

Safeguarding Handbook 5

‘Managing Those Who Pose a Risk’

What you need to know and do to
include sex offenders who want to
worship in your Church.

October 2014



The Church of Scotland
Safeguarding Service

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I. Forward

Writing the Foreword to Safeguarding Handbook 1 – What you need to know and do to protect children and adults at risk from harm or abuse, June 2011, Ranald Mair¹ wrote: 'Safeguarding is one of the key challenges facing the Church. Harm or abuse in any context at any time is abhorrent. Harm or abuse within the Church is an affront to our faith and our doctrine. It is everyone's responsibility therefore to guard against the risk of harm or abuse happening and to respond appropriately to any situation which may arise.' These words have not diminished in importance.

Consistently, the General Assembly of The Church of Scotland has affirmed the paramountcy principle which is that the rights of children, young people and adults at risk to be kept safe from abuse come before the rights of all others. Consequently, along with civil legislation, the Church's legislation has been used to determine and inform robust safeguarding policies and procedures. This foreword is part of that on-going commitment.

When I introduced the Report 'For of such is the Kingdom of Heaven' to General Assembly in 2009, http://www.churchofscotland.org.uk/__data/assets/pdf_file/0016/5083/forgiveness_proportionality_2009.pdf

I reflected that the Church must take seriously the responsibilities placed on everyone to make sure that our congregations are as safe as humanly possible.

Khaled Hosseini in his novel 'The Kite Runner' tells how a father explains his view of the moral code to his son in the following terms:

'Theft is the common denominator of all sins. When you kill a man, you steal a life. You steal his wife's right to a husband, rob his children of a father. When you tell a lie, you steal someone's right to truth. When you cheat, you steal the right to fairness. There is no more wretched act than stealing.' In the context of Safeguarding those who perpetrate sexual crimes certainly steal innocence and dignity and self-esteem and often much more in terms of the future for survivors.

This Safeguarding Handbook, as a whole, is a huge resource for everyone, including our police and social work colleagues, in the management of sex offenders in the community. It is also a resource for all congregations involved in the management of anyone who may pose a risk of sexual harm. Commending 'Managing those who pose a risk' to you, I recall these words: 'The 21st Century Church is unique as a place where access is open to all men and women, their families, survivors of abuse, sexual abusers and their families. No other group or club, society or organisation, is so inclusive. This is the power of the Gospel and its nature of inclusiveness. However, in that process of inclusion, the Church must recognise the importance of providing structures, processes and systems where all may 'dwell in safety.'

Very Rev John C Christie
(Convener Safeguarding Committee 2005-2010)

2. Executive Summary

This document will be subject to update from time to time and in essence provides a quick reference point for The Church of Scotland policy and process where a sex offender wishes to attend worship.

The Church of Scotland is no different to all other responsible organisations in having formal processes and procedures to keep those who attend church safe.

Each congregation has a Safeguarding Panel commonly, but not always, made up of the Safeguarding Coordinator; the Minister and the Session Clerk. This Safeguarding Panel is charged with the responsibility of managing confidential and sensitive safeguarding issues on behalf of the Kirk Session as and when they arise.

In 2009 Covenants of Responsibilities were introduced for those who had sexually offended against children and who wished to attend worship. The Safeguarding Service appointed a Sex Offender Liaison Officer (S.O.L.O) who is charged with providing a bespoke and personal service to congregations where an individual wishes to attend or is attending worship. Part of this role involves joint working and appropriate information sharing with the authorities to allow safe, confidential and workable arrangements to be agreed which will facilitate safe worship. This is managed through a Covenant of Responsibilities.

In addition, in 2013 the General Assembly of The Church of Scotland endorsed the recommendations of a Safeguarding Committee Working Group where, under certain circumstances, those who had sexually offended against adults would also be required to adhere to a Covenant of Responsibilities. Additionally a more proportionate and less “hands-on” approach from the Safeguarding Service was approved which applies to historical and/or stable cases based on a risk assessed approach.

http://www.churchofscotland.org.uk/__data/assets/pdf_file/0017/22751/appendix_1_for_safeguarding_committee_report-to_ga_2013-.pdf

Public Protection and the Management of Sex Offenders in the community continue to be a developing area for the Safeguarding Committee. Building on the work that has already taken place, the Committee has established a “Managing Those Who Pose a Risk Reference Group” with Police and Criminal Justice Social Work representation, thus ensuring that Church management of such situations mirrors as far as possible what happens in the community.

The key message is that through early and effective communication, safe and professional arrangements can be implemented to facilitate safe worship. In each case this will be done sensitively, proportionately and confidentially to ensure that everyone who attends church can do so safely.

3. Introduction

This Handbook provides key information to enable you to implement this policy confidently and the purpose of the Guidance is to save you searching elsewhere for practical information. This continues to be a developing area of work for The Church of Scotland and it is envisaged that this document will continue to develop. Remember to check our website to make sure you are using the most current version.

