



The Church of England
in Essex and East London
Diocese of Chelmsford

SAFEGUARDING POLICY MANUAL



*Looking the other way
is not an option*

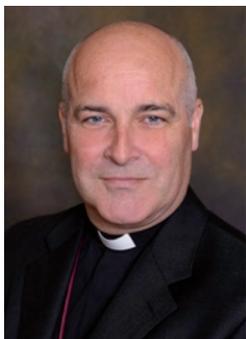
The most up to date version of this policy can be found at
www.chelmsford.anglican.org/safeguarding

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MESSAGE FROM BISHOP STEPHEN



When the Diocese of Chelmsford introduced the new child protection policy I said it marked a new beginning and, since then, we have rapidly developed our safeguarding provision in recognition of its importance to our calling. Our quest to ensure that best practice becomes the common practice in this Diocese, as a model of good practice for the Church and the rest of society, is now moving into a new phase. This consolidation of all safeguarding themes and

their associated policies into one coherent policy manual is indicative of the professionalism and expertise with which we now embrace this ever present challenge to our Mission. We must be uncompromising in our resolve to keep everyone safe from harm within the Church. The gospel demands this of us. To do less, even a tiny bit less, will turn people away from the Church and from Jesus and we, his Church, will be to blame. Worse than this is the fact that children and vulnerable adults will be harmed and their lives blighted, because we let them down by not following through on our convictions and core beliefs.

'Let the children come to me, do not stop them.' (Mark 10.14)

It is the joy and responsibility of the Church to welcome children and people of all ages who are vulnerable and to ensure that the community of the Church is a place where they can develop and flourish, and remain safe from harm. Remember, anyone can become vulnerable at any time. The safeguarding of children and the vulnerable are gospel imperatives and their wellbeing is intrinsic to our Ministry. For these reasons, together with our legal obligations whilst they are in our care, 'Looking the other way is not an option'.

Whilst we continue to learn the difficult lessons from the past, and face the consequences of our failings in this aspect of the Church, it is vital that we ensure our practice now and in the future meets the highest standards expected by our Lord and the rest of society. In coming to Jesus children and the vulnerable must be welcomed with universal kindness and respect and not exposed to the harm that is caused by individuals who abuse and exploit them.

“If you are a child or vulnerable adult and you believe you are at risk of harm in the Church you should call the Police in an emergency, or report it to our Safeguarding Team and they will help you.”

It is also important that those who care for children or vulnerable adults in the Church are protected and that we all recognise the need to safeguard ourselves from harm in our Ministry. We are often exposed to the possibility of our openness and trust being exploited and our well-intentioned actions being misinterpreted. We need to be able to demonstrate plainly that the Church is a safe place for all, by our determination to show our commitment to the justice which is both done and seen to be done.

‘Defend the poor and fatherless; do justice to the afflicted and needy. Deliver the poor and needy; free them from the hand of the wicked.’ (Psalm 82:3-4)

At the same time the Church must always welcome everyone, including those who have abused and those who present a risk to themselves or others in the Church. We can achieve this safely within the bounds of stringent safeguards, put in place to mitigate any assessed risks that they pose. These safeguards will be determined by our Safeguarding Team to help protect everyone attending the church, including the person deemed to pose a risk.

“If you fear that you may be drawn to children or vulnerable people in ways that may harm them, please tell our Safeguarding Team, who will help protect your involvement in the Church and identify further help.”

The invitation of the gospel is for everyone. Let us ensure that our safeguarding policy is taught and observed in all our churches, so that none are turned away from Jesus and that no one in our care is hurt because of our indolence or neglect. I commend this policy for adoption by every parish and in every place where the Church has a presence.

‘Where there is no guidance, a people falls, but in an abundance of counsellors there is safety.’ (Proverbs 11:14)

+ Stephen Chalmers

SAFEGUARDING CHILDREN & VULNERABLE ADULTS

Platform and Purpose

This Diocese of Chelmsford Safeguarding Policy has been prepared in accordance with the national policies of the Church of England as approved by the House of Bishops¹, and in line with legislation, statutory guidance and national/local safeguarding procedures, which relate to the needs of children and vulnerable adults². It consolidates and replaces all previous child protection and safeguarding vulnerable adults policies issued by the Diocese of Chelmsford.

Every child or adult can be hurt, put at risk of harm, or abused. The actions we must take to promote their welfare, and protect them from harm, are the responsibility of us all. Everyone who comes into contact with children or adults has a role to play. This policy sets out the expectations placed on those working and volunteering within the Diocese of Chelmsford and provides information to ensure that all children and adults are best safeguarded.

'Looking the other way is not an option'; so adopting and putting this policy into practice is essential for all of our parishes and church related communities at every level.

Where to find the Policy

Initially printed in hard copy and distributed to every parish and church related community, the most up to date version of the policy will always be available on the diocesan website: www.chelmsford.anglican.org/safeguarding

News of significant updates will be included in Diocesan communications when necessary to raise awareness, or emailed directly to church members and colleagues whose specific roles are affected.

Relevant information will be updated online, where the policy and associated documents can be downloaded easily for local use, so that it is not necessary to supply large quantities of printed papers, which can become out of date all too quickly.

¹ Children: www.churchofengland.org/media/37378/protectingallgodschildren.pdf

Vulnerable Adults: www.churchofengland.org/media/37405/promotingasafechurch.pdf

² Further information and links to these resources can be found on the safeguarding pages of the Diocesan website: www.chelmsford.anglican.org/safeguarding

This policy statement is supplemented by Information Sheets and Procedures relating to particular topics. These are referred to in the policy and are made readily available as downloads from the Diocesan website. They will also be available in paper format from the Diocesan Safeguarding Team.

For those who do not have access to the internet hard copies of the policy and associated documents can be supplied via the Diocesan Safeguarding Team on request.

Reviewing the Policy

This policy will be formally reviewed in three years, or sooner if changes in the local or national safeguarding agenda require amendments to be made. As part of the formal review information will be collected about what works well, what does not work so well, and what could be improved.

In the meantime, where minor improvements and updates to the policy are needed the online version of the policy will be kept updated.

DIOCESAN STATEMENT OF COMMITMENT

The Diocese of Chelmsford is committed, as part of the Christian Church, living in the spirit of the Gospel, to protect and care for everyone in the church community, but especially children and vulnerable adults. The Diocese of Chelmsford recognises the legal principle that the welfare of children is paramount and extends this assertion to any adult suffering, or at risk of suffering, abuse.

