

Allegations and concerns

Complaints and grievances: non-safeguarding

You may from time to time be the direct recipient of complaints, grievances or allegations. These may be made directly from a victim, or you may receive second- or third-hand information from others.

A complaint is a written or verbal expression of dissatisfaction or disquiet about an action, or lack of action by a person acting on behalf of the church, or about the policies and procedures of the church.

When the complaint is made by someone who is deployed within the parish, whether paid (for instance, paid youth workers and administrators) or holding unremunerated office (for instance, Sunday School leaders, servers), it is usually referred to as a grievance.

A complaint or a grievance may include an allegation that a person has behaved in an unacceptable way. **If the behaviour or concern relates to the safety of children or vulnerable adults, then you must respond using the Diocesan procedures for handling such allegations in the following section.**

The aim should be to resolve complaints or grievances which do not relate to children or adults who may be vulnerable at parish level informally, speedily and fairly by discussion, problem-solving, mediation and negotiation. Problems should therefore be brought directly to the person(s) deemed responsible for the area of dissatisfaction or disquiet, and will hopefully be resolved in this way. If, however, after this problem-solving stage, complaints or grievances remain unresolved, more formal action may be needed.

Complaints and grievances against clergy or licensed or commissioned ministers (Readers, Southwark Pastoral Auxiliaries, Church Army Officers) are not handled by the parish and should be addressed to the Archdeacon or the Area Bishop.

Complaints and grievances not relating to ministers defined above may need to be addressed more formally by the parish. If your parish does not have in place complaints, grievance and disciplinary procedures, you may wish to adopt the model procedures laid out in *A Safe Church*, Section 10, Appendices 20 and 21. Advice relating to actions of such individuals can also be sought from the Director of Human Resources on 020 7939 9470.

Guidelines for handling complaints, grievances and allegations

- Treat seriously all complaints, grievances and allegations.
- Don't delay in making a response but stay calm.
- Ask yourself if anyone may have been harmed, or be at risk of harm, on the information you have been given – and if so, follow safeguarding procedures.
- Use your policy and procedures – refer to and follow the appropriate sections.
- Decide who you need to tell – for instance your Incumbent, the Parish Safeguarding Officer (PSO), the Diocesan Safeguarding Adviser (DSA) or your Archdeacon.
- Follow advice.

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- If the matter is serious don't undertake your own investigation – take advice first.
- Consider oversight of managing risks – could you make organisational or structural changes to reduce risks?
- Keep well-documented records of all conversations, correspondence, phone calls and so on.
- Don't make assumptions, take sides, gossip or pass information to anyone who doesn't need to know or shouldn't know (this may include at this stage the alleged perpetrator, and also your spouse or partner).
- Do your best to remain publicly objective and impartial in all your conversations and dealings with the matter, whatever you may be feeling inside.
- Don't talk to the press. All press enquiries should be referred to the Director of Press and Communications on 020 7939 9436 or 07831 694021.

Whistle-blowing

To fulfil their commitment to safeguard and promote the welfare of children, all organisations that provide services for, or work with, children are required to have appropriate whistle-blowing procedures and a culture that enables issues about safeguarding and promoting the welfare of children to be addressed.

Whistle-blowing may also apply to situations of unacceptable practice, performance or behaviour in situations unrelated to children or adults who may be vulnerable, and these same principles can be applied.

The Public Interest Disclosure Act 1998 gives workers legal protection against being dismissed or penalised as a result of publicly disclosing certain serious concerns. Whilst the Act does not provide the same protection for volunteers, churches should adopt the same approach in their protection.

Members of a congregation should be encouraged to acknowledge their individual responsibility to bring matters of unacceptable practice, performance or behaviour to the attention of the Incumbent, Churchwarden, PSO or a member of the PCC.

It is often the case that a co-worker or co-voluntary worker may be the first to recognise that something is wrong but may not feel able to express concerns, feeling that this would be disloyal; he or she may fear harassment or victimisation. These feelings, however natural, must never result in a child or adult who may be vulnerable continuing to be unnecessarily at risk.

Reasons for whistle-blowing

- To prevent the problem worsening or widening.
- To protect or reduce risks to others.
- To prevent becoming implicated oneself.

What stops people from whistle-blowing

- Starting a chain of events which spirals out of control.
- Disrupting the work or project.
- Fear of getting it wrong.
- Fear of repercussions or damaging careers or reputations.
- Fear of not being believed.

How to raise a concern

- Concerns, suspicions or uneasiness about practice or behaviour of an individual should be voiced as soon as possible.
- Be specific about what practice is concerning, what has been heard or what has been observed.
- Inform the Incumbent, Churchwarden or PSO, or the Diocesan Safeguarding Team (DST) if you feel unable to raise the concern locally.
- If the concern is about a member of the clergy, contact the Archdeacon or the DSA.
- Ideally put concerns in writing, outlining the background and history, and providing dates and times.
- Provide as many facts as possible; do not rely on rumour or opinion.
- You are encouraged to put your name to any disclosure; however, any concern raised

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anonymously should be considered, taking into account the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from attributable sources.

What happens next

- If the concern about practice, performance or behaviour relates to safeguarding children or adults who may be vulnerable, it should be investigated according to the procedures for allegations set out in this section.
- If the concern does not relate to safeguarding children or adults who may be vulnerable, it should be investigated according to complaints and grievance procedures.
- The whistle-blower is not expected to prove the truth of a concern or investigate it.
- Within the bounds of confidentiality, the whistle-blower should be given as much information as possible on the nature and progress of any enquiries.
- The Incumbent or Churchwarden should ensure that the whistle-blower is not harassed or victimised.
- In the event of the concern being about the Incumbent, the Archdeacon should ensure that the whistle-blower is not harassed or victimised.
- No action will be taken against a whistle-blower if the concern proves to be unfounded and was raised in good faith.
- Malicious allegations from a whistle-blower will be considered very seriously and may result in disciplinary action in the case of a paid employee or office holder.

Complaints and criticisms regarding safeguarding policy and/or the practice of the Diocesan Safeguarding Team

Complaints and criticisms regarding safeguarding may be made:

- regarding the Diocesan policies and procedures
- against the DSA and/or the Assistant Diocesan Safeguarding Advisers (ADSA)

and procedures need to be in place for each.

Complaints about safeguarding policies and procedures

Complaints or criticisms about safeguarding policies and procedures should be made in writing to the Independent Chair of the Diocesan Safeguarding Advisory Panel (DSAP), c/o the Diocese of Southwark, Trinity House, 4 Chapel Court, Borough High Street, London SE1 1HW. They will be considered by the DSAP as part of its review of Diocesan policies. Recommendations regarding changes will be made from the DSAP to the Diocesan Bishop and Diocesan Synod as appropriate.

Formal complaints against the DSA or ADSAs

Formal complaints against the DSA or ADSAs should be made in the first instance to the Bishop's Lead for Safeguarding (currently the Deputy Diocesan Secretary at the above address), who will discuss the complaint with the Independent Chair of the DSAP. The Bishop's Lead for Safeguarding and Independent Chair will consider how that complaint can be most effectively investigated, determine the timescale for that investigation and agree how the complainant will be kept updated.

The Independent Chair will then convene a panel comprising three people to review the findings of the investigation of the complaint and make a report to the Diocesan Bishop. Membership of such a panel will usually comprise:

- i. the Chair of the DSAP
- ii. one person drawn from the external members of the DSAP
- iii. one person drawn from the other members of the DSAP.

Those identified in respect of (iii) should not include the Bishop's Representative on the DSAP. Additionally, no one who has been involved in the matter complained of should be asked to be a member of the panel. In the event that the Chair is unable to be part of such a panel a further member of the DSAP will be asked to Chair the panel.

The final decision as to the outcome of a complaint against the DSA or one of the ADSAs will be made by the Diocesan Bishop.

Any complaint relating to the Independent Chair of the DSAP or the Bishop's Lead for Safeguarding should be referred to the Diocesan Bishop at the above address.

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Receiving and responding to disclosures or observations of abuse or inappropriate behaviour and other safeguarding concerns

This procedure relates to all kinds of safeguarding disclosures or observations which occur on your church premises (including in situations where the premises are hired), in your church-related activities, and regarding those who attend your church and its related activities. Whilst this procedure focuses on children and adults who may be vulnerable, in fact any adult who makes a disclosure must be treated with the same care and support and responded to in the same way.

If the disclosure or allegation concerns a church officer, then it must be read in conjunction with the procedure in the next section but the principles of how to respond in the first instance are much the same.

The welfare of the child, young person or vulnerable adult must come first. A proper balance must be struck between protecting children, young people and/or vulnerable adults and respecting the rights of the person against whom any concern is raised.

Allegations of abuse or concerns about a child or adult who may be vulnerable may arise in a number of ways in the parish context:

- a child or adult who may be vulnerable discloses alleged abuse
- an adult discloses concern for a child or adult who may be vulnerable
- an adult discloses concerns about the behaviour of another adult, or a child
- someone notices signs of potential abuse of a child or adult who may be vulnerable.

There may also be situations where you are informed of or observe behaviour which is inappropriate and may potentially lead to abuse. For all such concerns, you should consult with the DSA.

Guidelines for responding to a person disclosing abuse

Whenever a child, young person and/or adult reports that they are suffering or have suffered significant harm through abuse or neglect, or have caused or are causing harm to others, the initial response should be limited to listening carefully to the child, young person and/or adult. If someone makes a disclosure this might be the only time they will tell someone about what is happening.

Respond

Do:

- listen
- take what is said seriously
- only use open questions (open questions begin with words such as '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/

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manager/nominated 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 (for example, 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.
- Record the date, time, place and the actual words used.
- 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/adult, contact the police. Ring 999.
- Otherwise, avoid delay and take action: talk immediately, within 24 hours, to your activity leader/manager/nominated safeguarding officer and share any concerns.
- Within 24 hours, the nominated safeguarding officer should report the concerns to the DSA.
- The DSA will advise regarding reporting to child/adult social care and/or the police. This must be done within 24 hours.

If in any doubt seek advice from child/adult social care and/or the police.

Disclosure from a perpetrator

A disclosure may be made by someone who is a convicted offender or from someone who is disclosing previously unreported abuse. This information is more likely to be disclosed to those providing pastoral support; for example, clergy and pastoral workers.

The motive for admitting what has happened may be a desire to address the problem and obtain help. The person who admits to a potential offence against a child or adult must be told that the information will not be kept confidential and that the information will be passed on to child/adult social care and/or the police.¹

Be supportive but do not seek more details than you need. Report within 24 hours what is believed to have happened to your activity leader/manager/the nominated safeguarding officer/the DSA and the statutory agencies.

¹The exemption would be if information has been shared within the Seal of the Confessional.

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Observing signs of potential abuse or mistreatment

If you observe injuries or behaviours in children or adults who may be vulnerable which are of concern, you should:

- seek medical treatment when necessary
- ask open questions about any injuries you observe
- note what the child or adult says in response
- carefully record your observations as soon as possible and keep the record in a secure place
- inform the PSO and seek advice as to what further action to take.

Disclosures from adults about a child or adult who may be vulnerable

Adults may speak of concerns about a child or vulnerable adult, or the behaviour of an adult. These should be listened to carefully, and the conversations should be recorded in writing. The adult needs to know that if it is considered that a child or adult who may be vulnerable is suffering significant harm, the information may have to be passed on, whether or not the adult making the disclosure wishes this to happen.

