be drawn up to define the relationship between the convicted person and the church community.<sup>5</sup>

For people involved in pastoral or other authorised ministry, whether ordained or not, it may not be possible to provide the level of supervision required even if a particular post does not involve specific contact with children or vulnerable adults. People engaged in such a representational ministry are regarded as trustworthy and as people of integrity, and this perception can be (and has been) used by offenders to target victims. Rehabilitation to any kind of representational ministry should be approached with extreme caution, should follow a professional risk assessment and treatment programme and should be with the agreement of the local safeguarding agencies.

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<sup>5</sup> See procedure for ministering to offenders in the Diocesan Child Protection Policy – The Care and Protection of Children 2009



## **G18. Allegations of Previous Abuse**

Allegations of abuse may be made some time after the event (e.g. by an adult who was abused as a child or about a member of staff who is still currently working with vulnerable adults). Where such an allegation is made, staff and volunteers should follow the procedures as detailed above and report the matter to the Social Services or the police.

## **G19. Confidentiality**

Every effort must be made to ensure that confidentiality is maintained for all concerned. Information should be handled and shared on a *need to know basis* only. Confidentiality is not absolute and may be overridden where there is evidence that sharing information is necessary in exceptional cases:

### **To prevent:**

- Serious crime
- Danger to a person's life
- Danger to others
- Danger to the community
- Danger to the health of the person

The written record of the concerns will be retained in locked safe storage managed under the Data Protection and Confidentiality Policies.

## **G20. Procedures for the safe recruitment of paid employees and volunteers.**

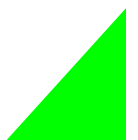
Guidance from the Criminal Records Bureau and the Independent Safeguarding Authority tells us to treat all volunteers as if they were employees for the purpose of recruitment.

## **G21. Diocesan appointments**

The appointment of clergy, readers and laypeople holding the Bishop's licence will be administered by either the Bishops' Offices or the Diocesan Office and are not the responsibility of the parish. Guidance on safe recruiting for these posts is held in these offices.

## **G22. General information**

Parishes should do their best to provide a safe place for those who may be vulnerable. Where the parish organizes special activities or groups for vulnerable people, care should be taken to ensure that those who work in these activities are carefully appointed, supported and supervised.



Recruitment to other positions of trust should be carried out sensitively but thoroughly to try to prevent inappropriate appointments being made. Safer recruitment means careful selection but also training and supervision of both staff and volunteers.

Vetting procedures and safer recruitment guidance are set out in detail in the Church of England companion guidance document *Safeguarding Guidance for Safer Recruitment*. The relevant vetting and barring scheme for the Diocese of Chichester and the Church of England is that provided by the Independent Safeguarding Authority (ISA). The suitability of an applicant or nominated volunteer for work with children or vulnerable adults should not be solely dependent upon vetting checks and CRB disclosures. Someone whose CRB disclosure is clear may still be unsuitable and the other safer recruitment processes must always also be used.

The PCC should agree how new employees and volunteers will be recruited and appointed, and who will be involved in the process. It should be agreed who will be responsible for taking up references, seeking a confidential declaration and checking the identity of applicants for CRB disclosures. These tasks can be completed by different people.

Leaders of groups should inform the person managing recruitment of new employees or volunteers at an early stage so that these procedures are followed. New staff and volunteers must complete the recruitment process before starting work.

It is advised that normally people should be part of the parish for at least 6 months before being asked to help with work with vulnerable adults. People who help in groups less than once a month should be treated as "visitors". They should be supported and supervised by an officially appointed helper. Young people between 14-18 may help with groups but should be supervised and supported by an adult helper who will be responsible for ensuring that good practice and the safeguarding procedures are followed. People such as vergers, caretakers and mini-bus drivers may have regular contact with vulnerable adults need to be part of these procedures.

## **G23. Making an appointment**

For any position, decide on a job description, which will include a statement of the tasks and responsibilities and to whom the person will be accountable.<sup>6</sup> Decide whether or not any new appointment requires a disclosure from the CRB (See the Diocesan website page for up-to-date information). For CRB disclosures there must be an expectation that the role will include regular contact with vulnerable adults, complying with the definition below. Ask applicants to fill in the Parish application form which includes information about the policies required by the CRB/ISA<sup>7</sup>. These policies should be made available to the applicant on request

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<sup>6</sup> A sample job role is included in the Appendices

<sup>7</sup> A sample application form is included in the Appendices



Seek two references including at least one that can comment on a person's suitability to work with vulnerable adults. If possible, ensure that one reference is from outside the present congregation. Obtain a further reference from the incumbent of any previous church. A pro-forma letter is provided

Ask each applicant to complete a confidential declaration form. This gives them the opportunity to declare any convictions or allegations at an early stage. It should be made clear to the applicant to whom the form should be returned and who will see any confidential information it contains. Information contained on a declaration should be discussed with the Diocesan Safeguarding Adviser. The manager of the recruitment procedure should be informed when a satisfactory confidential declaration has been obtained.

Interview the candidates. For volunteers the interview can be informal and conducted in a relaxed and inclusive manner. Nevertheless it should be focussed and cover the following areas:

- a) Relevant knowledge and experience
- b) Attitude and aptitude
- c) Sensitivity and behaviour towards others
- d) Awareness and understanding of safeguards in working with vulnerable adults

Fulfil the CRB clearance and Independent Safeguarding Authority (ISA) vetting when in place.