We will develop a safeguarding culture that:

- Creates an environment where there is awareness and vigilance about the signs, symptoms and impacts of abuse.
- Enables and encourages all concerns or allegations to be raised in order to protect children and adults from harm.
- Ensures all those who work or volunteer on behalf of the Church with children and adults achieve the standards required by this policy.
- Holds to account those in the church community who disregard the safety and well-being of children and adults.

To bring this about we will:

- Respond without delay to every disclosure made where there is any suggestion that a child or vulnerable adult may have been harmed.
- Listen to those who have been abused in the past and take their allegations seriously.
- Recognise all relevant local and national safeguarding guidance in developing best practice guidelines.
- Offer help to all children and adults regardless of race, disability, gender, culture or creed to reduce risk and safeguard from harm.
- Carefully select all candidates for any paid or voluntary role or responsibility within the Church in line with safer recruitment policy and procedure.
- Develop training programmes to equip people with the skills and knowledge they need.
- Ensure up to date information is available through the Diocesan website.
- Monitor safeguarding practice at every level.
- Work with those individuals who have criminal convictions, or where

other safeguarding risks are identified, in order to protect members of the church community.

- Have robust and well managed risk assessment procedures.
- Work in partnership with other organisations that protect children and adults from abuse and monitor known offenders in the community.
- Co-operate with other faith groups and denominations to protect and care for children, young people and adults.
- Provide support and advice to put the policy into everyday practice.
- Ensure that the best practice becomes the common practice.

The most important point to bear in mind is, if in doubt about any aspect contact the Diocesan Safeguarding Team (DST) whose job it is to offer advice, guidance and support in all situations in which a child or adult may be at risk. For this purpose the DST can be contacted at any time on;

01245 294444

What to do if you are concerned about a child or adult

You **suspect** or **witness** abuse, someone **discloses information** about a safeguarding concern or makes an **allegation** (this could be about a child or an adult)

Ensure immediate safety of any victims. In an **emergency** situation call 999

As soon as possible, but always within 24 hours tell the Diocesan Safeguarding Team 01245 294444 or safeguarding@chelmsford.anglican.org

The Diocesan Safeguarding Team will provide advice, support and guidance and help make the required referrals. For allegations against those who are part of the church workforce this will usually be to the **LADO** or **AST**. For other safeguarding concerns referral will be to **Child/Adult Social Care** and/or the **Police**.

The Diocesan Safeguarding Team will liaise with statutory guidelines and act as a Case Manager

Additional support is also available from your incumbent and Parish Safeguarding Representative

Remember accurate **recording** throughout this process is essential

If **you** have previously or are currently suffering abuse in a church context, whether or not you have already informed the local authority or police, you can contact the DST to access support, including help to make contact with the statutory services. Independent support is also available through agencies such as the NSPCC - 0808 800 5000.

For detail of the Church of England Policy please see www.churchofengland.org/media/1292643/respondingwellforweb.pdf

LADO – Local Authority Designated Officer

AST – Adult Safeguarding Team

TYPES OF ABUSE

“Abuse is a violation of an individual’s human and civil rights by any other person or persons.” (No Secrets, DoH, 2000³)

This section contains information about the following types of abuse:

Physical Abuse	Financial Abuse
Emotional or Psychological Abuse	Institutional Abuse
Neglect	Discriminatory Abuse
Sexual Abuse	

This information is about the types of abuse which can occur and how to recognise them, including physical signs and symptoms as well as behavioural changes that you might observe. Bear in mind that people may be subject to one type of abuse or a combination of types of abuse.

Note: The lists of signs and symptoms below are not exhaustive – there may be other signs or symptoms which are not listed below which could be indicators of abuse. Similarly some of these signs and symptoms will not always be indicators of abuse. If there is any doubt contact the DST for advice on 01245 294444.

³ No Secrets www.gov.uk/government/publications/no-secrets-guidance-on-protecting-vulnerable-adults-in-care

Significant Harm

In relation to safeguarding children the term 'significant harm' is important to understand. The concept of significant harm was introduced in the Children Act 1989. If a child is in need because they are suffering, or likely to suffer, significant harm this is the threshold that justifies a compulsory intervention in family life and gives local authorities a duty to make enquiries.

There is no absolute criteria when judging what constitutes significant harm. Consideration of the severity of the ill-treatment may include the degree and extent of physical harm, the duration and frequency of abuse and neglect, the extent of premeditation, the presence and degree of threat, coercion or sadism. Sometimes a single traumatic event may constitute significant harm but, more often, significant harm is a compilation of events both acute and longstanding, which interrupt, change or damage the child's physical and psychological development.

Those people with specific safeguarding duties within the Church must make a referral to the appropriate Children's Social Services area if we have reasonable cause to suspect that a child is suffering or is likely to be suffering significant harm with reference to the four broad categories of abuse.

NOTE: The following lists under each category of abuse contain examples of possible indicators. The presence of one or more of these signs or symptoms does not necessarily confirm abuse. Remember if you are ever uncertain you can contact the Diocesan Safeguarding Team for advice, guidance and support.

Physical Abuse

Physical abuse may or may not cause injury and includes physical ill treatment, causing unjustifiable physical discomfort, for example injury, pain or impairment.

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Hitting • Slapping • Pushing • Kicking • Inappropriate restraint • Withholding or misuse of medication • Squeezing • Biting • Suffocating • Poisoning • Drowning • Killing <p>A requirement for someone to work in an unsafe environment can be construed as physical abuse.</p> <p>Physical abuse may also be caused when a parent or carer fabricates symptoms of, or deliberately induces, illness in a child. This is called Fabricated or Induced Illness.</p>	<ul style="list-style-type: none"> • cuts, lacerations, puncture wounds, open wounds, bruising, welts, black eyes, burns, bite marks, broken bones and skull fractures; • untreated injuries in various stages of healing or not properly treated; • poor skin condition or poor skin hygiene; • dehydration and/or malnourishment without an illness-related cause; • loss of weight; • soiled clothing or bedding; • broken eyeglasses or frames; • physical signs of being subjected to punishment or signs of being restrained; • inappropriate use of medication, overdosing or under dosing; • cowering and flinching; • emotional distress, low self-esteem, untypical self-harm; • telling you they have been hit, slapped or mistreated; • aggressive behaviour or severe temper outbursts; • reluctance to get changed, for example in hot weather; • depression; • withdrawn behaviour. <p style="text-align: right;">continued →</p>

Abusive Actions	Signs & Symptoms
	<p>Remember: Most children will collect cuts and bruises as part of the rough-and-tumble of daily life. However, important indicators of physical abuse are bruises or injuries that are either unexplained or inconsistent with the explanation given, or visible on the 'soft' parts of the body where accidental injuries are unlikely, e.g. cheeks, abdomen, back and buttocks. A delay in seeking medical treatment when it is obviously necessary is also a cause for concern.</p> <p>Children may also display:</p> <ul style="list-style-type: none"> • fear of parents being approached for an explanation; • running away from home.

