

Parish of Swaythling

Written procedure for dealing with abuse and allegations

[This procedure is taken from the Parish Safeguarding Handbook, V2 October 2018, and should be read alongside the Parish Safeguarding Policy.]

If you have a concern that a child or adult is or may be being abused, or that a church officer is or may be abusing a child or adult:

1. Respond well to the victim/survivor, if it is a direct disclosure, to ensure they feel listened to and taken seriously. Explain what will happen next and check out support requirements. They should be informed that their identity and the identity of the respondent (the person about whom a safeguarding concern or allegation has been made) will be shared with key church officers (normally the Parish Safeguarding Officer, incumbent, archdeacon and DSA, and may also be a group/activity leader if the concern arose within an activity) and may be shared with the statutory agencies if there is any current risk to children or adults. The concern or allegation should not be shared with anyone other than those who need to know (e.g. the statutory agencies and appropriate church officers).
2. **EMERGENCY:** If you believe a child or adult is in immediate danger of significant or serious harm, contact the emergency services on 999.
3. **NON- EMERGENCY:** Contact the Parish Safeguarding Officer or incumbent, in the first instance. They **must** then contact the DSA. If neither are available, contact the DSA directly. If the concern arises in an activity, discuss with the group/activity leader, who will contact the Parish Safeguarding Officer or incumbent.
4. Any safeguarding concerns **must** be reported to the DSA **within 24 hours**.
5. If the PSO/incumbent or the DSA are not available within 24 hours, contact Children's Social Care or Adult Social Care and/or the police directly, if the concern is that a child or adult is being abused. Contact the Local Authority Designated Officer (LADO) and/or police if the concern is that a church officer may be abusing a child or adult. The LADO should be the first point of contact. They will then inform the police, as required.
6. Advise the Parish Safeguarding Officer or incumbent as soon as possible that you have made a referral, they will advise the DSA.

If in doubt don't delay, seek advice from statutory agencies.

7. Do not contact the respondent or anyone who may be implicated in the allegation or disclosure, even if they would normally be contacted as part of the procedure, until advice has been sought from the DSA or statutory agencies.
8. Record the details of the concern or allegation. Where it is not appropriate to take notes at the time (usually it will not be), make a written record as soon as possible afterwards or before the end of the day. Record the time, date, location, persons present and how the concern or allegation was received, e.g. by telephone, face to face conversation, letter, etc. The record should include details of information provided to that person as well as the information received. Always sign and date the record. Keep it factual. Pass on a copy to the DSA (and/or the PSO/incumbent). The records should be kept secure and confidential (please see the Safeguarding referral form.)

If the concern is about a child or adult:

9. The DSA will offer advice, support and guidance and help to make the required referrals. If there is a risk of harm, the concerns must be reported to the statutory agencies within 24 hours of the DSA receiving the concerns. This would be Children's or Adult Social Care

and/or the police.

10. There should be close communication between the DSA, PSO/incumbent until the situation is resolved. The archdeacon should also be informed.

If the concern is about a Church Officer:

11. The DSA will act in line with the House of Bishops' guidance. They will offer advice, support and guidance and refer the concerns to the Local Authority Designated Officer (LADO) and/or police within 24 hours. The DSA will take over the management of the safeguarding concern in conjunction with the core group (which will be convened within 48 hours) and statutory agencies. There may also be a requirement for parish representatives to attend a subsequent core group(s). If there are doubts about the whether or not to make a referral and under what route, the DSA will seek advice from the LADO.

Please note that the procedure is the same for non-recent abuse.

12. **A proper balance must be struck between protecting children and adults and respecting the rights of the person against whom an allegation is made.** In such circumstances the welfare of the child, young person or adult must come first. The rights of the person against whom the allegation is made are important and must be given due weight, once the immediate safety and protection of the child, young person or adult has been assured.