Procedures support rather than replace professional judgement. Procedures do not eliminate 'grey areas' and dilemmas will still exist. Hence the importance of **communication, information sharing and joint decision making** within The Church of Scotland and with social work representatives and the police.

There are two priorities for any Church managing a sex offender: Firstly, to hold paramount the needs and wishes of survivors of abuse and secondly, to ensure a safe Church for all where children and others who may be vulnerable are kept safe from harm. It is imperative that we acknowledge this commitment to safeguarding otherwise it becomes very difficult to manage those who have committed sexual offences in the past.

The Uniqueness of the Church

'Where all are named, their songs and visions heard'

*'The 21st Century Church is unique as a place where access is open to all men and women, their families, survivors of abuse, sexual abusers and their families. No other group or club, society or organisation, is so inclusive. This is the power of the Gospel and its nature of inclusiveness. However, in that process of inclusion, the Church must recognise the importance of providing structures, processes and systems where all may 'dwell in safety'.
(For of Such is the Kingdom of Heaven Report, 2009)*

We know that a significant number of sex offenders attend churches but it has only been since the development of the national "Public Protection Agenda" that the Church has considered developing policies and procedures to protect the wellbeing of everyone in the Church.

This has been a phased approach as our thinking and processes developed from initially only offering advice and guidance to a stage where the Safeguarding Service now co-ordinate and support a consistent and professional service to all congregations.

It is critical that the Church's policies and procedures mirror those for managing such matters in the community. We will continue to develop and refine what we do by not only taking account of our own learning but that of the Police and others charged with managing offenders in the wider community.

We have already taken positive steps forward in creating the post of a Church of Scotland Sex Offender Liaison Officer (S.O.L.O) and establishing effective and professional relationships with others engaged in managing sex offenders in the community such as police officers and social workers.

4. Who are 'those who pose a risk'?

The focus of 'For of Such is the Kingdom of Heaven', (2009) the joint report of the Mission and Discipleship Council and the Safeguarding Committee was to discover a theology of forgiveness and proportionality relating to those who have committed sexual offences against children who are seeking to worship in congregations.

Following further consideration and consultation by the Safeguarding Committee the General Assembly of 2013 decided that the Policy should be extended to include:

Registered Sex Offenders who have committed sexual offences against adults but where criminal justice professionals believe that formal arrangements are required in relation to that person's relationship with the Church.

Or

Any other case where there is credible and reliable information received from the criminal justice professionals that an individual represents a risk of sexual harm and that formal arrangements are required in relation to that person's relationship with the Church.

Through-out this Handbook we use the terms 'sex offender', 'offender' and 'subject'. On occasions 'sex offender' is shortened to 'offender' for ease of reading and a 'subject' is a sex offender who is, or is about to be subject to a Covenant of Responsibilities.

5. Who is this handbook for?

This handbook has been designed for Church of Scotland Congregational Safeguarding Panels, other Church personnel and office bearers, other faith groups, Police Scotland, Criminal Justice Social Workers and all others who may be involved with, or have an interest in, the management of sex offenders.

6. The Church of Scotland Safeguarding Handbooks

This handbook is one of 5 Safeguarding Handbooks covering the wide range of work undertaken by the Safeguarding Service. For ease of reference the other handbooks are:

Safeguarding Handbook 1 - *What you need to know and do to protect children and adults at risk from harm and abuse (June 2011)*

Safeguarding Handbook 2 - *The Safe Recruitment, Selection and Management of Volunteers and Paid Staff (January 2013)*

Safeguarding Handbook 3 - *Safeguarding Training: What is available, who is it for, and how to access it. (September 2012)*

Safeguarding Handbook 4 - *Safeguarding in Practice (January 2013)*

http://www.churchofscotland.org.uk/about_us/safeguarding_service/key-publications

7. The Policy

‘Including those who pose a risk’

It can be extremely difficult when someone with an offending history or believed to be at risk of causing sexual harm wishes to worship in church. There can be confusion, concern and also mixed emotions and these all have to be managed in a sensitive, professional and confidential manner.

It is even more difficult to suggest that someone's attendance at church should be limited but there is a duty on us all to ensure everyone is kept safe and this includes the offender or subject as we may refer to them.

Some offenders may acknowledge their offences readily but have no depth of commitment to change. It is known that for some offenders their behaviour is addictive and they will go to great lengths, sometimes over long periods, to engender trust and build relationships to provide opportunities to offend.

We know that a disproportionate number of offenders seek opportunities to worship. Whilst protection of the vulnerable in our congregations must remain our priority it has to be recognised that the offender is very possibly a much damaged individual also in need of God's care.

Our approach is built on the expertise and experiences of safeguarding professionals and theologians. In essence it is built around partnership working and a common sense approach which are both sensitive and proportionate.

It is important to remember that the majority of those who sexually offend are not detected and it is important that good safeguarding practices are in place in all churches to protect all who attend.