Emotional or Psychological Abuse

Emotional abuse is the persistent emotional ill treatment of an individual causing severe and persistent effects on the person's emotional and psychological wellbeing and for children impacting negatively on emotional development.

Some level of emotional abuse is involved in most types of abuse although emotional abuse may occur alone.

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Threats and verbal abuse • Humiliation • Blaming • Controlling • Pressurising and coercion • Intimidation and causing fear • Ignoring the person 	<ul style="list-style-type: none"> • feelings of helplessness; • hesitation in talking openly; • implausible stories; • confusion or disorientation; • anger without an apparent cause; • sudden changes in behaviour; <p style="text-align: right;">continued →</p>

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Not giving the person a chance to express their views • Lack of love or affection • Making someone feel worthless • Lack of privacy or choice • Causing/forcing isolation/ withdrawal from family/friends and support networks • For children: Imposing developmentally inappropriate expectations e.g. interactions beyond the child's developmental capability, overprotection, limitation of exploration and learning, preventing the child from participation in normal social interaction. • Causing children to feel frightened or in danger e.g. witnessing domestic abuse, seeing or hearing the ill treatment of another. 	<ul style="list-style-type: none"> • the person becoming emotionally upset or agitated; • unusual behaviour (sucking, biting or rocking); • unexplained fear; • denial of a situation; • the person becoming extremely withdrawn and non-communicative or nonresponsive; <p>telling you they are being verbally or emotionally abused.</p> <p>Changes in a child's behaviour which can indicate emotional abuse include:</p> <ul style="list-style-type: none"> • being unable to play; • fear of making mistakes; • sudden speech disorders; • self-harm; • fear of parent being approached regarding their behaviour; • developmental delay in terms of emotional progress.

Bullying & Harassment

Bullying, sexual and racial harassment can also sometimes be referred to as emotional abuse.

Other bullying behaviours which may take place within a working relationship include public or unreasonable criticism, insults and shouting, ignoring a person's wishes or point of view, setting unreasonable work targets, removing areas of responsibility, undervaluing a person's efforts.

Harassment may include name calling, victimisation and ostracism, unwanted sexual attention, stalking, compromising invitations or gifts, the display of images that are racially or sexually offensive, the suggestion that sexual favours might further promotion prospects.

The Diocese of Chelmsford has a policy about Bullying and Harassment and trained Harassment Advisers who can provide support in cases of bullying and harassment⁴.

Neglect

Neglectful behaviour is any pattern of activity by another person, which seriously impairs an individual.

Abusive Actions	Signs & Symptoms
<p>Neglect involves persistently failing to provide necessities, for example;</p> <ul style="list-style-type: none">• Adequate food• Clothing• Shelter (including exclusion from home or abandonment)• Personal care• Failure to protect a child or vulnerable adult from physical or emotional harm or danger	<ul style="list-style-type: none">• dirt, faecal or urine smell, or other health and safety hazards in the vulnerable person's living environment;• rashes, sores, lice on the vulnerable person;• inadequate clothing;• untreated medical condition;• poor personal hygiene;• over or under medication; <p style="text-align: right;">continued →</p>

⁴ The Bullying & Harassment policy can be found on the Diocese of Chelmsford website [http://www.chelmsford.anglican.org/uploads/Getting-on-Together\(2\).pdf](http://www.chelmsford.anglican.org/uploads/Getting-on-Together(2).pdf)

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Failure to ensure adequate supervision including the use of inadequate care-givers. • Failure to ensure access to appropriate medical care or treatment. • Deliberately withholding essential aids – for example visual or hearing aids. • Denying social, religious or cultural contacts. • Denying contact with family. • Lack of appropriate supervision. 	<ul style="list-style-type: none"> • lack of assistance with eating or drinking; • unsanitary and unclean conditions; • constant hunger; this may sometimes lead to the person stealing food; • loss of weight, or being constantly underweight. <p>Changes in behaviour which can also indicate neglect may include:</p> <ul style="list-style-type: none"> • complaining of being tired all the time; • not requesting medical assistance and/or failing to attend appointments; • having few friends; • mentioning being left alone or unsupervised.

Discriminatory Abuse

Discriminatory abuse is unwanted conduct based on a person's social identity (i.e. age, sex, race, disability, culture, religion, sexual orientation, nationality or any other personal characteristic of the individual), which affects the dignity of the victim. It may be persistent conduct or an isolated incident. The key issue is that the actions or comments are perceived as demeaning and unacceptable by the recipient.

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Racism • Sexism • Harassment on the basis of a disability 	<ul style="list-style-type: none"> • lack of choice; • lack of privacy and dignity; • lack of personal belongings; <p style="text-align: right;">continued →</p>

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Harassment on the basis of sexual preference • Age discrimination is also a form of discriminatory abuse 	<ul style="list-style-type: none"> • tendency for withdrawal and isolation; • use of punishments – for example withholding food and drink; • lack of disabled access; • expression of anger/frustration/fear/anxiety; • being refused access to services or being excluded inappropriately.

The indicators of discriminatory abuse may take the form of any of the other types of abuse already mentioned. The difference lies in that the abuse is motivated by discriminatory attitudes, feelings or behaviour towards an individual.

Sexual Abuse

A sexual act carried out without the informed consent of the other individual is abuse. Such behaviour includes contact and non-contact abuse. The issue of informed consent is a fraught one and would need to be carefully investigated. No one should enter into a sexual relationship with someone for whom they have pastoral responsibility or have a position of trust. Non-contact abuse may include sexual remarks and suggestions, introduction to indecent material or indecent exposure. Contact abuse may include rape, indecent assault, being forced to touch another person, sexual intercourse or being pressurised into consenting to sexual acts.