Guidelines for Responding to a Person Disclosing Abuse

Respond

Do

- Listen.
- Take what is said seriously.
- Only use open questions (open questions begin with words like: who, what, when, where and how. Open questions cannot be answered with a 'yes' or 'no').
- Remain calm.
- Take into account the person's age and level of understanding.
- Check, if face to face, whether they mind you taking notes while they talk so you can make sure you capture the information accurately. At the end you can check with them that you have understood everything correctly.
- Offer reassurance that disclosing is the right thing to do.
- Establish only as much information as is needed to be able to tell your activity leader/ Parish Safeguarding Officer/ DSA and statutory authorities what is believed to have happened, when and where.
- Check out what the person hopes to result from the disclosure.
- Tell the child or adult what you are going to do next.

Do Not

- Make promises that cannot be kept (e.g. that you won't share the information).
- Make assumptions or offer alternative explanations.
- Investigate.
- Contact the person about whom allegations have been made.
- Do a physical or medical examination.

Record

- Make some very brief notes at the time, if appropriate, and write them up in detail as soon as possible.
- Do not destroy your original notes in case they are required by the DSA or the statutory authorities.
- Record the date, time, place, words used and how they appeared to you. Record the actual words used, including any swear words or slang.

- Record facts and observable things, not your interpretations or assumptions.
- Don't speculate or jump to conclusions.

Report

- If there is immediate danger to a child or adult contact the police.
- Otherwise report to your activity leader/ Parish Safeguarding Officer/incumbent immediately.
- Within 24 hours the PSO/incumbent reports the concerns to the DSA.
- The DSA will advise regarding reporting to statutory agencies within 24 hours.
- If there is any doubt seek advice from social services or the police.

Non-Recent Abuse

Safeguarding concerns or allegations may be about something that is going on now and/or something that may happen in the future (recent) or something that happened in the past (non- recent). Non-recent allegations of abuse must be treated as seriously as recent allegations. Research evidences that it may take up to 25 years or longer for an adult to disclose sexual abuse that happened to him/her either as a child or younger adult. A victim/survivor needs to be aware that if a respondent is known to be currently working with children/vulnerable adults in either a paid or voluntary capacity a referral to the statutory services will be made. The DSA will make this referral.

Domestic Abuse

The House of Bishops' policy states that '*The Church is committed to those who have been victims and survivors of domestic abuse. Domestic abuse in all its forms is contrary to the will of God and an affront to human dignity. All need to play their part in preventing or halting it.*' The welfare of the adult victim of domestic abuse is important, but where there are children in the family it must be understood that they too are victims of domestic abuse. Consideration of the child's welfare always comes first. In all circumstances, contact the DSA who will help clarify the issues and steps needed, which may involve contacting Children's Social Care. There may be a need for a risk assessment and for a Safeguarding Agreement to be put in place. The DSA will undertake this work in conjunction with the parish church and any statutory agencies.

Ministry of Deliverance

Concerns may be expressed that a child, young person or adult is troubled by or possessed by evil spirits or demons and that this may account for behavioural issues in the individual or be considered to justify harsh treatment by the family, guardians, friends or carers.

If a church officer, including a member of clergy, becomes aware of the above situation and/or a request is made for deliverance ministry, the parish **must** contact the **DSA** who will contact the appropriate person.

Recording, Data Protection and Information Sharing

Opening a Church Safeguarding Case File

Good record keeping is an important part of the safeguarding task. A record, called a case file, should be opened whenever a safeguarding concern or allegation occurs in a church. The record should include key contact details, dates of when the information became known and the nature of the concerns. The record should include ongoing actions with dates, other key documents on the case file (e.g. observation notes, reports, consent forms etc.) and the case closure date. Records should use straightforward language and be concise and accurate so that they can be understood by anyone not familiar with the case. Please see the Safeguarding referral form.

Record Retention and Security

The safeguarding case files, whether electronic or paper, must be stored securely by the incumbent and the PSO. This should include identifying who should have access to them. Records in relation to safeguarding issues, even if they have not been proven, should be maintained in accordance with the Church's retention guidance. If the incumbent moves from the church, the records should be passed to the new incumbent.