It is widely acknowledged by safeguarding agencies that those who have committed acts of violence or sexual offences against children, or in some cases adults, should not be allowed to work with children or some groups of adults in either a paid or voluntary capacity. In many cases it would be illegal to allow them to do so. Additionally, particular care has to be taken about what such individuals are allowed to do within a church.

The Church of Scotland, through the Sex Offender Liaison Officer (S.O.L.O.) within the Safeguarding Service, provides a dedicated and professional response to assist congregations when faced with the difficult and sometimes complex issues that can arise if a sex offender wishes to worship in their church.

Principles on which this Policy is based

Principles are similar to values: the things that we hold dear or believe to be right and govern our actions:

- **Priority:** safeguarding children and adults in our churches is our first priority.
- **Zero tolerance:** no type or level of abuse will ever be acceptable or justifiable.
- **‘Duty to protect’ people:** employees, office bearers and volunteers have a ‘duty to protect’ as well as a ‘duty to care’ for everyone in our church.
- **Communication:** enabling all those involved in the life of the church to tell a responsible person when they have concerns that someone may pose a risk.
- **Confidential information sharing:** the duty to protect takes precedence over an individual's right to confidentiality whenever a risk is identified.
- **Decision making:** the responsibility for making decisions is a joint one and not the responsibility of any single person.

What we can do

Given all of the above, it is imperative that the Church does not allow sex offenders free access to the vulnerable. Not only is such a policy necessary for safeguarding the public but it may also help to protect an offender from the temptation to abuse again. Offenders can be at risk of malicious allegations and the risk to them may increase if their circumstances become known.

Where a person is known to have sexually harmed a child or any other person, the best guidance is that he/she can be welcomed into the Church but within the framework of a 'Covenant of Responsibilities' which has been discussed and agreed by a small group of people known as the "Safeguarding Panel", consisting of at least three people agreed by the Kirk Session. Typically this will include the Minister, Co-ordinator, and possibly the Session Clerk although the Minister may decide not to become a member of the Panel because of his or her pastoral responsibilities. Sometimes an additional person(s) can be co-opted to the Safeguarding Panel to help in managing the Covenant arrangements. The offender will also be involved in the process and sign the Covenant.

This Panel will receive professional support and advice from the Safeguarding Service. We should remember that when such an individual is being integrated into a local community after a prison term he/she will usually be supervised and supported by a social worker. Even when an individual has been convicted of a serious offence, but does not serve a prison sentence, it is likely that they will be supervised by a social worker. In either case the offender will be supervised in the community by the Police and we would always involve both the Social Work Department and the Police where lawful sharing of information can be facilitated.

On occasions the offender will be subject to license or other conditions imposed as part of his/her sentence as a result of the court process. There could be restrictions placed on his/her movements and activities such as where they live, places they can visit and local groups they can attend. This may impact on their attendance at church.

Occasionally it may not be appropriate for an offender to attend public worship within the Church. The Safeguarding Service has developed appropriate practices for providing worship or 'Christian Fellowship' in such circumstances.

In most cases, the Police or Social Work Department will contact The Church of Scotland's Safeguarding Service or a local church directly, to inform them of their concerns about an individual. Sometimes knowledge about the offender will come to light in other ways for example by self-disclosure, by a third party or through the media. Whichever way the disclosure is made it is imperative that the Safeguarding Service is informed to allow the Sex Offender Liaison Officer (S.O.L.O.) to make the necessary enquiries and progress the matter in a thorough and professional way.

In all cases the views of criminal justice professionals will be sought by the Safeguarding Service who will be involved in any discussion relating to the safe integration of the person into the Church. The criminal justice professionals will decide 'who needs to know' about the individual's offence. It is important that the Church's response to sex offenders is proportionate. Clearly, certain key individuals will need to be aware of the person's offence in order to ensure that children or others deemed to be at risk in the Church remain safe. However, conviction information is highly confidential and advice should be sought as to what can be divulged and to whom.

The professional staff at The Church of Scotland's Safeguarding Service will advise and support you, should you find yourself dealing with a situation such as this.