It is also important to remember that it is not just adult men who sexually abuse children – there are increasing numbers of allegations of sexual abuse of children against women and sexual abuse can also be perpetrated by other children or young people.

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Rape • Sexual assault • Kissing • Fondling/caressing • Involving children or vulnerable adults in looking at, or in the production of, sexual images, watching sexual activities, • Encouraging children to behave in sexually inappropriate ways • Sending sexualised texts and emails. 	<ul style="list-style-type: none"> • bruises around the breasts or genital areas; • unexplained venereal disease or genital infections; • unexplained vaginal or anal bleeding; • vaginal discharge or infection; • torn, stained or bloody underclothing; • the child or vulnerable adult telling you they have been sexually assaulted or raped; • pain or itching in the genital area; • sexually transmitted disease; • stomach pains or discomfort when walking or sitting down; • pregnancy. <p>Changes in behaviour which can also indicate sexual abuse include:</p> <ul style="list-style-type: none"> • sudden or unexplained changes in behaviour e.g. becoming aggressive or withdrawn; • fear of being left with a specific person or group of people; • having nightmares; • running away from home; • sexual knowledge which is beyond their age, or developmental level; • sexual drawings or language; • bedwetting; • eating problems such as overeating or anorexia; • self-harm, suicidal thoughts, suicide attempts; • saying they have secrets they cannot tell anyone about; <p style="text-align: right;">continued →</p>

Abusive Actions	Signs & Symptoms
	<ul style="list-style-type: none"> • substance abuse; • suddenly having unexplained sources of money; • not allowed to have friends (particularly in adolescence); • acting in a sexually explicit way, specifically children towards adults.

Consent

The age of consent for both heterosexual and homosexual sex in England is 16.

Sexual activity with a child under the age of 13 is classed as rape under the Sexual Offences Act 2003. A child under the age of 13 is not legally capable of giving their consent.

Although it is an offence for any child under the age of 16 to engage in sexual activity with another child under the age of 16, the police would not seek to criminalise all 13 - 16 year olds having under-aged sex. Statutory agencies have agreed that if 13 - 16 year old sexual activity is discovered then an assessment of risk should be carried out. Risks to be considered include:

- Whether the child is competent to understand, and consent to, the sexual activity they are involved in.
- Whether the sexual activity is with someone of a similar age, ability and aptitude.
- Whether there is a power imbalance?
- Whether there any coercion or bribery; overt aggression; misuse of alcohol or other substances as a disinhibitor?
- Whether the sexual partner is known by one of the statutory agencies?

Financial or Legal Abuse

The wilful extortion or manipulation of the vulnerable person's legal or civil rights must be construed as abuse. Such activity may include misappropriation of monies or goods, the misuse of finances, property or possessions, or withholding money, the exploitation of a person's resources or embezzlement. Such abuse may involve the use of a position of authority or friendship to persuade a person to make gifts, to leave legacies or change a will.

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none">• Theft• Fraud• Financial exploitation• Pressure to change financial arrangements• Pressure to sell/change arrangements around the ownership of property• Pressure in connection with wills, inheritance or other financial transactions• Misuse of possessions• Refusing/restricting the vulnerable adults access to cash, bank accounts or financial documentation	<ul style="list-style-type: none">• signatures on cheques or other important documents that do not resemble the adult's signature or which are signed when the adult cannot write;• any sudden changes in bank accounts including unexplained withdrawals of large sums of money;• the inclusion of additional names on an adult's bank account;• abrupt changes to or creation of wills;• the sudden appearance of previously uninvolved relatives claiming their rights to a vulnerable person's affairs or possessions;• the unexplained sudden transfer of assets to a family member or someone outside the family; <p style="text-align: right;">continued →</p>

Abusive Actions	Signs & Symptoms
	<ul style="list-style-type: none"> • numerous unpaid bills, overdue rent, when someone is supposed to be paying the bills for the vulnerable person; • unusual concern from someone that an excessive amount of money is being expended on the care of the vulnerable person; • lack of amenities, such as TV, personal grooming items, appropriate clothing, that the vulnerable person should be able to afford; • the unexplained disappearance of funds or valuable possessions such as art, silverware or jewellery; • deliberate isolation of a vulnerable person from friends and family resulting in the caregiver alone having total control.

Institutional Abuse

Institutional Abuse can be defined as abuse or mistreatment by a regime as well as by individuals within any building where care is provided. 'No Secrets' says:

'Neglect and poor professional practice need to be taken into account. This may be in the form of isolated incidents of poor or unsatisfactory professional practice, at one end of the spectrum, through to pervasive ill treatment or gross misconduct at the other. Repeated instances of poor care may be an indication of more serious problems'.

Abusive Actions	Signs & Symptoms
<ul style="list-style-type: none"> • Poor care standards • Lack of response to specific needs • Rigid routines • Inadequate staffing • Poorly trained staff. 	<ul style="list-style-type: none"> • lack of flexibility/choice/options; • lack of opportunity for drinks or snacks; lack of choice or consultation over meals; • lack of dignity; • pressure sores; skin tears; dehydration; • person is unkempt and smells; • inappropriate use of communal items e.g. clothing or toiletries; • inappropriate restraint; • lack of satisfactory procedures for financial management; • staff member has a history of moving job; high staff turnover; • lack of privacy, including intercepting mail, restricting visits, control of phone; • derogatory remarks overheard; • public discussion of personal matters; • inadequate or delayed response to medical requests or requests for assistance or support; • missing documentation; • entering rooms without knocking/seeking permission; • Staff have an overly controlling relationship with service users and service users' activities; • Staff not available; • Service users are abusive to staff and other service users.

Additional Vulnerabilities

There are certain risk factors that may place people at particular risk of being abused. The presence of one or more of these factors does not automatically imply that abuse will result, but increases the likelihood.