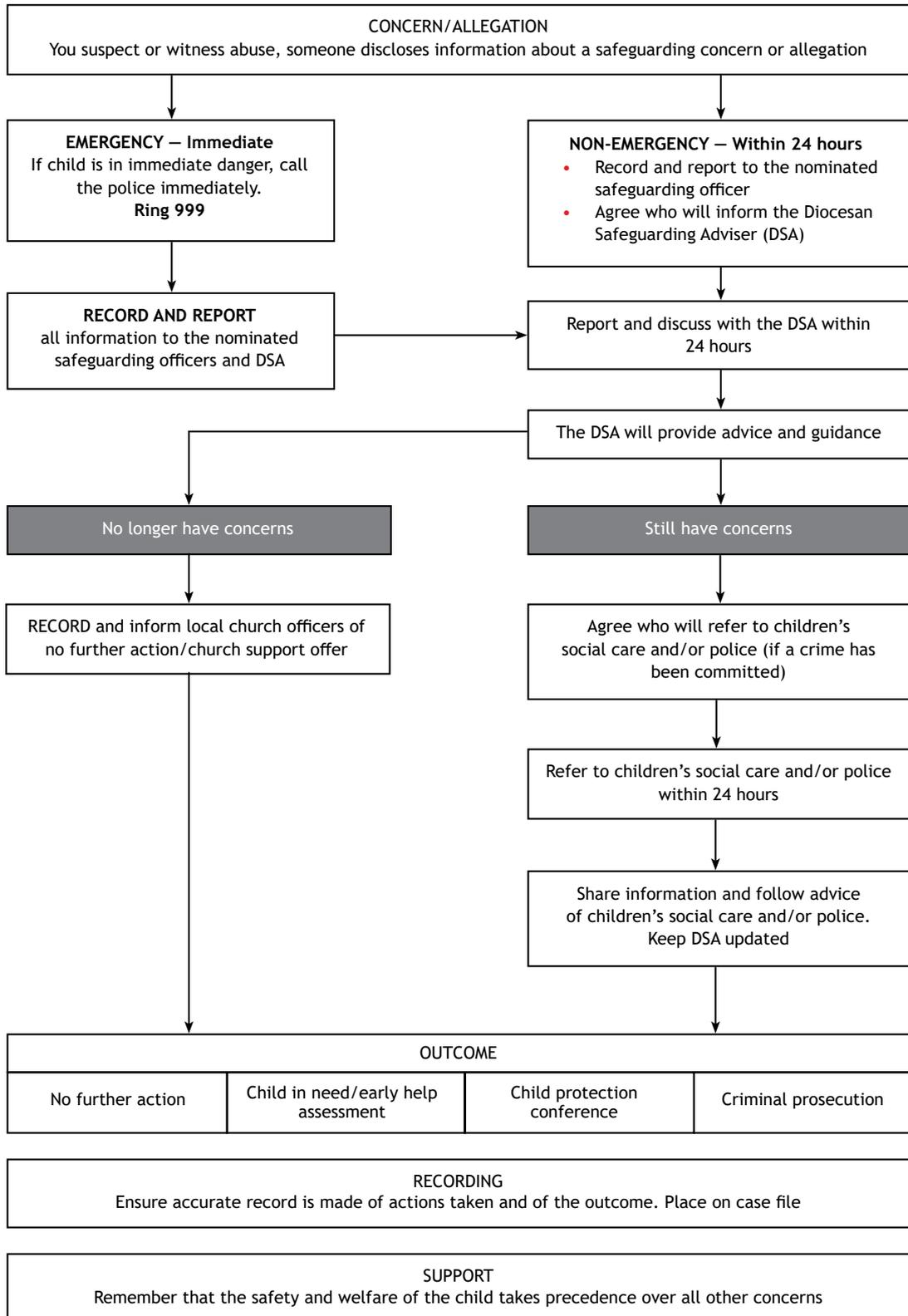
Most situations are not emergencies. However:

- *if a child or adult who may be vulnerable needs immediate medical help, call emergency services on 999, and ensure that those who respond are informed of any protection concerns*
 - *if it would be dangerous for the child or adult who may be vulnerable to return home, or he or she does not want to return home and you are sufficiently concerned for their safety, contact the emergency social care service or the police*
 - *if you observe a child or adult who may be vulnerable being harmed or at risk of harm by someone other than a family member, you should inform the parents or carers immediately, and work with them on appropriate referral to police or social care.*
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Reporting a safeguarding concern or allegation about a child or young person

This is the procedure that church officers and bodies **must** follow if they have a safeguarding concern or allegation about a child or young person. Please see below for the procedure flow chart.



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If a church officer becomes aware that a child has or is suffering significant harm through abuse or neglect or is likely to suffer significant harm in the future, this must be reported to the nominated safeguarding officer and the DSA **within 24 hours**.

If, through discussion with the DSA, it is decided that a child may be suffering or be at risk of suffering significant harm, concerns must always be referred to children's social care. At this stage, a referral to the police may also be required if a crime has been committed. Depending on the situation, the DSA may decide to refer the concerns themselves or support the church body to make the referral. The timing of such referrals should reflect the level of perceived risk of harm, but be within 24 hours of identification or disclosure of harm or risk of harm.

A referral to children's social care and other emergency services (for example, for any urgent medical treatment) must not be delayed by the need for consultation with either the nominated safeguarding officer or the DSA if they are not available.

If the child is considered to be at immediate risk of harm or danger, then this must be reported to the police immediately. This may also require contacting children's social care, including the emergency duty team (if the concern arises outside normal office hours).

Whilst those making referrals should seek, in general, to discuss any concerns with the family and, where possible, seek their agreement to make referrals, this should only be done where such discussion and agreement-seeking will not place a child at increased risk of significant harm. This should only be done after advice has been sought from the nominated safeguarding officer and/or the DSA.

What will the DSA do?

- Offer advice and support to a church body.
- Consider the child's safety throughout.
- Check whether a referral to children's social care and/or police is necessary. Agree next steps.
- Consider any support needs.
- Record case information.
- Consider whether a safeguarding agreement is required.
- Contact communications colleagues to discuss communications within the church, as required.
- Inform the Diocesan Secretary and/or registrar to agree if notification to charity commissions and the insurance company is necessary.
- Consider whether other colleagues or those in other organisations need to be informed, following advice from children's social care/police.

Do I need to obtain consent?

All people over the age of 16 are presumed, in law, to have the capacity to give or withhold their consent to the sharing of confidential information, unless there is evidence to the contrary. For a child or young person under the age of 16 who can understand the significance and consequences of making a referral to children's social care, they should be asked their view. However, it should be explained that whilst their view will be taken into account, the church has a responsibility to take whatever action is required to ensure the child's safety and the safety of other children.

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Where a child under 16 years of age is concerned, the consent of their parent or carer should be obtained before their personal information is shared. If this is not possible owing to the urgency of the situation, they should be notified that information has been shared as soon as possible. Where a parent or carer has been implicated in the abuse, or the child will be placed at further risk of abuse by involving the parent or carer, the information can be shared without consent. If in any doubt seek the advice of the DSA.

Where a decision is made not to seek parental permission before making a referral to children's social care, the decision must be recorded in the case record, dated and signed, and confirmed in the referral to children's social care.

A child protection referral from a church officer cannot be treated as anonymous, so the parent will ultimately become aware of the identity of the referrer. Where the parent refuses to give permission for the referral, unless it would cause undue delay, further advice should be sought from the DSA and the outcome fully recorded.

If, having taken full account of the parent's wishes, it is still considered that there is a need for referral:

- the reason for proceeding without parental agreement must be recorded
- the parent's withholding of permission must form part of the verbal and written referral to children's social care
- the parent should be contacted to inform them that, after considering their wishes, a referral has been made.

Urgent medical attention

If the child is suffering from a serious injury, the church officer must seek medical attention immediately from accident and emergency services, and must inform the parent/carer and the duty consultant paediatrician at the hospital. Where abuse is alleged, suspected or confirmed, the child must not be discharged until children's social care has been informed. They will work with the hospital and other agencies to address any immediate protection issues.

Making a referral to the statutory agencies

- Referrals should be made to children's social care for the area where the child is living or is found. If a crime has also been committed, the police should also be contacted.
- If the child is known to have an allocated social worker, the referral should be made to them or in their absence to the social worker's manager or a duty children's social worker. In all other circumstances, referrals should be made to the duty officer.
- The referrer should confirm verbal and telephone referrals in writing, **within 48 hours**.

When making a referral, have the following information ready wherever possible:

- name, date of birth and address of the child/young person.
- names and addresses of parents or carers and other significant people
- any other contact details
- names and ages of any other children in the household
- date, time and context of the disclosure
- details of the disclosure
- any information on the adult about whom there are concerns
- what the person disclosing the concerns has been told will happen next

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- discussions with the child
- discussions with the parent
- discussions within the church
- any work undertaken with the family by the church
- your name and contact details
- name and contact details of all relevant church contacts
- any known or previous issues of concern
- any professionals you are aware of, currently involved with the family.

If all the above information is not available at the time of referral, still pass on the information that is, as the child/young person's safety is the priority and there must not be a delay.

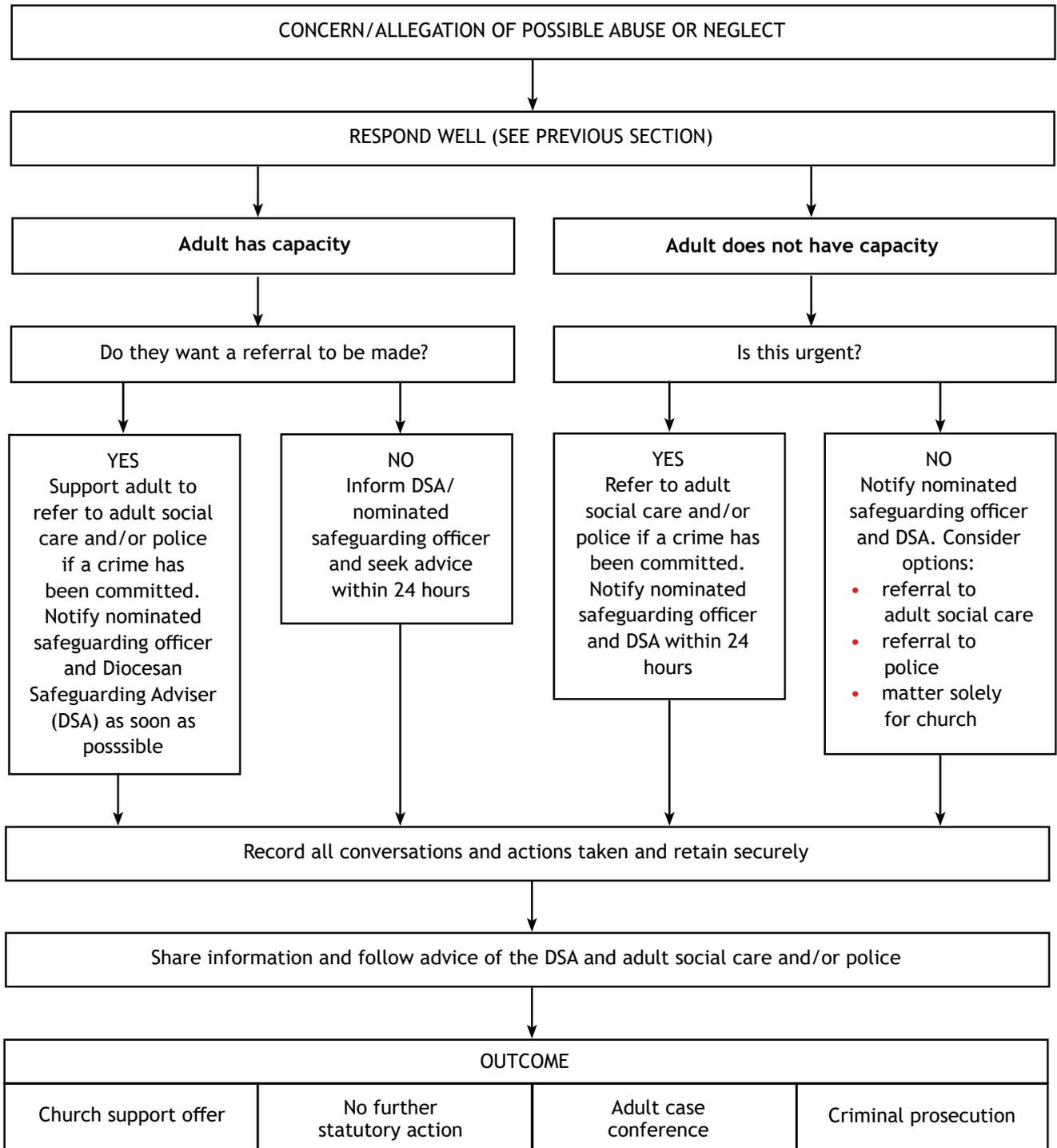
The referrer should keep a copy of the written referral, confirming the verbal and telephone referral.