Data Protection and Information Sharing

In May 2018, the General Data Protection Regulation (GDPR) and the Data Protection Act 2018

replaced the Data Protection Act 1998. The GDPR contains the principles governing the use of personal data

Personal information in relation to safeguarding will often be sensitive and is likely to be classed as what is called “special categories of personal data” under the GDPR, which means extra care will need to be taken when handling such data. Nevertheless, it is important to be aware that the Data Protection Act 2018 includes specific reference to processing data in relation to the “safeguarding of children and individuals at risk” and allows individuals to share, in certain situations, personal data without consent (see below). “The GDPR and Data Protection Act 2018 do not prevent, or limit, the sharing of information for the purposes of keeping children and young people safe” and this can equally be said to apply to vulnerable adults.

Reporting Concerns about Adults

Referrals of suspected abuse are made to Adult Social Services and the police. Where possible, for a person over 18, this should be done with their written consent.

The starting point is the presumption that an adult can give consent and has the mental capacity to do so. The provisions of the Mental Capacity Act 2005 are complex and questions and concerns about consent and mental capacity should always be discussed with the DSA.

Sharing without consent

Information can be shared legally without consent, if a person is unable to or cannot reasonably be expected to gain consent from the individual concerned; or if to gain consent could place somebody at risk. Relevant personal data can be shared lawfully without consent if it is to keep a child or vulnerable adult safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental or emotional well-being.

Never make these decisions on your own. If you are going to share personal data, this should always be discussed with the DSA. Of course, you may be able to share data, at least initially, without identifying the individual concerned both within the church and with the statutory services.

Ultimately, the most important consideration is whether the sharing of information is likely to support the safeguarding of a child, young person or vulnerable adult.

Examples of abuse and neglect

Abuse and Neglect of Children

The abuse of children and young people can take many forms. They have the same right to protection regardless of age, disability, gender reassignment, race, religion or belief, sex, or sexual orientation. Children and young people from minority ethnic groups and those with disabilities (physical, sensory and/or learning difficulties) are especially vulnerable and need special care and protection.

Statutory Definitions

The UK central government document "[Working Together to Safeguard Children](#)" categorises and defines child abuse in terms of:

- **Physical abuse** including hitting, shaking, throwing, poisoning, burning or scalding, drowning or suffocating.
- **Emotional abuse** including conveying to a child that they are inadequate, humiliation, blaming, controlling, intimidation, verbal abuse, isolation, seeing or hearing the ill-treatment of another. It may involve serious bullying (including cyber bullying).
- **Sexual abuse** including assault by penetration (for example, rape or oral sex) or non-penetrative acts such as masturbation, kissing, rubbing and touching outside of clothing. It may include involving children in looking at, or in the production of, sexual images, watching sexual activities, or grooming a child in preparation for abuse.
- **Neglect** including failure to provide adequate food, clothing and shelter, to protect a child from physical and emotional harm or danger, to provide adequate supervision and/or access to appropriate medical care or treatment. It may occur during pregnancy as a result of maternal substance abuse.

Domestic Abuse

Witnessing domestic abuse is child abuse, and teenagers can suffer domestic abuse in their relationships.

Sexual Exploitation

Child Sexual Exploitation (CSE) is a type of sexual abuse. Children or young people may be tricked into believing they are in a loving, consensual relationship. They might be invited to parties and given drugs and alcohol. They may also be groomed and exploited online. Some children and young people are trafficked into or within the UK for the purpose of sexual exploitation.

Bullying and Cyberbullying

Bullying is behaviour that hurts someone else – such as name calling, hitting, pushing, spreading rumours, threatening or undermining someone. It can happen anywhere – at school, at home or online. It is usually repeated over a long period of time and can hurt a child both physically and emotionally. Bullying that happens online, using social networks, games and mobile phones, is often called cyberbullying. A child can feel like there is no escape because it can happen wherever they are, at any time of day or night.

Online Abuse

With the ever-growing use of the internet, mobile telephones and online gaming (e.g. Xbox/PlayStation), there has been a corresponding rise in the use of the internet and other electronic communication to target, groom and abuse children. Adults may target chat rooms, social networking sites, messaging services, mobile phones, online gaming sites and the internet generally. Children are particularly vulnerable to abuse by adults who pretend to be children of comparable ages when online and who try to obtain images or engineer meetings.

Electronic Images

The downloading, keeping or distributing of indecent images of children are all classified as sexual offences. Such offences are sometimes referred to as non-contact sexual offences. However, it

must be remembered that children will have been abused in the making of the images. The texting of sexual messages and photographs (sometimes referred as 'sexting') can be particularly problematic and abusive amongst children and young people.