- Where there exists an imbalance of power and control;
- Where there is a dependency on other(s);
- The need for help with intimate personal care e.g. managing incontinence, washing and dressing;
- Strain of prolonged caring at the expense of care-giver's own needs/ high stress levels; difficult carer/service-user relationship;
- Role reversal and the need for intimate personal assistance, e.g. daughter or son providing personal assistance for a parent;
- Living in the same household as a known abuser;
- Where there is a history of family abuse;
- People with a history of alcohol, drug or other substance abuse;
- Unsuitable or dangerous environment, e.g. lack of personal space;
- People who have independent support (i.e. no-one/no outside body monitoring this);
- Absence of support;
- Lack of awareness of the rights of a service user or of what constitutes abuse or dignity;
- Staff shortages, lack of staff awareness, training and supervision;
- Lack of privacy;
- Financial problems;
- Where there is a change in the lifestyle of a member of the household, e.g. employment, unemployment, illness;
- Cultural differences and language barriers;
- Emotional or social isolation;
- Communication difficulties;
- Where the individual's behaviour is challenging or unpredictable or difficult to manage;
- Revenge and/or anger.

Additional Signs and Symptoms of Abuse

Other indications that abuse may be occurring:

- the vulnerable person or child may not be allowed to speak for themselves, or see others, without the parents or caregivers being present;
- attitudes of indifference or anger towards the child or vulnerable person;
- family member or caregiver blames the child or vulnerable person (e.g. accusation that incontinence is a deliberate act);
- aggressive behaviour (threats, insults, harassment) by the parent or caregiver towards the child or vulnerable person;
- previous history of abuse of others on the part of the caregiver;
- inappropriate display of affection by the caregiver;
- flirtations, coyness, etc. which might be possible indicators of an inappropriate sexual relationship;
- social isolation of the family or restriction of activity of the vulnerable person by the caregiver;
- conflicting accounts of incidents by the family, supporters or the vulnerable person;
- inappropriate or unwarranted defensiveness by the caregiver;
- indications of unusual confinement (closed off in a room, tied to furniture, change in routine or activity);
- obvious absence of assistance or attendance.

See also 'Abusive Situations' and 'Domestic Abuse' on pages 26 and 34.

ABUSIVE SITUATIONS

In some situations both children and vulnerable adults are likely to be harmed directly or indirectly because of what is going on around them.

Some of these circumstances include:

- 1) Grooming
- 2) Child Sexual Exploitation (CSE)
- 3) Complex abuse
- 4) Honour Based Violence
- 5) Forced Marriage
- 6) Female Genital Mutilation (FGM)
- 7) Spiritual Abuse

If you are concerned that any of these situations, or any other possibly abusive situations are affecting children or vulnerable adults in your parish contact the Diocesan Safeguarding Team for advice, support and guidance as soon as possible on 01245 294444.

1) Grooming

Grooming refers to actions deliberately aimed at establishing an emotional connection and trust with someone in order to increase the likelihood of them engaging in sexual behaviour or exploitation. Grooming may also include threats or bribes, which persuade the person that it would be impossible to ask for help. It may appear as an unhealthy close friendship which stretches or breaks approved boundaries.

Methods of making contact online via social networking and chat-based applications (often used on mobile phones) are often used for this, although grooming can take place face-to-face. When grooming takes place online it is easy for potential abusers to disguise their identity, including their gender, location and age.

2) Child Sexual Exploitation

The 2009 statutory guidance *Safeguarding Children and Young People from Sexual Exploitation* uses the following definition, which came from the National Working Group for Sexually Exploited Children and Young People:

Sexual exploitation of children and young people under 18 involves exploitative situations, contexts and relationships where young people (or a third person or persons) receive 'something' (e.g. food, accommodation, drugs, alcohol, cigarettes, affection, gifts, money) as a result of them performing, and/or another or others performing on them, sexual activities. Child sexual exploitation can occur through the use of technology without the child's immediate recognition; for example being persuaded to post sexual images on the Internet/mobile phones without immediate payment or gain. In all cases, those exploiting the child/young person have power over them by virtue of their age, gender, intellect, physical strength and/or economic or other resources. Violence, coercion and intimidation are common, involvement in exploitative relationships being characterised in the main by the child or young person's limited availability of choice resulting from their social/economic and/or emotional vulnerability.

Possible indicators of grooming and Child Sexual Exploitation (CSE)

The following list of indicators is not exhaustive or definitive but it does highlight signs which can assist in identifying possible grooming and CSE.

- Keeping secrets;
- Inappropriate sexual or sexualised behaviour;
- Sexually risky behaviour;
- Repeat sexually transmitted infections;
- Repeat pregnancy, abortions, miscarriage;
- Receiving unexplained gifts or gifts from unknown sources;
- Having multiple mobile phones and worrying about losing contact via mobile;
- Having unaffordable new things (clothes, mobile) or expensive habits (alcohol, drugs);
- Changes in the way the person dresses;
- Going to hotels or other unusual locations to meet friends;
- Contact with known perpetrators;
- Involved in abusive relationships, intimidated and fearful of certain people or situations;
- Unexplained changes in behaviour or personality – e.g. mood swings, volatile behaviour, emotional distress;

- Self-harming, suicidal thoughts, suicide attempts, overdosing, eating disorders;
- Drug or alcohol misuse;
- Getting involved in crime;
- Injuries from physical assault, physical restraint, sexual assault;
- The adult may create special relationships with a particular person or have difficulties in keeping to boundaries. They may try to have secrets from others in the group.

3) Complex Abuse

Complex abuse, sometimes also known as 'organised' or 'multiple' abuse, is abuse involving one or more abusers and a number of related or non-related children or vulnerable adults. The abusers may be acting in networks to abuse or may operate in isolation. They may use an institutional framework or position of authority or trust to children or vulnerable adults for abuse. They may use children or vulnerable adults themselves to recruit others.

Such abuse occurs both as part of a network of abuse across a family or community and within institutions such as residential settings, in day care and in other provisions such as voluntary groups. There may also be cases of people being abused via the use of the Internet.

4) Honour Based Violence or Abuse

The Forced Marriage Unit at the Home Office defines this as:

'So-called honour based violence is a crime or incident, which has or may have been committed to protect or defend the honour of the family and/or community'

Honour Based Abuse can manifest in many different ways and often presents with accompanying criminal offences, domestic abuse or the civil offence of forced marriage. If incidents include domestic abuse, child abuse or other serious crime then it should be read in conjunction with the relevant policies and procedures on these subjects.

Honour Based Abuse can include:

- Physical Abuse.
- Sexual Abuse.

- Emotional and Psychological Abuse.
- Financial Abuse.
- Forced Marriage.
- Female Genital Mutilation.