The Standard level CRB Disclosure is no longer available for those working with children and/or vulnerable adults. All those eligible for a Disclosure within the Church will be checked at Enhanced level only.

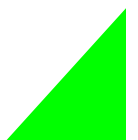
It is important that once all the checks have been completed and the person has been appointed that follow up action is taken:

- New volunteers are made aware and asked to adhere to the Diocesan safeguarding adults policy
- Training needs are established and actioned
- The roles and responsibilities of the new volunteer are signed up to.
- A period of supervision/observation or mentoring is used to support the new volunteer.

## **G24. The definition of a Vulnerable Adult**

A vulnerable adult is a person who is aged 18 years or older and:

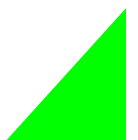
- is living in residential accommodation, such as a care home or a residential special school;



- is living in sheltered housing;
- is receiving domiciliary care in his or her own home;
- is receiving any form of health care;
- is detained in a prison, remand centre, young offender institution, secure training centre or attendance centre or under the powers of the Immigration and Asylum Act 1999;
- is in contact with probation services;
- is receiving a welfare service of a description to be prescribed in regulations;
- is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care (age-related needs includes needs associated with frailty, illness, disability or mental capacity);
- is receiving direct payments from a local authority/HSS body in lieu of social care services;
- requires assistance in the conduct of his or her own affairs.

The definition is context based – i.e. a person is classified as vulnerable when they are receiving the specified services, but not necessarily in other contexts. So someone who is (for example) receiving health care will be classified as a vulnerable adult when they are visiting their GP or hospital, but not when they are shopping or worshipping at church.

**N.B.** These definitions are narrower than the definitions of vulnerable adults than in the House of Bishops' policy for safeguarding adults *Promoting a Safe Church*. The House of Bishops policy still stands in relation to the wider definition of vulnerability which it sets out.





## **G25. Your church and the Vetting and Barring Scheme (VBS)**

### **Elements in place October 2010**

#### **ISA and recruitment**

From November 2010 employers must check whether an individual is barred under the ISA registration scheme. This will determine whether they can be appointed and may affect the type of activities they can undertake. This information is made available on the CRB disclosure.

If an individual is on the barred list they may still be able to take part in some activities and a risk assessment will need to be undertaken to ascertain what activities they can undertake. Careful consideration needs to be given as to who conducts the risk assessment and where the accountability lies.

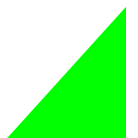
If there is a concern or allegation about an employee or volunteer contact the Diocesan Safeguarding Adviser as to how to proceed, as this may involve reporting the person to the ISA. It is also likely to require consulting the LADO (Local Authority Designated Officer) before taking action. (For further details about managing concerns or allegations, please refer to Protecting All God's Children, (4th edition, October 2010)).

**It is important that those with the responsibility for the appointment of volunteers and where, relevant employees in the Church understand the new requirements.**

#### **Who needs to apply for a CRB Disclosure?**

Those who regularly care for, train, supervise, transport, advise or are in sole charge of vulnerable people as described by the above definition are the only ones who should obtain a CRB Enhanced Disclosure. Many people who work with adults will not be able to be checked.

Careful attention needs to be paid to this guidance, since it is an offence to demand a CRB check or insist on Registration.



Holders of the following church-related roles are therefore among those who will almost certainly need to be CRB-checked :

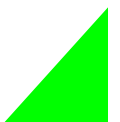
- All clergy (stipendiary and non-stipendiary, including all chaplains and retired clergy with a licence), Readers and Licensed Evangelists.
- Pastoral Assistants, where the role specifies relevant work;
- Commissioned and Non-Commissioned Lay Workers, including lay ministers:
- Parish Safeguarding Vulnerable Adults Co-ordinators
- Leaders, Assistants and Drivers for PCC-approved luncheon clubs or other community activities that are wholly or mainly for vulnerable adults. [An assessment of whether this activity is *solely or mainly* for vulnerable adults as defined above will need to be made.]
- PCC-approved Home Visitors for schemes that are wholly or mainly for vulnerable adults. Private arrangements (where people visit one another as friends rather than as part of a formal visiting scheme) are excluded.

The activity does not need to be with the same vulnerable adult for frequent, intensive and overnight to apply. For example, someone who visits vulnerable adults in a respite centre once a week may not have contact with the same vulnerable adults but they are still engaging in the activity frequently and must register with the ISA.

The statements above are not exhaustive, and there will be posts where a parish or diocese needs to consider carefully the role descriptions against the VBS eligibility criteria. If you are unsure about whether groups you work with fit the definition of 'vulnerable adults', or if you are in doubt about where a role fits, contact your Diocesan Safeguarding Adviser.

## G26. Training requirements

- All clergy joining the Diocese must attend a diocesan safeguarding seminar
- They should attend a refresher training every three years
- All readers must attend a training seminar after each appointment
- All Parish Safeguarding Adults Coordinators must attend a Diocesan Safeguarding Adults seminar on appointment and a refresher training every three years
- All paid workers with vulnerable adults must attend a Diocesan child protection training seminar on appointment and a refresher training every three years



- All other people working with vulnerable adults must attend training every five years. This can be arranged through the parish or by the Diocesan Safeguarding Adviser
- Refresher training can be a repeat of the initial seminar or other specialist training or relevant conferences. A record should be kept of all training undertaken.