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Reporting a safeguarding concern or allegation about an adult

This is the procedure that church officers and bodies **must** follow if they have a safeguarding concern or allegation about an adult.

Please note, if an adult is at risk of immediate harm, take yourself out of danger and call the police. Ring 999.



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What will the DSA do?

- Offer advice and support to the church body.
- Consider the safety of the vulnerable adult(s) throughout.
- Check whether a referral to adult social care and/or police is necessary. Agree next steps.
- Consider consent.
- Consider any support needs.
- Record case information.
- Consider whether a safeguarding agreement is required.
- Contact communications colleagues to discuss communications within the church, if required.
- Inform the Diocesan Secretary and/or Registrar to agree if notification to charity commissions and the insurance company is necessary.
- Consider whether other colleagues or those in other organisations need to be informed, following advice from adult's social care/police.

Consent and capacity

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.

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 an adult safe from neglect or physical, emotional or mental harm, or if it is protecting their physical, mental or emotional well-being. This is known as a Substantial Public Interest Concern².

Never make these decisions on your own. If you are going to share personal data, this should always be discussed with the nominated safeguarding officer and/or 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 vulnerable adult.

Making a referral to the statutory agencies

- Referrals should be made to adult social care for the area where the adult is living or is found. If a crime has also been committed, the police should also be contacted.
- If the adult is known to have an allocated worker, the referral should be made to them or, in their absence, to the worker's manager or a duty worker. In all other circumstances, referrals should be made to the duty officer.

The referrer should confirm verbal and telephone referrals in writing, **within 48 hours**.

²Please see the Data Protection Act 2018, <http://www.legislation.gov.uk/ukpga/2018/12/contents>

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Once a decision has been made to make a referral to the statutory agencies, the following information will need to be passed on wherever possible:

- name, date of birth, and address of the adult
- details of any carers
- details of GP
- nature of the alleged abuse including details of the disclosure
- what impact the alleged abuse is having on the adult
- whether anyone else is at risk of harm
- the adult's wishes and feelings
- whether consent for referral was given and your view on the adult's capacity
- where the adult is at the time of referral
- any known or previous issues of concern
- any involvement of the church prior to and up to the allegation
- your name and contact details
- what the adult has been told will happen next.

If all the information is not available, still pass on what you have. This can be by telephone, although some local authorities prefer online referrals. If it is by telephone, follow up in writing. 'In writing' includes e-mail correspondence.

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Non-recent abuse

Non-recent abuse (also known as historical abuse) is an allegation of neglect, physical, sexual or emotional abuse made by or on behalf of someone who is now 18 years old or over, relating to an incident which took place at some stage in the non-recent past.

Allegations of child abuse are sometimes made by adults and children many years after the abuse has occurred. There are many reasons for an allegation not being made at the time, including fear of reprisals, the degree of control exercised by the abuser, and shame or fear that the allegation may not be believed. If the person is becoming aware that the abuser is being investigated for a similar matter or suspects that the abuse is continuing against other children, this may trigger the allegation.

Reports of non-recent concerns or allegations of abuse may be complex, as the alleged victims may no longer be living in the same situation where the abuse occurred and/or the whereabouts of the alleged respondent may be unknown. However, such cases should be responded to in the same way as any other safeguarding concern or allegation. That is because:

- there is a likelihood that a person who abused a child/children in the past will have continued and may still be doing so
- criminal prosecutions can still take place, despite the fact that the allegations are non-recent in nature and may have taken place many years ago.

Safeguarding and the Seal of Confession

It is possible that relevant information may be disclosed in a one-to-one confession made to a priest in the context of the sacramental ministry of reconciliation.

Not least because the legal position differs between the two cases, it is important to recognise the distinction between disclosures made in this formal context, which exists for the quieting of conscience and is intended to lead to absolution, and disclosures made in the context of pastoral conversations. In the first case, but not the second, what is disclosed is subject to a duty of absolute confidentiality arising from the unrepealed proviso to Canon 113 of the Code of 1603.

For this reason, a clear distinction should be made between pastoral conversations and confessions made in the context of the ministry of absolution. To that end it is helpful if confessions are normally only heard at advertised times or by special arrangement and are in other ways differentiated from general pastoral conversations or meetings for spiritual direction. A stole might be worn and a liturgy should be used. It is also important that those clergy exercising this ministry should have received appropriate training and be familiar with [Guidelines for the Professional Conduct of the Clergy](#), which has a section in relation to the confession.

If a penitent makes a confession with the intention of receiving absolution, the priest is forbidden from disclosing anything (including any criminal offence) which is revealed in the course of the confession. This requirement of absolute confidentiality applies even after the death of the penitent.

However, where a penitent discloses in the course of such a confession that he or she has committed a serious crime, the priest should require him or her to report it to the police or other statutory authority and should withhold absolution if the penitent refuses to do so. In such a case the priest may consider it necessary to alert the Bishop or the Bishop's Adviser for the Ministry of Reconciliation (if there is one) to his or her decision, although the penitent's details should not be shared without their permission.

A failure to share information has been identified repeatedly in child abuse enquiries as the most common reason for failure to intervene quickly enough in protecting children, young people and vulnerable adults, sometimes with serious consequences.

The canonical duty of absolute confidentiality does not apply to anything that is said outside the context of a confession made in the context of the ministry of absolution. In particular, if information about abuse that was disclosed when seeking the ministry of absolution is repeated by a penitent outside that context, the priest should report the abuse in the usual way.

Spiritual direction

As with any other pastoral relationship, care should be taken to set parameters to the spiritual direction or spiritual accompanier relationship. It should, therefore, be made clear at the beginning of the relationship that disclosures of abuse will be reported to a DSA and, possibly, the statutory agencies; a reminder will be appropriate if it appears that such material may arise. Someone may speak of his/her own behaviour in harming a child, or the person may be an adult speaking of historical abuse from his/her own childhood. The latter is more difficult as the directee may be unwilling to reveal, or not even know, names. The possibility that an abuser who is still alive may

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still be abusing children will likely be an imperative to encourage an adult survivor of abuse to approach the police. At the right time this may prove to be part of the healing process, as well as serve to protect children in the current time.

Any safeguarding concerns must be reported to the nominated safeguarding officer and/or DSA.

Ministry of healing

All clergy undertaking the ministry of healing should be familiar with, and follow, the current House of Bishops' guidelines for good practice in the healing ministry. Local Diocesan guidance should be followed. Professional boundaries with health care professionals and chaplaincies should be observed. All reasonable steps should be taken to ensure the safety of the person receiving the healing ministry, which will include ensuring that satisfactory arrangements are in place for training and accountability for those undertaking this ministry. The clergy should be aware of and respect the boundaries between the ministry of healing and the deliverance ministry. People have a right to know what is being provided and how they will be ministered to; no one should be ministered to against his/her will³. Any safeguarding concerns must be reported to the nominated safeguarding officer and/or DSA.

Ministry of deliverance

It is sometimes suggested 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, who may seek advice and assistance from clergy or other church members.

Parish priests, lay ministers and others involved in such situations should consult the Bishop, the DSA and the Diocesan Deliverance Ministry Adviser. Many people seeking reassurance, advice and help with regards to deliverance ministry have vulnerabilities, including spiritual distress and mental health concerns. Deliverance is an area of ministry where particular caution needs to be exercised, especially when ministering to someone who is in a disturbed state. The House of Bishops' guidelines for good practice in the healing ministry and the House of Bishops' [Guidelines for Good Practice in the Deliverance Ministry 1975](#) (revised in 2012) should be followed and consultation sought from the Diocesan Deliverance Ministry Advisers when necessary.

The advisers' special expertise should be used in order to help those who think they need this ministry as effectively as possible. The House of Bishops' Guidelines on the Deliverance Ministry,. They continue to state that the following factors should be borne in mind:

- it should be done in collaboration with the resources of medicine
- it should be done in the context of prayer and sacrament
- it should be done with the minimum of publicity
- it should be done by experienced persons authorised by the Diocesan Bishop
- it should be followed up by ongoing pastoral care.

³Extract from ['Guidelines for the Professional Conduct of the Clergy'](#) (2015).

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The ministry of deliverance may only be exercised by a priest who has been specifically and personally authorised by the Diocesan Bishop, who normally requires that permission be obtained from him/her for each specific exercise of such a ministry. This ministry should never be undertaken by one person ministering alone; the authorised person should always be accompanied by another priest or lay minister of mature pastoral experience, who is similarly authorised by the Diocesan Bishop to exercise the ministry of deliverance.

On occasions when deliverance is administered, it is for the Bishop to determine the nature of the rite and what form of words should be used. If deliverance ministry is sought in connection with a child, young person or adult who may be vulnerable, the DSA must be involved and may need to ensure that a referral to the statutory authorities is made, in accordance with national and Diocesan safeguarding policies.

DSAs should make themselves known to the Diocesan Deliverance Ministry Advisers and the Diocesan Deliverance Ministry Group in advance of any specific case, in order to ensure that there is mutual understanding of policy and working methods and that cases arising are appropriately brought to notice.

DSAs should agree with the Diocesan Deliverance Ministry Advisers and Diocesan Deliverance Ministry Group, in advance of any specific case, on protocols for interdisciplinary cooperation, in order to ensure that any cases arising are appropriately handled. The deliverance advisers and safeguarding advisers should also agree with whom the prime responsibility lies for the continuing pastoral care of individuals in deliverance ministry cases which include safeguarding concerns⁴.

⁴Please see Section 5, Ministry at times of deepest need, in [‘Guidelines for the Professional Conduct of the Clergy’ \(2015\)](#).