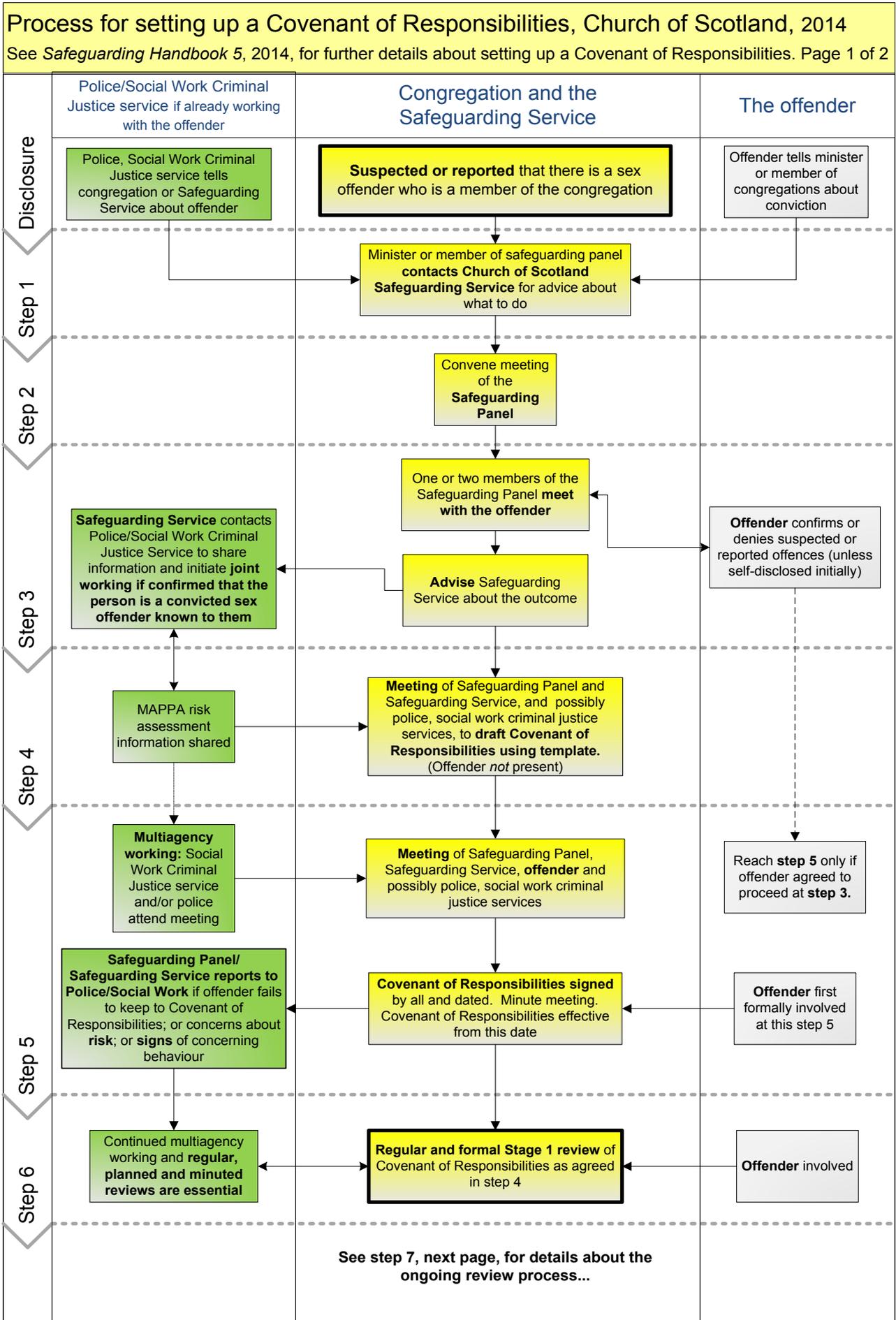
There may be cases which are of a historical nature where the Police and Social Work Department are no longer working with the offender. That does not necessarily mean that there is no risk and therefore this process should still apply.

What does God do when forgiving? There is one thing that God does not do. God does not disregard the offence. God does not pretend it does not happen.
(For of Such is the Kingdom of Heaven Report 2009)