'Honour' is normally associated with cultures and communities from Asia, the Middle East and Africa as well as the Travelling Community. However, it is important to note that in reality it cuts across all cultures, nationalities, faith groups and communities and transcends national and international boundaries.

The 'honour code' means that females generally, but sometimes males, must follow rules that are set at the discretion of the male relations and which are interpreted according to what each male family or community member considers acceptable.

Any suspicion or disclosure of violence or abuse against a vulnerable adult in the name of honour should be treated as seriously as any other suspicion or disclosure of significant harm against a vulnerable adult, however there are differences in the immediate response. A child at risk of abuse in the name of honour is at significant risk of physical harm (including being murdered) and/or neglect, and may also suffer significant emotional harm through the threat of violence.

It must be noted that in most cases, the Police will take the lead for any Honour Based Abuse incidents. It is important that you do not 'turn the individual away'. Try to ensure their immediate safety and support them to make urgent and safe contact with the Police. It is important to remember the 'one chance' rule. That is, that there may only be one chance to speak to the potential victim and thus only one chance to intervene.

Due to the possible serious consequences when recognising Honour Based Abuse the DST must be contacted immediately and local statutory agencies will be informed.

5) Forced Marriage

The Home Office definition of forced marriage is:

'A marriage without the consent of one or both parties and where duress is a factor'.

The Court of Appeal clarified that duress is:

'[when] the mind of the applicant has been overborne, howsoever that was caused'

An arranged marriage is very different from a forced marriage. An arranged marriage is entered into freely by both people, although their families take a leading role in the choice of partner.

A forced marriage is where one or both people do not (or in some cases of people with learning or physical disabilities, cannot) consent to the marriage and pressure or abuse is used.

Marriage without consent is not valid in UK law and a child under 16 years old is not considered to be competent to consent to marriage.

The pressure put on people to marry against their will can be physical (including threats, actual physical violence and sexual violence) or emotional and psychological (for example, when someone is made to feel like they're bringing shame on their family). Financial abuse (taking your wages or not giving you any money) can also be a factor.

Marriage within communities that believe protecting the 'honour' of their family is a significant event. Marriage contracts will often be drawn up when children are young and are seen as a binding arrangement between the two families. If one or both parties then seek to disengage from the contract it is seen as bringing great shame on the family and very contentious.

Involving family members in cases of forced marriage is dangerous as it may increase the risk of serious harm to the victim as the victim may also then be punished for seeking help.

Forced marriages can occur in this country or abroad, often in their country of origin. There is further information available regarding Forced Marriage on the government webpages⁵.

6) Female Genital Mutilation

Female genital mutilation (FGM) is a collective term for illegal procedures which include the removal of part or all external female genitalia for cultural or other non-therapeutic reasons. The practice is not required by any religion and is medically unnecessary, painful and has serious health consequences at the time it is carried out and in later life.

⁵ www.gov.uk/forced-marriage

The procedure is typically performed on girls of any age, but is also performed on new born infants and on young women before marriage/ pregnancy. A number of girls die as a direct result of the procedure, from blood loss or infection.

FGM may be practised illegally by doctors or traditional health workers in the UK, or girls may be sent abroad for the operation.

FGM is illegal in this country by the Female Genital Mutilation Act 2003, except on specific physical and mental health grounds⁶

Contact should always be made directly with the DST if FGM is disclosed, as the victim may be seriously at risk if any knowledge of the disclosure is mishandled.

7) Spiritual Abuse

Spiritual abuse is not covered by the standard statutory definitions of abuse but is of concern both within and outside faith communities including the Church of England.

The House of Bishops' policy, Promoting a Safe Church (2006)⁷ states;

'Churches need to be sensitive so that they do not, in their pastoral care, attempt to 'force' religious values or ideas onto people, particularly those who may be vulnerable to such practices. Within faith communities harm can be caused by the inappropriate use of religious belief or practice; this can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, or intrusive healing and deliverance ministries, which may result in vulnerable people experiencing physical, emotional or sexual harm. If such inappropriate behaviour becomes harmful it should be referred for investigation in the usual way. Careful supervision and mentoring of those entrusted with the pastoral care of adults should help to prevent harm occurring in this way. Other forms of spiritual abuse include the denial to vulnerable people of the right to faith or the opportunity to grow in the knowledge and love of God.'

A particular aspect of Spiritual Abuse relating to children has been addressed in the DoH Safeguarding Children from Abuse Linked to a Belief in Spirit Possession (2007)⁸.

⁶ www.fco.gov.uk/fgm

⁷ www.churchofengland.org/media/37405/promotingasafechurch.pdf

⁸ DoH Safeguarding Children from Abuse Linked to a Belief in Spirit Possession, 2007 <http://webarchive.nationalarchives.gov.uk/20130401151715/https://www.education.gov.uk/publications/eOrderingDownload/DFES-00465-2007.pdf>

The term 'belief in spirit possession' is defined as the belief that an evil force has entered a child and is controlling him or her. Sometimes the term 'witch' is used and is defined as the belief that a child is able to use an evil force to harm others. There is also a range of other languages that is connected to such abuse. This includes black magic, kindoki, ndoki, the evil eye, djinns, voodoo, obeah, demons, and child sorcerers. In all these cases, genuine beliefs can be held by families, carers, religious leaders, congregations, and the children themselves that evil forces are at work. Families and children can be deeply worried by the evil that they believe is threatening them, and abuse often occurs when an attempt is made to 'exorcise', or 'deliver' the child. Exorcism is defined as attempting to expel evil spirits from a child. Whilst the number of identified cases is small, the nature of the child abuse can be particularly disturbing and the impact on the child is substantial and serious. (DoH Safeguarding Children from Abuse Linked to a Belief in Spirit Possession, 2007).

Exorcism or Deliverance Ministry

In any situation in which a member of the clergy or a member of the church community becomes aware that belief in demonic possession of any person, is present it is essential that contact is made with the DST. Any attempt to act in isolation in such a matter is likely to be extremely damaging and will run contrary to Diocesan policy and practice. No member of the clergy may undertake any form of exorcism without first consulting with the Bishop's Adviser, Healing and Deliverance Ministry⁹.