Section 6: Allegations and concerns

Summary: responding to all disclosures or observations of abuse or mistreatment

The person receiving the disclosure or observing the signs of abuse should:

- not delay – inform either the Incumbent or the PSO within 24 hours of the disclosure being made
- never speak directly to the person against whom allegations have been made, or whom they may suspect; if the alleged perpetrator is under the age of 18, seek advice before speaking to his or her parents
- never attempt to investigate the situation themselves
- write down what has happened or been said and keep their notes.

They should then:

- check that an appropriate referral has been made
- make sure that support is in place for the child or vulnerable adult
- seek support for themselves
- make a record of what actions they have taken, give their record to the PSO and ensure it is kept securely.

The Incumbent or PSO should:

- without delay seek advice and share the information immediately with the DSA
- if the allegation or observation of abuse relates to clergy or a church officer, the DSA will instigate the procedures to be followed
- if it does not relate to clergy or a church officer, with the DSA assess whether the referral may constitute significant actual or potential harm, and, if relating to a child, make a referral to police or social care services with the support of the DSA.

Don't delay: your paramount priority is the safety of the child or adult who may be vulnerable.

Allegations against clergy and church officers

The full procedures for managing allegations or concerns against church officers who have a role in relation to children, young people and/or vulnerable adults are contained within *Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers 2017* (also known as 'Responding 17'). This is available in full on the Church of England Safeguarding website: <http://bit.ly/CofEConcerns>

A church officer is anyone appointed/elected by or on behalf of the church to an office, post or role whether they are ordained or lay, paid or unpaid. See below for more details as to whom this applies.

In the event of an allegation being made or a safeguarding concern being raised against a church officer, the DSA **MUST** be informed of the allegation **IMMEDIATELY**, and he/she will then take responsibility for implementing the procedure, in co-operation with you.

When does this procedure apply?

These procedures apply to a wide range of allegations where there is reasonable cause to believe that a child or adult who may be vulnerable is suffering, or is likely to suffer, significant harm. They also apply to allegations against a person that might indicate that he/she is unsuitable to continue to work with children or vulnerable adults in their present position, or in any capacity.

The procedures should be used in respect of all cases where there is a concern or allegation made that a church officer has:

- behaved in a way that has harmed a child or a vulnerable adult, or may have harmed a child or a vulnerable adult
- possibly committed a criminal offence against or related to a child or a vulnerable adult
- behaved towards a child or children or a vulnerable adult in a way that indicates he/she is unsuitable to work with children or adults who may be vulnerable.

Who does it apply to?

This procedure applies to all those who hold the Bishop of Southwark's licence or commission, and church employees and volunteers involved with children and young people and vulnerable adults.

This includes:

- all clergy – Incumbents, Priests-in-Charge, Assistant Curates, non-stipendiary ordained ministers, priests with permission to officiate
- any licensed or commissioned lay ministers – Readers, Southwark Pastoral Auxiliaries, Church Army Officers, Readers with permission to officiate, Parish Missioners, etc
- church employees and volunteers – anyone, paid or unpaid, who holds an office or a position of responsibility in a parish and works with children or adults who may be vulnerable, or has a representational ministry regarded as trustworthy and as a person of integrity, for instance a Churchwarden, Organist, Children's Worker, Server.

If allegations are made against any person living in the household of or closely associated with clergy or a church officer, these procedures should be used in relation to the safeguarding implications for the church officer.

Section 6: Allegations and concerns

If allegations are made in this Diocese but relate to church officers of another Diocese, that Diocese will be informed, and the two Dioceses will work co-operatively in the management of the allegations.

What to do

- All allegations or concerns that a church officer as defined above may have abused a child or a vulnerable adult should be reported to the DSA as soon as practicably possible and in any case within 24 hours. In the absence of the DSA, or in cases where that person or a member of his/her family is the subject of the allegation or concern, the Archdeacon should be informed.
- Respond well to the victim/survivor to ensure they feel heard and taken seriously. See Section 6, *Receiving and responding to all disclosures or observations of abuse*.
- Record details of the concern or allegation (see [A Safe Church, Section 4 for more detail](#)). Always ask permission to do this and explain the importance of recording all information. Where it is not appropriate to take notes at the time or permission is not given, make a written record as soon as possible afterwards. Do not be selective. Include details that may seem irrelevant as this may become relevant in an investigation. Show the victim/survivor your record and if possible check that they agree with the content and meaning. Record the time, date and location, persons present and how the concern or allegation was received, for example by telephone, face to face, by letter etc. Sign and date the record.
- Pass all original records, including rough notes, immediately to the DSA. Any copies of retained records should be kept secure and confidential.
- The DSA will take the Diocesan lead through the process of the allegation, including the setting up of a core group within the Diocese to manage the process. There may be a requirement for you to be involved in any subsequent core groups.
- Explain to the victim/survivor what will happen next, in other words that the DSA has now taken over the case and that the victim/survivor's identity and the identity of the respondent may now be shared with the statutory agencies. The concern or allegation should not be shared with anyone other than those who need to know (for example, the statutory agencies and appropriate church roles detailed in the procedures).
- Within 24 hours of receiving notification of the concern or allegation, the DSA will conduct an initial internal review of the information received to establish if the requirement for referring to the statutory agencies has been reached and refer, as required. For more details see [Responding 17](#). These initial enquiries should be brief and not delay referral to the statutory agencies.
- Where the requirement for referring has been reached, the DSA will inform the statutory agencies immediately by telephone within 24 hours of receiving the concerns or allegations. This should be followed up in writing and a record made. This record should include the date the referral was sent, which agency it was referred to, by whom and any decision made in relation to the concern or allegation.
- If there is any uncertainty about whether the safeguarding concern or allegation meets the requirement for referring, a consultation should take place between the DSA and the statutory agencies, who will advise on the eligibility of the referral.
- In all cases, consideration should be given to whether an immediate referral is necessary to preserve and secure against the possibility of any loss, deterioration or destruction of forensic or other potential evidence.
- The DSA should provide written confirmation to the person raising the concern or allegation

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that the information has been passed on to the statutory agencies. This confirmation should include the date the referral was sent, which agency it was referred to and by whom. If this cannot happen, an explanation should be recorded.

- The DSA will work in close collaboration and co-operation between the church and all agencies involved in the situation.
- Any decision not to refer to the statutory agencies should be recorded in the safeguarding file and kept under constant review as the case progresses.
- If the concern or allegation does not relate to a church officer who has a role with children, young people and/or vulnerable adults, the DSA will agree with the person raising the concerns or allegations about how to respond, whether a referral to the statutory authorities will be made and who is best placed to do that.

Core group

For every allegation against a church officer who has a role with children, young people and/or vulnerable adults, the DSA should convene a core group, in consultation with the Bishop, within 48 hours of becoming aware of the safeguarding concern or allegation. If it is logistically impossible to meet face to face, a virtual meeting should be set up electronically.

- If there are ongoing statutory investigations the core group will be informed by the recommendations from the statutory agencies.
- Where there is no statutory agency involvement but a safeguarding concern or allegation has been identified, the church should conduct its own investigation; the core group should establish a process for this to gather information and make an assessment on the facts.
- This convened core group will manage the process for the duration of the case, and will meet as required. All information should be made available to the group to support decision-making, as required. Membership of the core group may change during this time.
- See Section 1 of [Responding 17](#) for the full responsibilities of the core group and the appointment and role of the chair.

The core group is responsible for:

- ensuring that information is shared with the statutory agencies
- ensuring that the DSA is working with the statutory agencies
- having due consideration to the advice of the DSA(s) in all matters related to safeguarding
- considering whether other church officers and/or bodies should be informed of the situation, and invited to join the core group
- keeping the Diocesan Secretary/chief executive informed whenever there is the potential for financial, regulatory or reputational impact, where there is a significant risk that requires management/mitigation/monitoring or if the case involves an employee of the Diocese
- deciding when an internal church investigation should be carried out
- determining when the respondent should be informed and what they should be told in relation to the concern or allegation where the statutory agencies are not involved
- the arrangements required for managing the respondent in relation to their role, having full regard to the views of the statutory agencies
- ensuring how the victim/survivor and/or their family can best be supported by advising the DSA (on behalf of the Bishop)
- ensuring how the respondent and/or their family can best be supported by advising the DSA (on behalf of the Bishop)

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- offering advice to the Bishop via the DSA on support and pastoral care for parish officers managing the process
- ensuring how the needs of a parish, cathedral or other church community in which the respondent is or has served can best be met
- setting and maintaining boundaries of information-sharing and confidentiality, including when information can be shared with the police, the insurance company, the Charity Commission, the Local Authority Designated Officer and the National Safeguarding Team (NST)
- agreeing statements to the press and the congregation
- ensuring that accurate information is kept and shared securely where appropriate and in accordance with data protection legislation
- ensuring that risk assessments are carried out during and following the outcome of the allegation. This includes:
 - agreeing the terms of reference, with the DSA, for the risk assessment in relation to non-clergy assessments
 - commissioning, with the DSA, the risk assessment in relation to non-clergy assessments
 - accepting the risk assessment in relation to non-clergy assessments
 - ensuring that recommendations are followed in relation to non-clergy assessments
 - undertaking a lessons learnt review at the end of the process.

In addition, if the case involves members of clergy, the core group is responsible for:

- assisting the DSA to advise the Bishop when the respondent should be informed and what they should be told in relation to the concern or allegation where the statutory agencies are not involved
- assisting the DSA to advise the Bishop of the arrangements required for managing the respondent in relation to their role, having full regard to the views of the statutory agencies
- assisting the DSA to advise the Bishop in setting and maintaining boundaries of information-sharing and confidentiality, including when information can be shared with the police, the insurance company, the Charity Commission, the Local Authority Designated Officer, and the NST
- assisting the DSA to advise the Bishop on statements to the press and the congregation
- assisting the DSA to advise the Bishop when to undertake a lessons learnt review at the end of the process.

In relation to clergy risk assessment (and management), the DSA will ensure that his/her advice and recommendations are ratified by the core group. The DSA will then share these with the Bishop in accordance with the Safeguarding (Clergy Risk Assessment) Regulations 2016.

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The core group acts as the DSA's 'critical friend' in the response to, assessment and management of safeguarding concerns or allegations relating to clergy.

The core group will create a written record of its decisions and recommendations. These documents should include information on any previous allegations that have been made against the individual concerned. These records should be passed to the DSA who will store them in the case file.

Where the advice of the DSA is not taken a full record of the reasons must be kept. Should there be any disagreement between the core group and the DSA, concerns should be escalated to the chair of the Diocesan Safeguarding Advisory Panel or, where the DSAP is unable to resolve the dispute, to the NST for a final decision.

If the respondent is a senior member of the clergy or an individual with a high national profile, the case will be managed by an NST core group in conjunction with the Diocese. If the case involves complex inter-Diocesan issues the NST will act to coordinate local casework.

Membership of Diocesan core group may include:

Diocesan officers:

- DSA
- Archdeacon or Area Bishop who represents the Diocesan Bishop (consideration to be given to who might be required to instigate a Clergy Discipline Measure (CDM) should it be required so as not to create a conflict of interest)
- Diocesan Director of Press and Communications
- Other key Diocesan senior staff as relevant to the case with ready access to the Diocesan Secretary as required
- Legal advice may be sought from the Diocesan Registrar

Parish officers:

- Incumbent
- Churchwardens
- PSO
- Other relevant parties by agreement.