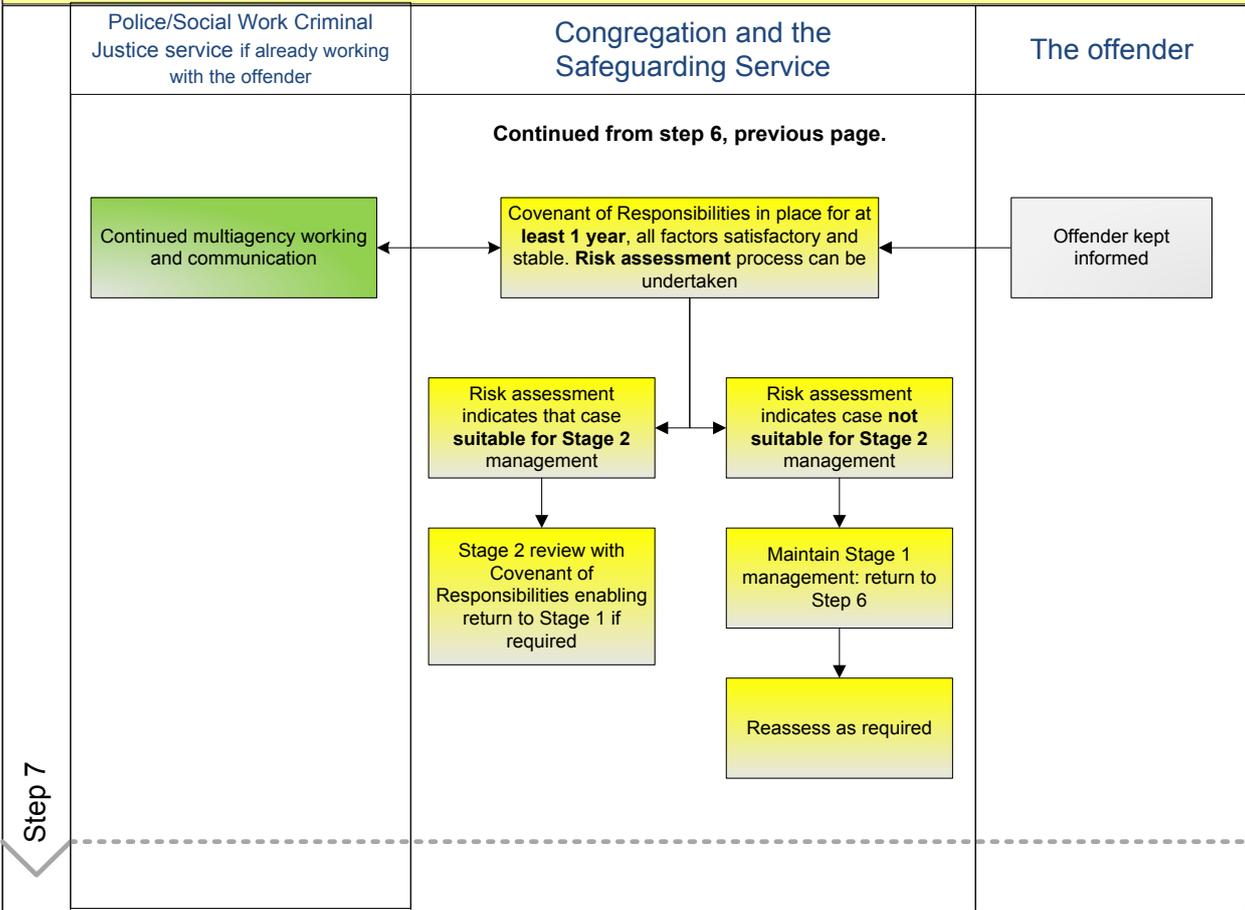
What every Church must do

- It is important that every Church establishes a Safeguarding Panel as per the Safeguarding Committee's deliverance to the General Assembly 2009. This Panel, with the knowledge and permission of the Kirk Session, manages confidential and sensitive safeguarding matters that cannot, for legal reasons, be discussed in a bigger group: See Safeguarding Handbook 1, Page 37.
- Every Church must be aware that The Church of Scotland has a policy for the safe inclusion of sex offenders into congregations. When approached, that congregation can then respond in a confident and supportive manner. Wider knowledge of the policy and procedures in this area will also offer churches consistency in their approach and will encourage confidence from the statutory agencies.
- It is essential that the Safeguarding Service is always notified at an early stage of when there is a confirmed or suspected sex offender in a congregation even when that individual chooses not to co-operate with a Covenant and leaves the congregation.

8: The Procedure



Process for setting up a Covenant of Responsibilities, Church of Scotland, 2014
 Page 2 of 2: the ongoing process of risk assessment and review



Disclosure: How may a sex offender, or alleged sex offenders, come to the attention of your Church? (See flow chart opposite)

The information that a sex offender wants to worship or is worshipping in your church may be brought to your attention by the authorities, by the Safeguarding Service, by a member of the Church or by the individual themselves. Occasionally, information will be from a second or third party source where there is a rumour or a suspicion. For example, a member tells another member who tells the Minister that 'X' is thought to be a sex offender. **Always** take information seriously.

Following confirmation that this policy and procedure is required, guidance will be provided on the appropriateness of following each of the following steps:

Step 1

- Early communication between the Safeguarding Service and the Congregational Safeguarding Panel or vice versa.
- The Safeguarding Service will advise about the appropriate use of the policy and procedure by the congregation. The Safeguarding Service will also talk you through what to do, how and when, as set out in the policy and procedures.
- The Safeguarding Service will make contact with the relevant authorities.

Step 2

- Convene a meeting of the Safeguarding Panel as soon as possible.
- The Safeguarding Panel meets to:
 1. Review/discuss the information.
 2. If the information has been confirmed as true or factual the Panel must decide who (1 or 2 people) says what to the alleged offender; when and where. (You will be guided on this by the Safeguarding Service)
 - Record in writing, outcome of meeting as confidential minute for the Safeguarding Panel.
 - Update Safeguarding Service to allow consideration of next steps.

Step 3

- One or two Safeguarding Panel members may be requested to meet with the offender to establish if they can confirm if the disclosed information is accurate without telling them who has made the allegation or disclosure.
- Advise the offender that you will be/have been sharing information with The Church of Scotland's Safeguarding Service in a confidential manner, and they will/have contacted the Police and/or Social Work Department to allow for lawful exchange of information. This allows the best possible results for keeping people safe which may include the offender. We have a responsibility to do this even when the subject claims that they are innocent or the information is malicious.
- If the offender confirms that they have a conviction(s), have initial discussion about the Church's policies and procedures and the use of a Covenant of Responsibilities.
- In the event that the alleged offender denies they have previously offended, contact should still be made with the Safeguarding Service. The Safeguarding Service will communicate with the Police and/or the Social Work Department to confirm that the individual does not pose a risk.