⁹ www.chelmsford.anglican.org/directory/roles-contacts

Abusive Actions	Signs & Symptoms
<p>Mistreating a person in the name of God, faith or religion – the exact nature of the mistreatment may fall within the definition of one of the other abuse types.</p>	<ul style="list-style-type: none"> • special relationships, especially where there is an imbalance of power; • inappropriate or untrained exercise of exorcism and/or deliverance ministry; • misuse of authority e.g. by dictating exactly what a person should believe; • extreme pastoral interference in personal issues including how someone should express their faith; • telling someone that if they pray harder/believe more they will be healed; • making someone feel inferior in their faith.

DOMESTIC ABUSE

This section of the policy has been prepared with reference to the Church of England guidelines '*Responding to Domestic Abuse*' which can be found online.¹⁰

There are no reliable national data on the general incidence of domestic violence in the UK (Hester, 2008). However, in 2011/12, 7.3% women (1.2 million) and 5% men (800,000) reported having experienced domestic abuse (Office National Statistics, 2013).

The cross-government definition of domestic violence and abuse is: any incident or pattern of incidents of controlling, coercive, threatening behaviour; violence or abuse between 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

Domestic abuse and young people

The changes to the definition of domestic abuse, to include 16 and 17 year olds, raise awareness that evidence increasingly shows that young people in the 16 to 17 age group can also be victims of domestic violence and abuse.

People experience domestic abuse regardless of their social group, class, ethnicity, age, disability or sexuality.

Most abuse is carried out by men against female partners, but abuse can be inflicted by women on men, and can also occur in same sex relationships. Domestic abuse can also be inflicted within family settings, for example a teenage child abusing his or her parents. Incidents can be considered domestic abuse and abuse of a vulnerable adult when the perpetrator is, for example, the daughter and the carer for the vulnerable adult.

¹⁰ www.churchofengland.org/media/1163604/domesticabuse.pdf

The link between safeguarding of both children and vulnerable adults with domestic abuse is clear in the types of abuse experienced. Domestic abuse is about power and control. The abuse can take many forms, but the following headings are sometimes used:

- Making threats
- Intimidation
- Economic/Financial Abuse
- Using isolation
- Emotional Abuse
- Being domineering within a partnership/relationship
- Using the children
- Minimising/denying own behaviour
- Physical/sexual violence

Government 'Domestic Violence Disclosure Scheme'

In November 2013, it was announced that the domestic violence disclosure scheme would be rolled out across England and Wales from March 2014. This followed a successful one year pilot across four police force areas.

Right to Ask

Under the 'Right to Ask' scheme an individual can ask the Police to check whether a new or existing partner has a violent past. This is the 'right to ask'. If records show that an individual may be at risk of domestic violence from a partner, the police will consider disclosing the information. A disclosure can be made if it is lawful, necessary and, proportionate to do so.

Right to Know

This enables an agency to apply for a disclosure if the agency believes that an individual is at risk of domestic violence from their partner. Again, the police can release information if it is lawful, necessary and proportionate to do so.

Multi Agency Risk Assessment Conference (MARAC)

MARAC is a formal multi-agency meeting to consider safety plan for the highest risk victims of domestic abuse, their children and vulnerable adults living in the household. The purpose of MARAC is for professionals working with those involved to share relevant and proportionate information on those victims identified as being at a high level of risk of serious harm and to develop a management plan to provide professional support to those at risk within the family.

Responding to Domestic Abuse

If there is a concern that children exposed to a domestic abuse situation have suffered, or are at risk of suffering significant harm then a referral to the local Children's Social Care team must be made.

In all cases the advice of the DST can be sought but if domestic abuse is being perpetrated by an adult within the Church's workforce then the DST must be informed following our allegation management processes.

SAFEGUARDING ROLES & RESPONSIBILITIES

This part of the policy summarises roles with specific responsibility for safeguarding children and adults in the diocese.

Within the Diocese of Chelmsford we do not act in isolation when we are working to safeguard children and vulnerable adults. Those working and volunteering within the diocese must comply with legal requirements and work with the Police, Children's Social Care and Adult Social Care in its area.

The Diocesan Safeguarding Team (DST) – DBS check required

The DST is responsible for the day to day running of the Diocesan safeguarding services for children and adults. The DST is managed by the Diocesan Safeguarding Manager. The Diocesan Safeguarding Manager is also the Safeguarding Adviser to the Bishop of Chelmsford and a member of the Diocesan Safeguarding Reference Group.

This team of four professionals has a wealth of safeguarding experience and expertise in the statutory, voluntary and private sectors and offers an unprecedented level of service throughout the Diocese.

It is the role of the DST in relation to safeguarding children and vulnerable adults to:

- Provide guidance, support and advice regarding Safeguarding concerns to those within the Diocese who require it.
- Identify the safeguarding training needs in the Diocese and ensure that provision is made for these to be met.
- Make parishes and all other Diocesan bodies aware of their duty to comply with the Diocesan Safeguarding Policy and Procedures, and take all actions needed to ensure that this happens.
- Ensure that the Chief Executive & Diocesan Secretary is aware of significant allegations and all situations which require the Insurance Claims Manager to be notified.
- Manage child and adult safeguarding allegations, whether current or historic, in compliance with national Church and the Diocesan Safeguarding Policies and local and national safeguarding guidelines.
- Provide appropriate reports to the Diocesan Safeguarding Reference Group and any other relevant Diocesan body.

- Provide guidance, support and advice regarding Safer Recruitment, including management and processing of Disclosure and Barring Service (DBS) applications.

Carry out appropriate liaison with:

- The National Safeguarding Adviser for the Church of England.
- The Police and Child/Adult Safeguarding Services of the Local Authorities within the Diocese.
- Safeguarding counterparts in other Dioceses and faith-based organisations.

Parishes

Parish Incumbent – DBS check required

The incumbent (including, for the purposes of this document, Priest-in-Charge) is responsible with the PCC for ensuring that the diocesan safeguarding policy is complied with within the parish. The incumbent has the 'cure of souls' for the parish and part of this pastoral care is to ensure safeguarding is taken seriously within the church community, including alerting the Diocesan Safeguarding Team in the event of any concerns.

Excepting in cases where an allegation is made against them, the incumbent will normally have a role in the response to an allegation, as set out in the investigation procedure; see Safeguarding Management Groups and **Safeguarding Case Management**.

The Churchwardens – DBS check required

The churchwardens are the senior lay representatives within the parish. They carry the responsibility for the oversight of the parish in the absence of the incumbent and must therefore be fully aware of child and adult safeguarding procedures, and of their responsibility to contact the Diocesan Safeguarding Team in the event of any concerns.