Abuse and Neglect of Adults

All adults, including vulnerable adults, have a fundamental human right to choose how and with whom they live, even if this appears to involve a degree of risk. They should be supported to make those choices, to live as independently as possible and treated with respect and dignity.

Who Abuses Adults?

Potentially anyone, adult or child, can be the abuser of an adult. Abuse will sometimes be deliberate, but it may also be an unintended consequence of ignorance or lack of awareness. Alternatively, it may arise from frustration or lack of support. The list can include:

- Relatives of the vulnerable person including husband, wife, partner, son or daughter. It will sometimes include a relative who is a main carer.
- Neighbours.
- Paid carers.
- Workers in places of worship.
- People who are themselves vulnerable and/or are users of a care service.
- Confidence tricksters who prey on people in their own homes or elsewhere.

Relatives who are Main Carers

Carers can experience considerable stress, exhaustion and frustration without respite or support. This can lead to unintended poor care or abuse. Relatives who are the main carers may also be subject to abuse by those for whom they are caring. This abuse is often endured for long periods and unreported.

Institutions

All people living in institutions are more likely to have a degree of vulnerability. The Care Quality Commission in England has responsibility for inspecting and regulating the quality of care in institutions such as residential care homes, domiciliary care services and hospitals. In addition, the Local Government Ombudsman deals with complaints that relate to adult social care. The HM Inspectorate of Prisons in England inspects prisons. Some members of the parish may be visiting adults in institutions - hospitals, prisons and residential homes. If, as part of these responsibilities, they have concerns about the care being given and/or the way that someone is being treated, the DSA should be contacted. You can also refer directly to the institution or raise concerns with the appropriate inspection and/or complaints body.

Definitions of Adult Abuse

The UK central government document "[Care and Support Statutory guidance](#)" categorises and defines adult abuse in terms of:

- **Physical abuse** including hitting, slapping, pushing, kicking, misuse of medication, restraint or inappropriate sanctions.
- **Sexual abuse** including rape and sexual assault or sexual acts to which the vulnerable adult has not consented or could not consent or was pressurised into consenting.
- **Psychological abuse** including emotional abuse, threats of harm or abandonment, deprivation of contact, humiliation, blaming, controlling, intimidation, coercion, harassment, verbal abuse, isolation or withdrawal from services or supportive networks.
- **Financial or material abuse** including theft, fraud, exploitation, pressure in connection with wills, property or inheritance or financial transactions, or the misuse or misappropriation of property, possessions or benefits.
- **Neglect or acts of omission** including ignoring medical or physical care needs, failure to provide access to appropriate health, social care or educational services, the withholding of the necessities of life, such as medication, adequate nutrition and heating.
- **Discriminatory abuse** including racist, sexist, that is based on a person's disability, and other forms of harassment, slurs or similar treatment.

- **Domestic abuse** that is usually a systematic, repeated and often escalating pattern of behaviour by which the abuser seeks to control, limit and humiliate, often behind closed doors.
- **Organisational abuse** including neglect and poor care practice within an institution or specific care setting such as a hospital or care home. This may range from one off incidents to on-going ill-treatment. It can be through neglect or poor professional practice as a result of the structure, policies, processes and practices within an organisation.
- **Modern Slavery** including human trafficking; forced labour and domestic servitude; traffickers and slave masters using whatever means they have at their disposal to coerce, deceive and force individuals into a life of abuse, servitude and inhumane treatment.

Approved/adopted by the PCC
November 2018

SAFEGUARDING REFERRAL FORM



Your Name: Parish Role if any :

Your knowledge of and relationship to the child/adult:

Child/Adult's Name:

Date and place of birth

Child/Adult's address:

If Child details of carers

Nature of the incident/concern:

Date, time and location of incident(s):

Observations made by you or to you (e.g. description of visible bruising, other injuries, child/adult's emotional state etc): *NB: Make a clear distinction between what is fact, opinion or hearsay*

Exactly what the child/adult said and what you said (Remember do not lead them-record actual details. Continue on a separate sheet if necessary):