- Where a concern or allegation is made against a member of another church body, such as a cathedral or theological education institution (TEI), the safeguarding officer and any other relevant senior staff from that body should be engaged in the core group, or indeed may be convening it. In Southwark, the DSA is the Cathedral Safeguarding Adviser.
- If anyone carrying out these roles is the subject of the allegation or has any conflict of interest or loyalty such as:
 - personally knowing the respondent and/or the victim/survivor
 - is a witness in the investigation
 - are pastorally supporting the respondent and/or the victim/survivor
 they should not be included in the core group.
- A chair and a note taker for the core group should be appointed.
- The Diocesan Bishop must not be a member of the group, nor attend meetings of the core group, in order not to compromise potential decisions about disciplinary matters which rest with them.
- The Diocesan Bishop should be kept informed of the process by their representative in the core group or the DSA, and be advised on decisions which they need to take, for example

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in relation to suspension or disciplinary issues, appointing a link person and ensuring that a support person for the victim/survivor is offered by the DSA.

- Minutes from all core group meetings should be taken and circulated to attendees as soon as possible after each meeting; absent members should be briefed on decisions taken as soon as possible.
- If the safeguarding concern or allegation relates to a Diocesan employee, then the Diocesan Secretary must not be a member of the group, nor attend meetings of the core group, in order not to compromise potential decisions about disciplinary matters which rest with them. However, appropriate consultation with the Diocesan Secretary must take place.
- Legal advice should be sought from the Diocesan Registrar as required, at every stage of the process.
- Communications advice should be sought from the Diocesan/national communications adviser at every stage of the process.

A complete record of the case should be maintained by the DSA or Assistant DSA and retained in a secure place, in accordance with Safeguarding Records Practice Guidance 2015. Where the case is managed at Diocesan level the DSA will maintain the full case record. The record should contain minutes of all meetings and communications between all members of the group between meetings. It is important that records of all telephone calls, e-mails and meetings outside of the core group meetings, and all involvement of statutory agencies, are sent to the DSA.

Multi-agency management

- Multi-agency involvement in these cases will normally be managed by way of meetings to which the DSA and other relevant officers should expect to be invited in order to share information and be party to the decision-making process regarding investigation and risk.
- The outcomes and recommendations from multi-agency meetings will inform the church's internal management of the safeguarding concern or allegation.

Conclusion of the investigation – what next?

At the conclusion of any statutory process or an internal church investigation, the DSA will prepare a summary report (see section 4.1 of [Responding 17](#)). The report should assist the core group in deciding whether there is a case to answer, that the case is unsubstantiated or that the case is manifestly false or unfounded.

In conclusion, there are three possible outcomes:

1. **The initial investigation finds that the concern or allegation was unsubstantiated and there are no ongoing safeguarding concerns.**
In this scenario for church officers who are ordained, licensed, authorised, commissioned or holding permission to officiate, the DSA should recommend to the Bishop that the respondent is returned to work. For other church officers, the core group should decide that the respondent should be returned to work and inform the person responsible for them.
2. **The initial investigation finds that the concern or allegation was unsubstantiated but there are ongoing safeguarding concerns.**
In this scenario, a risk assessment is required. For church officers who are ordained, licensed, authorised, commissioned or holding permission to officiate, the DSA should recommend to the Bishop that an independent risk assessment is undertaken. For other church officers, the core group should inform the DSA who will either carry out a standard assessment or make arrangements for it to be carried out.

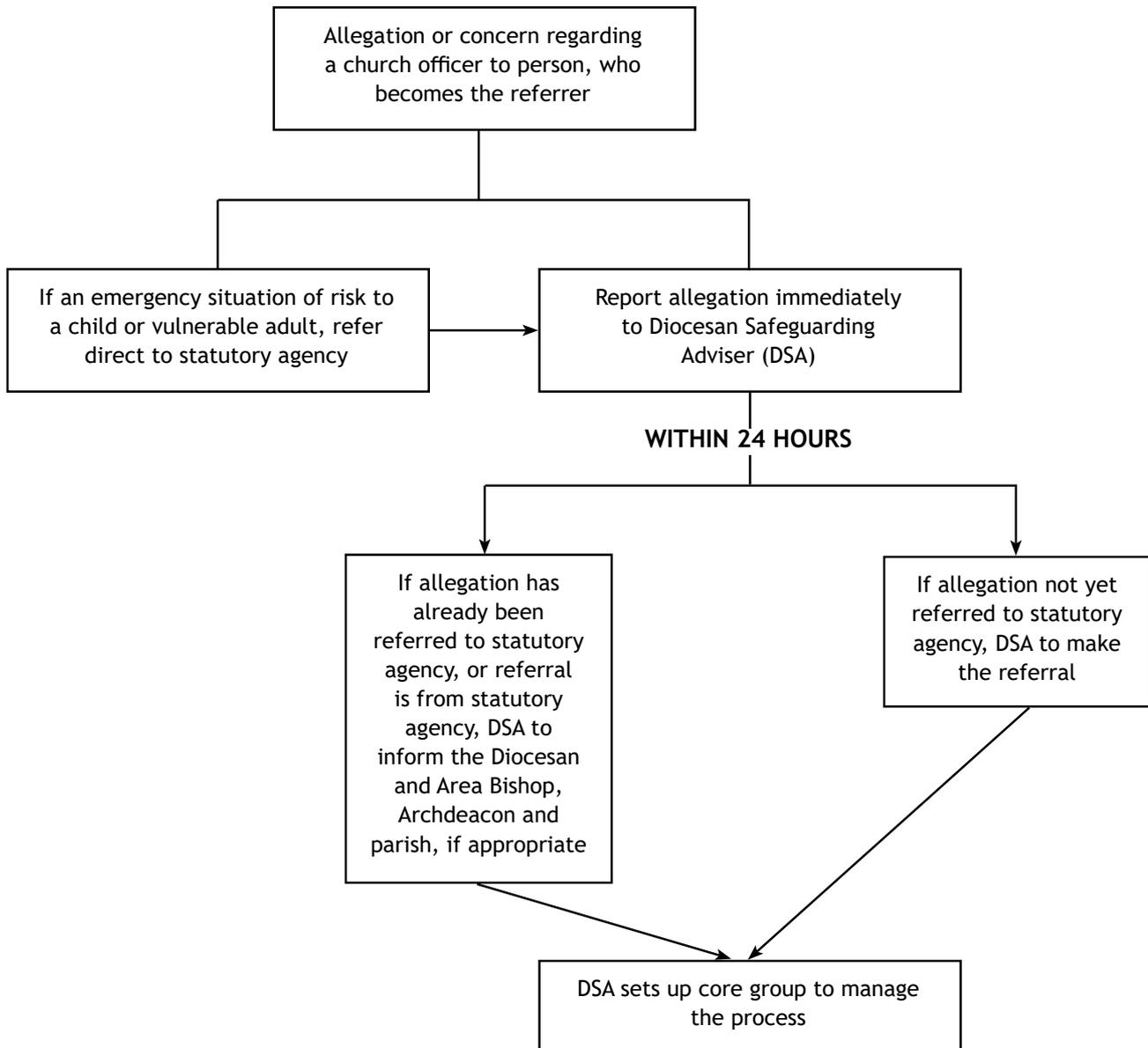
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- 3. The initial investigation finds the concern or allegation to be substantiated.**
In this scenario, a risk assessment is required. For church officers who are ordained, licensed, authorised, commissioned or holding permission to officiate, the DSA should recommend to the Bishop that an independent risk assessment is undertaken. For other church officers, the core group should inform the DSA who will either carry out a standard assessment or make arrangements for it to be carried out.

Further details are set out within Section 5 of [Responding 17](#).

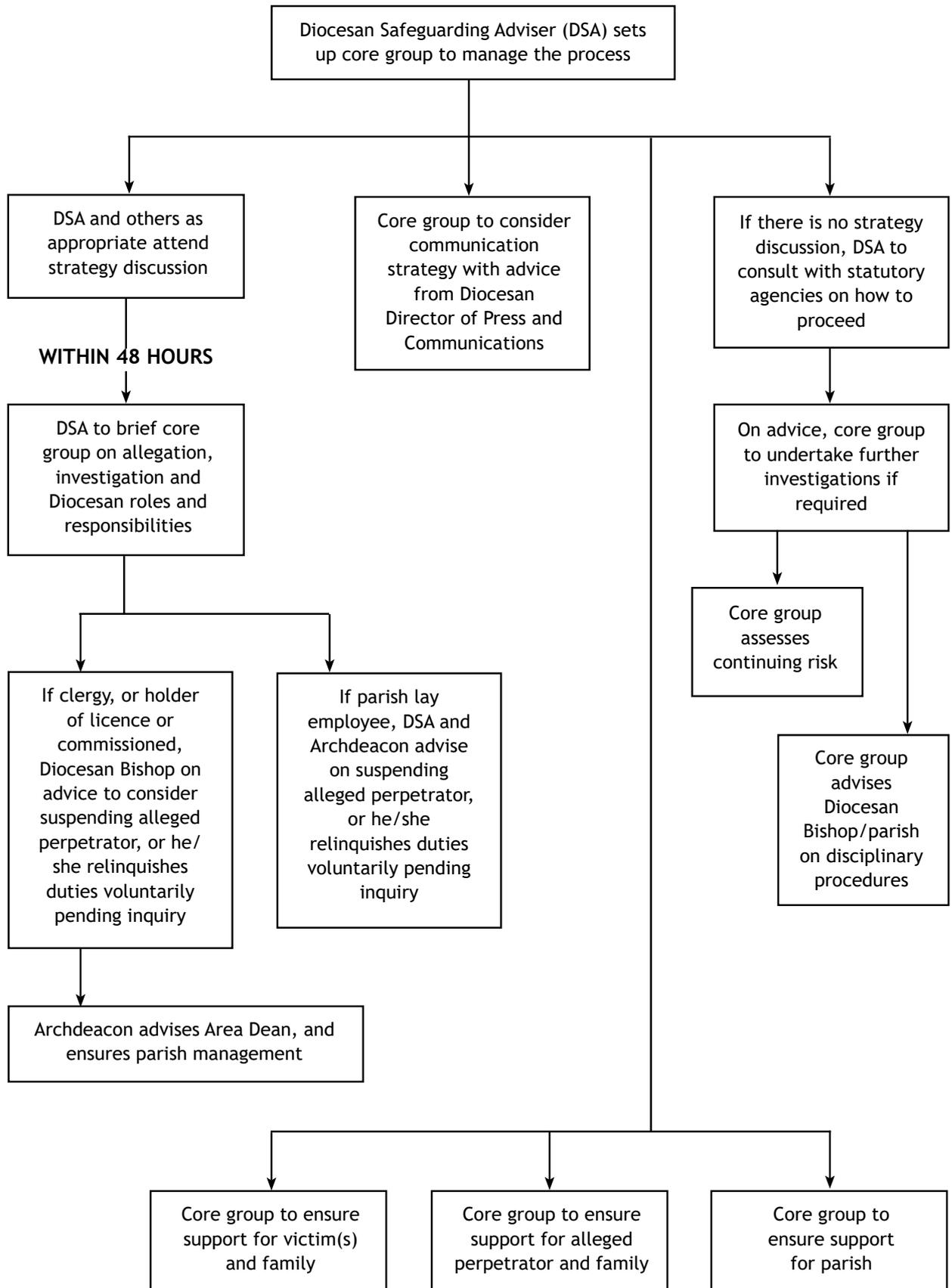
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1. When an allegation is made



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2. During the investigation



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Caring pastorally for victims/survivors of abuse and affected others

The House of Bishops' Safeguarding Policy 2017 states: "The Church will endeavour to offer care and support to all those that have been abused, regardless of the type of abuse, when or where it occurred... Those who have suffered abuse within the Church will receive a compassionate response, be listened to and be taken seriously. Our first response to those who have suffered abuse, especially abuse within the Church, should be compassionate; we must listen and take what we are hearing seriously."