Section 17.3.7 *It is the view of the Group that **all** Covenants must be drawn up under the guidance and direction of the Safeguarding Service to ensure that the congregation is given the benefit of professional support and input in the process. Congregations may, but not all will, have those who are familiar with the wide variety of issues involved. It is essential that the congregation informs the Safeguarding Service of the presence of the sex offender, and the fact the congregation is embarking on a process of covenantal relationship. This enables the design and structure of the covenant to take into account the types of issues and range of possibilities that are appropriate.”*
(“For of such is the Kingdom of Heaven”)

Step 4

Meeting between the Safeguarding Service and representatives of the Congregation's Safeguarding Panel to exchange information, assess risk and draw up a **Covenant of Responsibilities** – see **Appendix I** of this Handbook for a document template.

- The Police and Social Work Department will be consulted during this process and may attend meetings. Each individual Covenant will be carefully drafted to take account of specific risk and/or unique factors relative to the church and the offender to produce an appropriate response.
- The offender is not present (see step 5 for their involvement).
- The Covenant of Responsibilities template will be used at this meeting.
- A Confidentiality Agreement will be signed by all parties present at the beginning of every meeting.
- The meeting will be minuted.

***MAPP (Multi Agency Public Protection Arrangements)** is the framework which joins up the agencies who manage offenders. The fundamental purpose of MAPP is public safety and the reduction of serious harm. Typically this will involve the Police, Criminal Justice Social Work, health and housing providers.

Step 5

Convene a meeting of the Safeguarding Panel, the subject and a Safeguarding Service representative. Where relevant, the Police and/or Social Worker should also be invited and may wish to attend.

- This meeting will be chaired by someone from the Safeguarding Service who will introduce the Covenant to the offender. If all is agreed the Covenant should be signed with a date set for a review.
- The offender's views will be considered too. It may be that the offender would wish to have a friend or relative who is aware of their circumstances accompanying them and this can be positive for all parties.
- The Covenant is **not negotiable**.
- Remember the number 1 priority of the Covenant is to protect children and other people attending or associated with the Church. A Covenant review can be called at any time should it be required.

Step 6

Reviewing the Covenant. Circumstances can change and it is important that arrangements are regularly reviewed.

- Who attends? – Safeguarding Panel, the offender; a representative from the Safeguarding Service and Police and/or the Social Worker working with the subject.
- How often? – A review date will be agreed at the signing of the Covenant but can be called at any time should the need arise.
- Where? – At a formal venue, probably on Church premises, which may include a Manse but not in the homes of Safeguarding Panel members.
- Following the review a further review date will be agreed.
- A Confidentiality Agreement will be signed by all parties present at the beginning of each meeting.
- The meeting will be minuted.
- It is good practice to have the first part of the meeting closed before the subject joins the group.

Step 7

Stage 2 Review

Where a Covenant has been in place for at least 1 year and there have been no concerning issues associated with the subject, then, with the agreement of all parties, and after a structured risk assessment process an annual Stage 2 Review can take place.

- Who? - The process will be undertaken between a member of the Safeguarding Service and a designated member of the Panel.
- How? This will usually be by way of a telephone call and followed with a letter confirming the position and circumstances.
- In the event of changing circumstances a return to the conventional "Stage 1 review" meeting can be implemented at any time.

General notes about the Procedure

1. Managing disagreements and disputes at any stage in the procedure.

- Contact the Safeguarding Service who will provide support for your Safeguarding Panel where disputes or non-compliance are issues.

2. What if the offender does not want to comply with the Covenant?

- The Covenant is non-negotiable. If an individual chooses not to comply they are choosing not to worship.

3. This guidance will be regularly reviewed and updated.

4. Where a Safeguarding Panel has concerns about a person exhibiting any other form of behaviour which represents a risk within their church it is imperative that early communication is made with the Safeguarding Service.

5. A Confidentiality Agreement is signed at the beginning of each meeting. It may feel that this is repetitive but this mirrors the good practice of other criminal justice professionals and it ensures that new attendees are not forgotten. It does no harm to remind everyone at the meeting, on every occasion, of how important confidentiality is to the whole process.

In conclusion, a Covenant of Responsibilities is about formally recognising and managing risk in a way which protects all those in the congregation, including the offender, in a proportionate and pragmatic manner.

9. Further Guidance and Good Practice

Are Panels only concerned with Sex Offenders?

No. Safeguarding Panels can:

- Support the Coordinator with 'safe recruitment' matters.
- Consider how to manage a situation where an applicant is not suitable to work with children or adults or an allegation of harm is made in your Church.
- Ensure your Church is complying with all current Safeguarding Policies.
- Consider how to promote good Safeguarding practice and awareness-raising training.
- Ensure that procedures are followed and records maintained to the satisfaction of the Presbytery.