Most parishes are likely to have amongst their congregation children and young people who have been abused and/or adults who have experienced abuse, either as adults or when they themselves were children. Some may have been abused in the Church (see below).

Responding well to a disclosure of abuse is essential to being able to build trust and support. For some, just being able to talk to a trusted person about their experiences can be a powerful, healing event. Some may be seeking pastoral support from the church. Some may need advice about how best to seek professional help. This may involve support to access local specialist services. Victims/survivors who are children or young people will require specialist support. If you need any advice about how best to support a victim/survivor of abuse, please contact the DSA.

We journey alongside those who have been abused. For some, forgiveness may be a part of that journey; for others, it may not be so. In any event, there should not be any pressure or expectation from the church on the victim/survivor to forgive⁵.

Support following alleged abuse by a church officer

All concerns or allegations of abuse by a church officer must be reported to the DSA, who will arrange for a Support Person to be offered to all alleged adult victims/survivors. The role of the Support Person is set out in the House of Bishops' guidance⁶. What the Support Person offers will be agreed with the alleged victim/survivor, but it is likely they will:

- listen to and represent the victim/survivor's pastoral needs
- identify any therapeutic or other needs and offer choices as to how these may be best met
- record any meetings or contact they have with the victim/survivor
- share relevant information with the DSA.

Victims/survivors who are children or young people will require specialist support. The DSA will seek advice from children's social care to access support from a professional agency, as required.

Support for families of victims/survivors and for the parish is co-ordinated by the core group in conjunction with statutory agencies. This would involve discussion with the PSO, Incumbent and Archdeacon as appropriate.

In addition, Dioceses have access to specialist support services for victims/survivors of abuse. This may be through a Diocesan Authorised Listener or a commissioned external service. The nature of any ongoing support needs will be agreed by the DSA with the victim/survivor⁷.

⁵Please see ['Forgiveness and Reconciliation in the Aftermath of Abuse'](#) for further information.

⁶See section 1.4 of ['Responding to, assessing and managing concerns or allegations against Church Officers 2017'](#).

⁷Please see House of Bishops' ['Responding Well to Those Who Have Been Sexually Abused Practice Guidance 2011'](#).

Caring pastorally for church officers who are the subject of concerns or allegations of abuse (the Respondent) and affected others

Support for the respondent⁸

Support for the respondent is provided by a Link Person. All church officers who are the subject of a concern will be offered a Link Person.

The statutory agencies, where involved, will inform the DSA about when and what they can tell the respondent about an allegation that has been made. It may be that the statutory agencies themselves inform the respondent as part of their own investigative practices i.e. where a police voluntary interview or arrest is necessary.

Where the statutory agencies are not involved, the core group will determine when and what the respondent should be told. This will normally be done by the Diocesan Bishop's nominated representative and the DSA, at an arranged meeting with the respondent. At this meeting the respondent will also be offered a Link Person and the support needs of the respondent's family will be considered. The role of the Link Person is set out in the House of Bishops' guidance⁹. What the Link Person offers will be agreed with the respondent, but it is likely he/she will:

- keep the person up to date with the progress of their case
- help with access to advice and additional support
- make and keep a written record of any meetings or contact with the respondent and share relevant information with the DSA.

For clergy or lay workers whose accommodation is provided by the church, alternative temporary accommodation for the respondent may need to be considered by the Diocese.

Support to parishes and others affected by safeguarding concerns or allegations

When a member of clergy leaves a parish in which they have lived and worked for some time, there is usually a period of notice during which they can take their leave and parishioners can say their goodbyes. The pastoral relationship between the respondent and parishioners can be very close, so when it is ending it is to be expected that there will be some sense of loss and sadness; but there is also an opportunity to mark their departure. When someone in a position of office or ministry must step aside at short notice or is suspended because of a safeguarding concern or allegation, a crisis arises for them, but also for the parishioners who have had no warning. The feelings that can arise for parishioners in these circumstances can be very varied and can include disbelief about the allegation, defensiveness about the respondent, shock, disappointment, anger and confusion. People can feel abandoned, especially if they had been working closely with that person in some element of parish life.

The core group will advise the DSA, in close liaison with the Archdeacon, who should support the affected parish. During the period of investigation, which may last for many months, the information that can be shared with the parish and its congregation will be limited. Advice and support is available from the DSA, the Archdeacon and the Diocesan Press and Communications Officer.

⁸The term 'respondent' refers to the person about whom a safeguarding concern or allegation has been made. Sometimes called the 'subject of concerns or allegations' or 'alleged perpetrator'. This should not be confused with the term 'respondent' that is used under the CDM to describe the person who is the subject of a complaint.

⁹See section 1.5 '[Responding to, assessing and managing concerns or allegations against Church Officers 2017](#)'.

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Press enquiries

Home telephone numbers of some parish officers, in particular clergy and Churchwardens, are likely to be in the public domain, so if there is a police investigation in which your church may be directly or indirectly implicated, it is possible that the local or even national press may contact such people for a line on the story. Do not speak to them, but refer as below.

Every effort should be made to maintain confidentiality while an allegation is being investigated or considered. The police will not normally provide any information to the press or media that might identify an individual who is under investigation, unless and until the person is charged with a criminal offence.

The Diocesan Director of Press and Communications will be kept informed of key stages of an investigation, including dates of court appearances, and will prepare a statement for use if asked.

All press enquiries relating to such an investigation must therefore be directed to the Diocesan Director of Press & Communications, Wendy Robins, telephone number 020 7939 9436 or 07831 694021; e-mail wendy.robins@southwark.anglican.org

Domestic abuse

Introduction

For more detailed guidance on how to respond to domestic abuse see [Responding Well to Domestic Abuse Policy and Practice Guidance](#), second edition (2017).

This section includes extracts from the document, sometimes in full and at other times summarised. It is important to note that the 'due regard' duty regarding adherence to safeguarding guidance under Section 5 of the Safeguarding and Clergy Discipline Measure 2016 includes the *Responding Well to Domestic Abuse* policy and guidance.

The practice guidance is intended to raise awareness and to highlight some of the areas that need to be considered in making our churches safer places; to encourage churches to become places of safety where domestic abuse is taken seriously, victims/survivors are believed and respected and alleged or known perpetrators are challenged.

It aims to inform, direct and equip those working at a local level, not only those working in authorised ministries such as clergy, Readers or Pastoral Assistants, but also those who may be entrusted by victims/survivors or alleged or known perpetrators to hear their story and who want to offer the most appropriate care.

Definition of domestic abuse

The cross-government definition of domestic abuse (see <https://www.gov.uk/guidance/domestic-violence-and-abuse>) is: any incident or pattern of incidents of controlling, coercive, threatening behaviour, violence or abuse perpetrated by those aged 16 or over who are, or have been, intimate partners or family members regardless of gender or sexuality. The abuse can encompass, but is not limited to:

- psychological
- physical
- sexual
- financial
- emotional.

The Church recognises additional categories of neglect, spiritual and digital abuse. Examples of behaviours include:

- **psychological/emotional.** For example, shouting; swearing; frightening; blaming; ignoring or humiliating someone; blackmailing them; threatening harm to children or pets if they misbehave; ridiculing every aspect of their appearance and skills; keeping them deliberately short of sleep; being obsessively and irrationally jealous; keeping them isolated from friends and family; threatening suicide or self-harm
- **physical.** Causing physical pain or discomfort in any way, for example, hitting; slapping; burning; pushing; restraining; giving too much medication or the wrong medication; assault with everyday implements such as kitchen knives; kicking; biting; punching; shoving; smashing someone's possessions; imprisoning them; or forcing them to use illegal drugs as a way of blackmailing and controlling them
- **sexual.** Forcing someone to take part in any sexual activity without consent, for example rape or sexual assault, including marital rape; forcing them or blackmailing them into sexual acts with other people; sexual name calling; imposition of dress codes upon a partner;

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- involvement in the sex trade or pornography; knowingly passing on sexually transmitted infections; controlling access to contraception; sexual exploitation; trafficking
- **financial.** For example, the illegal or unauthorised use of someone's property, money, pension book or other valuables; forcing them to take out loans; keeping them in poverty; demanding to know every penny they spend; refusing to let them use transport or have money to pay for it
 - **neglect.** Depriving or causing deprivation of basic standards of care as per the Care Act 2014 guidance document, Section 14. For example, a failure to provide necessary care, assistance, guidance or attention that causes, or is reasonably likely to cause, a person physical, mental or emotional harm or substantial damage to or loss of assets
 - **spiritual.** For example, telling someone that God hates them; refusing to let them worship (for example, not allowing a partner to go to church); using faith as a weapon to control and terrorise them for the perpetrator's personal pleasure or gain; using religious teaching to justify abuse (for example, 'submit to your husband'), or to compel forgiveness
 - **digital.** For example, the use of technology (for example, texting and social media) to bully, harass, stalk or intimidate a partner. Though it is perpetrated online, this type of abuse has a strong impact on a victim's real life, for example, the 'revenge porn' offence (in other words, disclosing private sexual photographs via digital media with an intention to cause distress).

Coercive Control

Section 76 of the Serious Crime Act 2015 created an offence of controlling or coercive behaviour in an intimate or family relationship which occurs when a person repeatedly or continuously engages in behaviour towards another person to whom they are personally connected that is controlling or coercive and that has a serious effect on their victim. Victims who experience coercive and controlling behaviour that stops short of serious physical violence, but amounts to extreme psychological and emotional abuse, can bring their alleged or known perpetrators to justice.

The offence closes a gap in the law around patterns of controlling or coercive behaviour that occurs during a relationship between intimate partners, former partners who still live together or family members.

Policy

See [Section 2 of A Safe Church](#) for the Church of England policy on domestic abuse.

The points below summarise what a Diocese needs to have in place (this can be adapted for other church bodies).

- Adopt and publish a domestic abuse statement, including whom to contact with concerns (see [A Safe Church, Section 2](#), for the Diocese of Southwark's domestic abuse policy)
- Appoint a named individual who is a point of contact for any advice and support for parishes and other church bodies, as appropriate. This may be the DSA.
- Have clear procedures in place to respond to concerns about domestic abuse in line with Section 3 and [Responding 17](#).
- Monitor all concerns in relation to domestic abuse allegations and concerns against church officers in the Diocese.
- Provide support to parishes to implement the domestic abuse policy and practice guidance.
- Appoint a Bishop's Visitor and ensure that all clergy and their partners know how to access support.

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- Deliver a domestic abuse training programme for those in leadership positions, safeguarding and pastoral roles in the Diocese and parishes.
- Work in partnership with other specialist agencies.

Recommended good practice

- Offer additional resources and materials to parishes such as materials for raising awareness sessions and so on.

The points below summarise what a parish needs to have in place (this can be adapted for other church bodies).

- The PCC to agree a parish domestic abuse statement including who to contact if there are concerns (see [A Safe Church, Section 10, Appendix 2](#) for a template parish policy for responding to domestic abuse).
- Appoint a named individual who is a point of contact for any advice and support. This may be the PSO.
- Follow the process on how to respond to concerns about domestic abuse. If parishes are in any doubt as to what action to take they should refer to the DSA.
- Support those in leadership positions, pastoral and safeguarding roles to engage in Diocesan domestic abuse training.
- Consider the best place to display the domestic abuse statement including information about helplines and local services.
- Discuss domestic abuse in appropriate contexts such as marriage preparation (see Appendix 8, *Marriage preparation: recommended good practice*, from [Responding Well to Domestic Abuse](#) for good practice guidance).
- Challenge inappropriate comments and behaviour by church members.

Recommended good practice

- Encourage leaders and those who preach to speak against domestic abuse in teaching, sermons, prayers and parish magazines – remember that many of the congregation may have a personal experience.
- Offer some awareness-raising activities, for example invite speakers from local domestic abuse agencies or organise an activity around 25 November (the International Day for the Elimination of Violence Against Women).
- Consider including activities around healthy relationships within activities for children and young people.
- Develop links with any local domestic abuse organisations.
- Organise courses in parenting and confidence-building.

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The church's response to domestic abuse

Who experiences domestic abuse?

Domestic abuse can occur to anyone regardless of age, race, disability, sexuality, class or income. Most domestic abuse is perpetrated by men against women, but the perpetrator of domestic abuse can be of any gender, and the victim can be of any gender. Victims can be male, although the majority are female, and abuse can occur in same-sex relationships, between siblings or between a parent and adult child.

Many victims will only disclose that a partner was violent and abusive after leaving a relationship.

- Women are particularly vulnerable to abuse when pregnant or seeking to leave a relationship.
- Older people and disabled people can be particularly vulnerable to domestic abuse.
- Children experience domestic abuse in many ways including through directly intervening to protect one of their parents, being forced to join the adult perpetrator and hearing or witnessing violent attacks or verbal abuse.
- Coercive and controlling behaviour in a domestic abuse situation can be exerted over the whole family so that any children suffer as well as the victim.
- Many women come to the UK to work and improve their lives, and many can then become trapped in relationships characterised by abuse with no avenue to seek safety and support.
- The Church of England requires domestic abuse training to be undertaken by those who will have roles with survivors and alleged or known perpetrators. This includes all DSAs and pastoral workers and teams.
- Domestic abuse happens within the Church; church leaders, members of the clergy and spouses of clergy have been found to be victims of domestic abuse.

Responding to victims/survivors

The guidance below aims to assist you in responding to people disclosing abuse. If you feel ill-equipped to deal with the situation please contact the DSA for advice and guidance. The safety of children and victims is paramount. All actions should carefully consider the risk to their, and your, safety. Telephone calls, holding information about support services for domestic abuse, the use of texts and e-mails and accessing relevant websites all create potential risks for those experiencing abuse.

Initial disclosure

If a victim discloses abuse, the following factors are important:

- most victims/survivors want to be asked. If you are able to broach the subject, your offer of help could be the first step in enabling them to seek help; for example, “How are things at home?” and, if it becomes appropriate, “Is anyone hurting you?”
- do try wherever possible to talk in a safe, private place where you will not be interrupted, or arrange to talk again (but someone in distress may start talking anywhere)
- do try to make it clear that complete confidentiality cannot be guaranteed, depending on the nature of what is disclosed. Whilst you might respect an individual's right to confidentiality this cannot be guaranteed, for example when someone is being hurt and a criminal offence has been committed, someone is in danger, or when children are involved
- do take plenty of time to listen and believe what they say. If they sense disbelief they may be discouraged from speaking again.

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Immediate action

- Do dial 999 if you are witnessing a violent incident or if the person needs medical care. If the victim is in immediate danger, the police should be called. Be aware that intervention may heighten risk, but it is important to explore how to ensure people are safe.
- The safety of children is paramount. If children are involved, a referral to children's services needs to be made in addition to calling the police.
- If possible, encourage the victim to make the referral themselves, perhaps supporting them through the process. The DSA will also need to be informed.

Your response to the disclosure

- Do be sensitive to people's backgrounds and cultures and check your own and their understanding of how the cultural issues affect them. Ask them about what support is available to them from friends and family.
- Do affirm the strength and courage it takes to have survived the abuse and even more to talk about it.
- Do encourage them to seek professional help from a local domestic abuse service who will be able to offer practical safety planning advice, even if they do not want to leave their home. In addition give information about national specialist helplines and websites, as required.
- Do express concern for their safety and immediate welfare. Do they have somewhere to stay?
- Do ask about the children and their safety and welfare. You may need to persuade them to report any concerns to children's social care. You have no option but to do so if you have received information that a child is at risk.
- Do encourage them to focus on their own needs, something they may not have been able to do since the abuse began but which is critical in helping them to change their situation.
- Do reassure them that, whatever the circumstances, abuse is not justified and not their fault.
- Do ask them what they want from you and the parish. Offer help which is in response to their needs and preferences and which lets them stay in control.

Record-keeping and follow-up

- Do check if it is all right to contact them at home before doing so. Ask them what their preferred means of contact is and confirm that this is safe.
- Do keep information confidential and as a general rule only share with informed consent where appropriate and, if possible, respect the wishes of those who do not give consent to share confidential information. You should note that it may still be possible to share confidential information without consent if, in your judgement, it is necessary and proportionate to do so (i.e. there is a good reason), such as where the safety of the victim or (an)other(s) may be at risk. Always keep a record of your decision and the reasons why you decided to share (or not). If in doubt contact the DSA and the Diocesan Registrar.
- Do make a brief objective note of date, facts and context of what you have been told but keep your opinions separate. This should be kept in strict confidence but could be useful in any future prosecution (see [Safeguarding Records: Joint Practice Guidance for the Church of England and the Methodist Church](#) (2015)).
- You must share the incident within 24 hours with someone who is qualified and can support you in thinking through the issues and action. This may be the DSA or the local safeguarding officer/lead.

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- Do seek advice from the DSA or local safeguarding officer/lead to review the safety and risk issues in relation to the alleged perpetrator if they are in the same church. There may need to be a risk assessment and ‘safeguarding agreement’ put in place in line with House of Bishops’ [domestic abuse practice guidance](#). This work needs to be undertaken in consultation with the DSA.
- Victim safety planning should be conducted by a professional, ideally from a domestic abuse service or a statutory agency. There may be an occasion when a victim wishes to discuss their safety with you. It is essential that you seek advice from a DSA before entering into detailed safety planning discussions. This planning would normally be guided by a safety planning format (see Appendix 6, *Draft safety and exit plan* from the House of Bishops’ [domestic abuse practice guidance](#)) and careful consideration should be given to where and how such information is provided and kept by the victim, to avoid being accessed by the perpetrator.
- If the alleged perpetrator is a church officer you must talk to the DSA and follow the House of Bishops’ practice guidance on responding to serious safeguarding concerns in relation to church officers.
- Do not give information about the victim’s whereabouts to the perpetrator or to others who might pass information on to the perpetrator. Do not discuss with the parish council or other members of the congregation who might inadvertently pass information on to the perpetrator.
- When victims are leaving a controlling perpetrator, they often have to leave with nothing and have access to very limited financial support. Consider how your church can provide practical support to survivors.

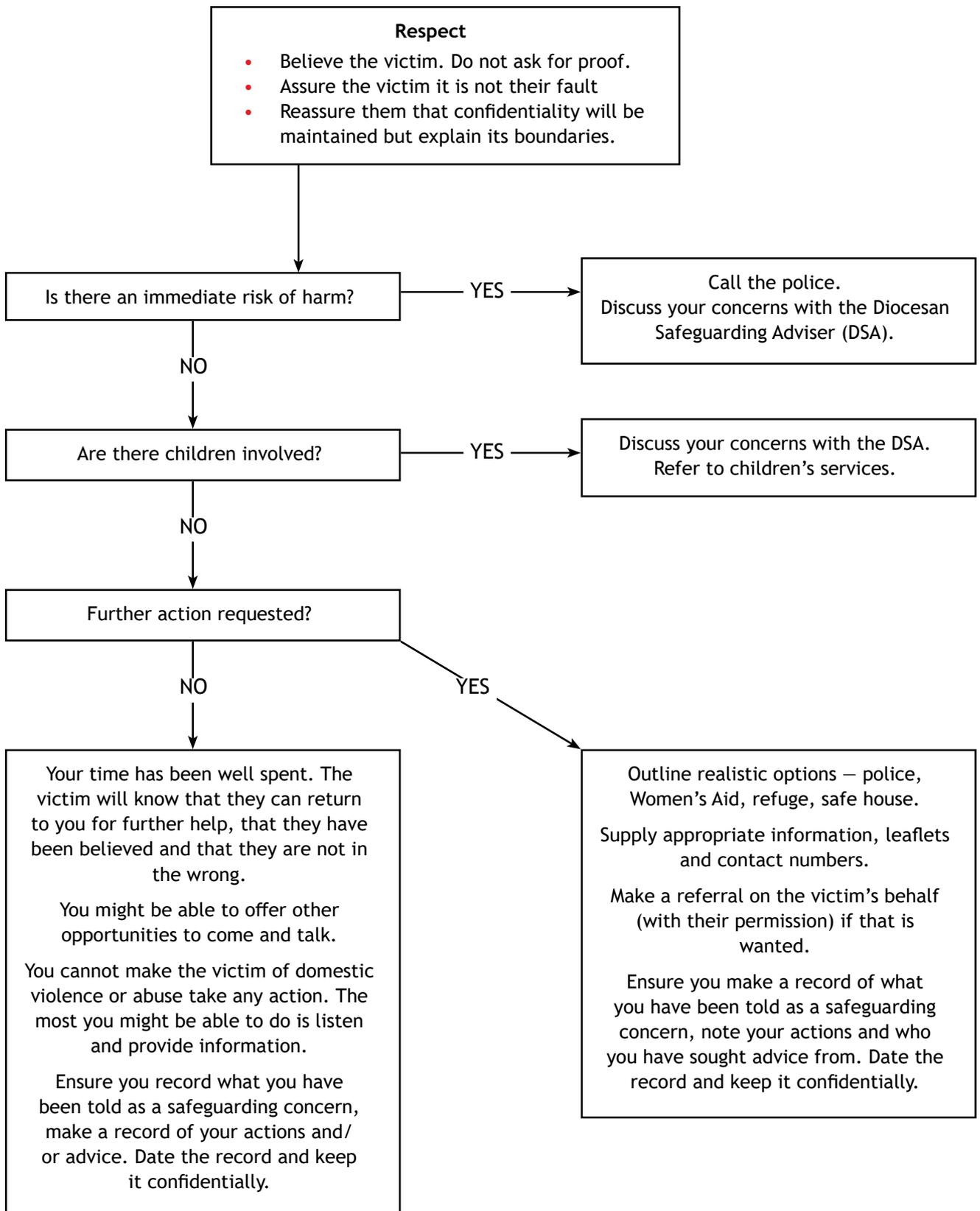
Key telephone numbers for sources of help:

- National Domestic Violence Helpline: 0808 200 0247
- Legal support (National Centre for Domestic Violence): 0844 804 4999 – provides a free, fast, emergency injunction service for victims of domestic abuse
- Male victims (Respect): 0808 801 0327
- Helpline for domestic abuse in same-sex relationships: 0800 999 5428

It is recognised that it can be difficult to make a referral, which can be with or without the permission of the victim. Local authority social care departments are aware of the issues and sensitivities in relation to domestic abuse, and will ensure that they operate with professionalism and an awareness of the situation. Nevertheless, it is important that they are aware of the information concerning domestic abuse, so that they can act on it appropriately. It is not the role of the church, nor anyone employed within the church, to investigate the issues and incidents – only social care and the police have these statutory powers.