How often should a Safeguarding Panel meet?

This is entirely up to the Safeguarding Panel to decide. It would be a good idea to meet on a regular basis, perhaps monthly or bi-monthly but also be prepared to meet at short notice if required. The advantage to meeting on a regular basis is to establish a pattern so as not to raise suspicion within the Church when there is a meeting.

Consideration should be taken when such meetings are held when an offender is present in order that security is not potentially compromised. Also that there are no other activities involving children or vulnerable adults ongoing at the location or close by which may cause, at the very least, potential embarrassment.

Should the Panel keep records?

It is very important that Panels keep a clear record of all the decisions that they make and also a record of the reasons for their decisions. If a situation should arise in the future where the advice given or the decision taken by a Safeguarding Panel is questioned, it will be in the Panel's interest (and ultimately the Church's interest) to be able to evidence that the matter was given measured consideration and the discussion was informed.

Information Security

The Safeguarding Service will be the first point of contact for receiving sensitive conviction information about an offender from the authorities. This information will not always be shared in its entirety with Safeguarding Panels but sufficient information will be available for discussion to assess and manage risk.

As previously mentioned, all those attending a meeting in regard to a Covenant of Responsibilities will be required to sign a confidentiality declaration agreeing to retain any information discussed within the forum accordingly.

All information sent either by mail or through electronic transfer by the Safeguarding Service will be anonymised or password protected. Panel members should ensure that any correspondence sent by them is also suitably anonymised and protected.

Records should always be stored in a secure and confidential place. If records are stored electronically then care should be taken to ensure the network is secure and the records are password protected. It is strongly recommended that all hard copy documents from which the offender might be named or identified are stored by way of two lockfast barriers e.g. a locked receptacle in a lockfast room.

When the records are no longer required they should be destroyed.

10. Useful Contacts

External

- Child Exploitation and Online Protection Centre (CEOP) - works across the UK tackling child sexual abuse and providing guidance for parents, young people and professionals on areas including “on-line” abuse.
www.ceop.police.uk
- The Church’s Child Protection Advisory Service (CCPAS) - offers resources for child protection advice and help for those suffering abuse and for those who have responsibility for children.
www.ccpas.co.uk
- Stop It Now – operates a freephone confidential helpline for people with concerns about child sexual abuse offering advice, support and information.
www.stopitnow.org.uk

Internal

The Safeguarding Service
The Church of Scotland
121 George Street
Edinburgh
EH2 4YN
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www.churchofscotland.org.uk

Jennifer Milligan
Assistant Head of Safeguarding
jmilligan@cofscotland.org.uk

Euan Morrison
Safeguarding Officer/Sex Offender Liaison Officer
emorrison@cofscotland.org.uk

II. Glossary

Child: In the context of this report a child is a young person under the age of 16 or in some cases under the age of 17 where licence conditions apply.

Adult: In the context of this report an adult is any other person other than a child.

An Offender: In the context of this report any person who:

Has been convicted of any offences of sexual abuse against a child, **or**

Any other person who the Authorities advise us of, who they believe represents a significant risk in terms of their association with the Church who requires to be managed by a formal process, **or**

A Registered Sex Offender who has been convicted of any sexual offence against an adult

and

In the view of the Authorities, there is a public protection risk to the Church that requires to be formally managed, **or**

Any other person who the Criminal Justice Authorities advise us of, who they believe represents a significant risk in terms of their association with the Church who requires to be managed by a formal process.

Stage 2 Review

Rather than a full face-to-face review meeting involving the Safeguarding Panel and the offender, subject to the conditions hereunder (*) and the successful completion of a risk assessment by the Safeguarding Service a 'Stage 2 Review' can be implemented. This is an annual review of the Covenant of Responsibilities which is normally undertaken by telephone, with a member of the Panel. This will be followed up by a letter from the Safeguarding Service confirming the review.

Should the need arise, a return to a conventional review can be implemented at any time.

(*) Where a conventional covenant has:

- been in place for at least 1 calendar year; and
- there has been formal and satisfactory review of it; and
- the conditions are likely to remain unaltered for the foreseeable time; and
- where the Police/Social Work are still involved in the management of the offender.

Appendix I Covenant of Responsibilities template.

This template is available from the Safeguarding Service.

Covenant of Responsibilities

Between

The Safeguarding Panel of [insert the name of Congregation] The Church of Scotland Congregation, and
[Insert name of Subject]

1. Introduction

[Name] wishes to worship with the Congregation and the Congregation welcomes/ provides [amend accordingly] the opportunity for [Name] to attend worship, provided that the conditions contained in this Covenant of Responsibilities are met, in order to ensure the safety of children, adults at risk of harm [amend accordingly], as well as [Name] and others associated with the Congregation[amend accordingly].