Please follow the process in the flowchart on the following page when you become aware of an incident of domestic abuse and violence.

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Responding to alleged or known perpetrators

The Church has an important role in challenging inappropriate behaviour. This can, however, lead to increased risks for both the victim and the person who challenges the alleged or known perpetrator. This needs to be done in an extremely careful way, i.e. one that does not place a victim at increased risk. Factors to consider include:

- ensuring that the victim is at the highest priority in terms of safety and well-being, and that any action is victim- or survivor-centred
- if the alleged perpetrator is to be met, ensuring that it is in a public place, and that there are others in the meeting
- maintaining an awareness of the danger that the alleged perpetrator may pose to you, and ensuring that you and others are safe
- you must share the incident with a properly trained professional within 24 hours who can support you to help you to think through the issues and actions. This may be the DSA or local safeguarding officer/lead. There may need to be a risk assessment and ‘safeguarding agreement’ put in place in line with House of Bishops’ practice guidance. This work needs to be undertaken in consultation with the DSA
- if the alleged perpetrator is a church officer you must talk to the DSA and follow the House of Bishops’ [practice guidance on responding to serious safeguarding concerns in relation to church officers](#)
- co-operating and working with the statutory authorities ensuring that information is only given to them and not to the alleged perpetrator concerning the victim
- sharing information about helplines and services.

Record-keeping and follow-up

- Do try to make it clear that complete confidentiality cannot be guaranteed. Whilst you might respect an individual’s right to confidentiality this cannot be guaranteed. Information has to be shared without consent when someone is being hurt, a criminal offence has been committed and/or a child or adult is at risk. If you are unsure whether or not to share information contact your DSA.
- Do seek advice from a DSA or local safeguarding officer/lead if the alleged perpetrator threatens self-harm, as they may require urgent support.

Appendix 7 of the House of Bishops’ [domestic abuse practice guidance](#) covers issues of confidentiality and data protection.

These are some actions to avoid in responding to alleged or known perpetrators.

- Do not collude with, excuse or minimise their behaviour.
- Do not meet with them alone and in private. Meet in a public place or in the church with several other people around.
- Do not try to investigate or offer/provide treatment. Only those professionally trained should discuss any issues formally with them.
- Do not provide a character witness in any proceedings and be involved in any processes which may seem as if the church supports their position. Do not advocate for the perpetrator.

Additional guidance for clergy and licensed lay ministers

Responding to victims:

- Do help the victim/survivor with any religious concerns.
- Do emphasise that the marriage covenant is broken by the violence from their partner.
- Do not pursue couples' counselling/mediation with them and their partner if you are aware that there is violence in the relationship.
- Do assure them of God's love and presence.
- Do pray with them.
- Don't encourage them to forgive the alleged perpetrator and/or take them back.

Responding to perpetrators:

- Do address any religious rationalisations they may offer or questions they may have.
- Do not allow them to use religious excuses for their behaviour.
- Do name the abuse as their problem, not the victim's/survivor's. Tell them that only they can stop it and seek assistance.
- Do not pursue couples' counselling/mediation with them and their partner if you are aware that there is violence in the relationship.
- Do not be taken in by his or her 'conversion' experience. If it is genuine, it will be a tremendous resource as they proceed with accountability. If it is not, it is only another way to manipulate you and the system and maintain control of the process to avoid accountability.
- Do pray with them.
- Do assure them of your support in this endeavour.

Pastoral issues

There are real issues for parishes where both parties continue to attend church. Parishes need to be aware of any legal restrictions around those perpetrating abuse and ensure that these are not undermined. They need to consider how to support both parties safely, noting that the vicar cannot support both individuals. If they need further advice in relation to providing support they should contact the DSA.

If the victim/survivor or perpetrator is a member of the clergy, please talk urgently to the DSA to review the action required to ensure safety and the appropriate response.

There is also the opportunity to form pastoral teams in order to provide emotional and pastoral support to those who are affected by domestic abuse. Training and awareness-raising sessions should be available to the teams.

These teams can consist of those who are available to support victims, a pastoral element, a trainer, and the safeguarding adviser in the parish and/or Diocese/cathedral. The focus of the team is to ensure that there is support to victims/survivors within the church and that policies and practice guidance have been adopted. There may be a long-term need to provide pastoral support for survivors of domestic abuse, including support to couples when one or both parties have experienced abuse in a previous relationship.

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Clergy and domestic abuse

If the partner of an ordained person, or an ordained person, discloses abuse, they must be treated in exactly the same way as any other victim. Clergy and clergy spouses must have the same access to support and resources as others who are experiencing domestic abuse.

If a member of the clergy or clergy partner who lives in church housing has decided to leave the relationship, they are likely to need alternative housing. Every Diocesan Bishop is advised to appoint a Bishop's Visitor for the victim/survivor of abuse, be they a member of the clergy or clergy spouse (see below). They may also consider appointing someone to offer pastoral support to an alleged perpetrator if they are a member of the clergy.

Clergy may see marital breakdown as a failure of their ordination vows and therefore be particularly vulnerable to staying in abusive relationships for many years. In such situations, Dioceses should not put fear of scandal above the safety of vulnerable people. Clergy should expect to be believed by their Bishop when disclosing abuse, and supported should they wish to separate or divorce. An assessment should also be made of the likely risk to any children. At a most basic level, the survivor and family should be offered all reasonable steps to keep safe should they separate from the perpetrator (for example, changing locks on the clergy housing). Clergy who are survivors should not be threatened with losing their post or housing in the event of divorce as this could create intolerable stress for the family and lead to people staying in dangerous situations. In such cases, the church is compounding the abuse and colluding with the perpetrator.

Counselling should be made available if requested for the survivor and any children.

Recognising domestic abuse in adult victims/survivors

It is very difficult to create a definitive list of signs that domestic abuse is happening because abuse can occur on many levels and both victims and alleged or known perpetrators can behave and respond in a range of different ways.

The following list of signs of behaviour for victims is not exhaustive, and should not be used as a definitive list but should be used as guidance:

- has unexplained bruises or injuries
- shows signs of feeling suicidal
- becomes unusually quiet or withdrawn
- has panic attacks
- has frequent absences from work or other commitments
- wears clothes that conceal even on warm days
- stops talking about her/his partner
- is anxious about being out or rushes away
- may never be seen alone, and is always accompanied by their partner
- may become more isolated, possibly moving away from home, withdrawing from friends and family
- goes along with everything their partner says and does
- checks in often with their partner to report where they are and what they are doing
- receives frequent, harassing phone calls from their partner
- may have unexplained injuries, and may give other reasons for the injuries which refer to them being accidental.

Recognising domestic abuse in children

Living in a home where there is domestic abuse is harmful. It can have a serious impact on a child's behaviour and well-being. Parents or carers may underestimate the effects of the abuse on their children because they do not see what is happening. Indeed, a child who witnesses domestic abuse could be the subject of a care or supervision order. This is because impairment caused by seeing or hearing the ill treatment of another (for example, witnessing domestic violence or abuse) is included in the definition of 'harm' in the Children Act 1989.

Domestic abuse can also be a sign that children are suffering another type of abuse or neglect. The effects can last into adulthood. However, once they're in a safer and more stable environment, most children are able to move on from the effects of witnessing domestic abuse.

Younger children who experience and witness domestic abuse may:

- become aggressive
- display anti-social behaviour
- become anxious
- complain of tummy aches and start to wet the bed
- find it difficult to sleep, have temper tantrums and start to behave as if they are much younger than they are
- find it difficult to separate from their abused parent when they start nursery or school
- be clingy, have behavioural difficulties, may be tired and lethargic, and struggle in social settings and at school.

Older children/young people who experience and witness domestic abuse react differently.

- Boys seem to express their distress much more outwardly, for example by becoming aggressive and disobedient. Sometimes, they start to use violence to try and solve problems, and may copy the behaviour they see within the family.
- Older boys may play truant and start to use alcohol or drugs (both of which are a common way of trying to block out disturbing experiences and memories).
- Girls are more likely to keep their distress inside. They may become withdrawn from other people, and become anxious or depressed.
- Girls may think badly of themselves and complain of vague physical symptoms. They are more likely to have an eating disorder, or to harm themselves by taking overdoses or cutting themselves.
- Girls are also more likely to choose an abusive partner themselves.
- Girls may suffer from depression or anxiety.

Children of any age can develop symptoms of what is called post-traumatic stress disorder. They may get nightmares, flashbacks, become very jumpy, and have headaches and physical pains.

Children dealing with domestic violence and abuse often do badly at school. Their frightening experiences at home make it difficult to concentrate in school, and if they are worried about their abused parent they may refuse to go to school.

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Domestic Violence Disclosure Scheme

Since March 2014 there has been the Domestic Violence Disclosure Scheme (colloquially known as ‘Clare’s law’), which contains two specific rights. That is a ‘right to ask’, which allows an individual to ask police to check whether a new or existing partner has a violent past, and a ‘right to know’, which enables an agency (for example, a statutory agency or a charity) or an individual to ask the police to release information concerning an individual being at risk of domestic violence. The police will consider whether to release the information to the individual involved or to the person who is best placed to protect that individual.

Anyone can apply for a disclosure by visiting their local police station or calling 101. The police will ask for an overview of your concerns and take your contact details. You may be invited to a face-to-face discussion where you will be asked for two forms of ID. The police will undertake a risk assessment and will make a disclosure to the person affected if they believe that abuse is likely. They will then help any potential victim put together a safety plan. You may not hear the outcome of your request if the police do not deem this to be necessary.

See The Church of England’s [Responding Well to Domestic Abuse Policy and Practice Guidance](#) for more information on responding to domestic abuse including:

- the role of the Bishop’s Visitor
- when the alleged perpetrator is a member of the clergy (treat in exactly the same way as any other alleged perpetrator)
- mediation (not recommended for cases of domestic abuse)
- multi-agency response to domestic abuse including the role of Independent Domestic Violence Advisors (IDVAs) and Multi Agency Risk Assessment Conferences (MARACs)
- domestic abuse statistics (one in four women in England and Wales will experience domestic violence; on average a woman is assaulted 35 times before her first call to the police; 20% of children in the UK have been exposed to domestic abuse)
- recognising domestic abuse in children
- who are the alleged or known perpetrators of domestic abuse and how to recognise them
- honour-based violence
- women and girls in black and minority ethnic communities
- domestic abuse and young people
- same-sex domestic abuse
- child and adolescent to parent abuse
- elder abuse.