If the conditions contained in this Covenant of Responsibilities are not met [Name] will be unable to attend Worship and any concerns about [Name] will be shared with the relevant authorities in terms of section 4 below if deemed necessary.

2. Key Terms

In this Covenant:

“Children” means a young person under the age of 16 / 17 [amend as appropriate].

“Church” means [insert name and address of the church building or buildings].

“Congregation” means [insert name of congregation].

“Safeguarding Panel” means those members appointed to The Safeguarding Panel by the Kirk Session of [Name of Congregation] or those persons who may be co-opted onto the Safeguarding Panel to assist in the management of this Covenant of Responsibilities as and when required.

“The Safeguarding Service” is the department of the Church responsible for ensuring a “*safe place for all*”, located at The Church of Scotland Offices, 121 George Street, Edinburgh EH2 4YN.

“Adult at Risk of Harm” means adults who:

- (a) Are unable to safeguard their own well-being, property, rights or other interest; *and*
- (a) Are at risk of harm; *and*
- (a) Because they are so affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

“Worship” means attending services and bible study of the Congregation, discussion or faith development groups or any other similar activities which take place in the Church or any other buildings or places associated with the Church, which, for the avoidance of doubt, could be a person’s home. [amend accordingly as required]

“Other Church Activity” means any other activities organised under the auspices of the Church and may include, for example, concerts, fund-raising events and other social occasions.

3. Attendance at Worship

[Name] agrees to sit [describe area or other aspects of attending worship] as agreed and designated by the Safeguarding Panel who will monitor [Name].

[Name] agrees to [add additional conditions e.g. covering entering or leaving worship, using toilet facilities, attending tea/coffee, singing in choir etc. as may be required].

[Name] agrees not to be in a situation where he/she is alone with children or adults at risk of harm or other persons [Delete as required]; or to enter rooms, shared areas inside or outside the Church, where he/she could be alone with children or adults at risk of harm or other persons [Delete as required].

[Name] realises that he/she will not be allowed to take up any post, position of trust, responsibility or leadership within the congregation. This includes any duty or responsibility on behalf of the Congregation which gives lone access to the Church and contact with children or adults at risk of harm or other persons [Delete as required]. It also covers duties or activities away from the Church for any organisation or individuals where [Name] may be viewed as representing the Congregation or the wider Church.

For the duration of this Covenant of Responsibilities, [Name] agrees to decline invitations to visit the homes of members and adherents of the Congregation for social visits, house groups or other congregational activities where there are children or adults at risk of harm in that home, unless the Panel are satisfied that sufficient and appropriate safeguards are in place [delete or amend as required].

[Name] agrees to notify the Safeguarding Panel if he/she intends to move away or be absent for a period of more than two weeks and undertakes to notify the Safeguarding Panel in the event of his/her intention to attend another congregation.

4 Supervision

Members of the Safeguarding Panel will provide the supervision and support of [Name] to enable him/her to be included in Worship.

[Name] should seek the guidance of a member of the Safeguarding Panel in the event of there being any issues related to this Covenant of Responsibilities where advice or support is required.

5. Sharing of Information

The Safeguarding Panel fully understand the sensitive and confidential nature of the information contained within this Covenant of Responsibilities and will not disclose the information to a third party (i.e. someone out with the Safeguarding Panel), without the consent of [Name]. The Safeguarding Panel agrees that any disclosure of information will be kept to a minimum appropriate in the circumstances.

However, [Name] accepts that should any concern about their conduct arise, the Safeguarding Panel, at its sole discretion, will report that conduct to the Safeguarding Service, the Police and any other relevant body, including the Criminal Justice Service.

6. Duration and Review

This Covenant will remain in force for as long as the Safeguarding Service, at its sole discretion, considers that this is necessary, having regard to the circumstances.

The Safeguarding Panel and [Name] will attend regular meetings to formally review this Covenant of Responsibilities at which will be present, where appropriate, representatives from the Safeguarding Service, and those working with [Name] from Police, Criminal Justice and other agencies except where it has been agreed that such a review process has progressed to a more remote review.

The next review meeting will be held:

Date.....

Time.....

Place.....

If there are concerns about [Name's] compliance or other factors relevant to the management of this Covenant of Responsibilities, a review meeting can be called at any time.

7. Support and Pastoral Care

For the duration of this Covenant of Responsibilities, pastoral care will be provided by [Name]

IN WITNESS WHEREOF: These present consisting of this and the following [number] pages are signed as follows:

Subject [Name]

Signed.....

Date.....

In the presence of

[Name]

Designation.....

Signed.....

Date.....

[Name]

Designation..... [Safeguarding Representative].....

Signed.....

Date.....

Version:	Title:	Compiled and Edited:
Final Version, October 2014	Safeguarding Handbook 5: Managing Those Who Pose A Risk	Jennifer Milligan and Euan Morrison Tel: 0131 240 2256 Email: safeguarding@cofscotland.org.uk Web: www.churchofscotland.org.uk



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