During a vacancy the churchwardens will be involved in any safeguarding meetings and will be supported by the Archdeacon and Area Bishop in ensuring that appropriate pastoral support is available. Churchwardens will be briefed in confidence by the Archdeacon or Area Dean of any allegations requiring investigations within the parish.

The Parochial Church Council (PCC) – Some DBS checks required
(Within a PCC there should be at least 3 members with a valid DBS Certificate. Two of these may be Churchwardens, who must be checked in

that role anyway, and one may be the Parish Safeguarding Representative, but only if they are a PCC member. It is NOT necessary to check every PCC member, even though each one is eligible.) PCCs are discrete legal entities in their own right. PCC members are charity trustees and their duties are to be found in the Parochial Church Councils (Powers) Measure 1956¹¹.

The PCC is responsible for the appointment of the Parish Safeguarding Representative (PSR). They are also responsible with the Incumbent for ensuring that all activities involving children and/or vulnerable adults comply with the requirements of the Diocesan Safeguarding Policy.

The PCC are the employers of any staff paid or unpaid (volunteers) by the parish and must comply with the procedures for safe recruitment as outlined in this policy.

Information about what each PCC should put in place is available via the safeguarding pages of the diocesan website.¹²

Parish Safeguarding Representative (PSR)¹³ – DBS check not required for this role

Parishes have previously appointed Child Protection Representatives (and Nominated Persons). In keeping with the broader scope of this policy, the role is renamed as the Parish Safeguarding Representative (PSR). The PSR is appointed by the PCC and is responsible for working with the PCC and the incumbent to ensure that child and adult safeguarding practices are developed within the parish, specifically:

- Ensuring that the Diocesan Safeguarding Policy is adopted and implemented in the Parish (a template which can be used to formally adopt the Diocesan Safeguarding Policy is provided on the diocesan website¹⁴).
- Liaison with the Diocesan Safeguarding Team in the case of any safeguarding concerns or allegations.
- Ensuring that there is a system in place for DBS applicants to be

¹¹ Parochial Church Councils (Powers) Measure 1956 - www.legislation.gov.uk/ukcm/Eliz2/4-5/3/contents Resources for PCC Members: www.chelmsford.anglican.org/parishes/pccs & www.chelmsford.anglican.org/uploads/Trusteeship-leaflet.pdf

¹² A copy of the 'Parish Safeguarding Checklist' is available: www.chelmsford.anglican.org/safeguarding

¹³ A copy of a job description for the role of Parish Safeguarding Representative is available: www.chelmsford.anglican.org/safeguarding

¹⁴ A copy of the 'Parish Policy Adoption Template' is available: www.chelmsford.anglican.org/safeguarding

supported in their application, including the checking of identity documents.

- Collating information regarding those in their Parish who require safeguarding training and liaising with the DST to arrange access to training.

This role may be sub-divided and shared (e.g. one PSR taking a lead for adults, another for children, another for checking DBS applications or training), and a PSR may work across more than one parish. However, the PSR must not be the Incumbent or any member of his/her family.

The PSR is a local contact. They are not expected to be safeguarding experts and would not be expected to conduct investigations or deliver training.

Diocesan

The Diocesan Bishop – DBS check required

The Diocesan Bishop has oversight of the diocese. In this context, it is the role of the Bishop to ensure a system is in place to incorporate the House of Bishops' policies on safeguarding children and vulnerable adults (*Protecting All God's Children*¹⁵ and *Promoting a Safe Church*¹⁶) in diocesan practice, and ensure there is an appointed Safeguarding Manager.

The Diocesan Bishop is a member of the Safeguarding Reference Group and will be alerted to any allegation made against a holder of any ecclesiastical Licence or with Permission to Officiate (PTO). The Diocesan Bishop must refer any safeguarding concern raised directly with him. The Diocesan Bishop has a specific legal role in relation to clergy discipline and therefore will not participate in investigations where there is a potential for disciplinary action.

The Area Bishop – DBS check required

The Diocese of Chelmsford operates an Area System which means that day-to-day oversight of each episcopal area is delegated from the Diocesan Bishop to the Area Bishop under a formal Area Scheme (last amended 2012). The Area Bishop must liaise with the DST about safeguarding training and development needs in the Area and is entitled to receive the information he requires to ensure that these needs are met.

¹⁵ www.churchofengland.org/media/37378/protectingallgodschildren.pdf

¹⁶ www.churchofengland.org/media/37405/promotingasafechurch.pdf

The Archdeacon – DBS check required

The Archdeacon is responsible for the oversight of parishes and clergy, including compliance with Safeguarding Policy requirements. He/she must liaise with the DST about any concerns arising from safeguarding issues within a parish.

He/she is also responsible for:

- Supporting the DST to ensure that Safeguarding practice in all parishes complies with this Diocesan policy.
- Collecting and collating any information relevant to potential disciplinary proceedings involving any clergy or office holder.
- Oversight of the parish Visitation process, including the requirements of this policy.

The Archdeacon may be required to attend strategy meetings set up by the local child or adult safeguarding agencies – such attendance should always be in company with a member of the DST.

The Archdeacon is responsible for ensuring that pastoral care and support arrangements are in place for all of those involved and affected by safeguarding concerns.

The role of Archdeacon is represented by one of their number being a member of the Diocesan Safeguarding Reference Group.

Area Deans & Lay Chairs – DBS check not required for this role
Area Deans and Lay Chairs provide leadership to the deanery, including supporting the Archdeacons in the Visitation Process. They must report any situations in which parishes are not complying with the Diocesan Safeguarding policy and procedures.

The Chief Executive & Diocesan Secretary – DBS check not required for this role

The Chief Executive & Diocesan Secretary is responsible for line management of the Diocesan Safeguarding Manager, and ensuring that appropriate systems are in place to support their work. He/she must be advised of serious safeguarding allegations and is a member of the Safeguarding Reference Group.

The Diocesan Registrar – DBS check required as Solicitor
The Diocesan Registrar is the legal adviser to the Bishop and Diocese. He/she may be called upon to provide or procure legal advice on safeguarding matters and has a specific role in relation to the Clergy Discipline Measure.

Director of Communications – DBS check not required for this role
The Director of Communications must be told about all safeguarding cases which are likely to attract media attention and acts as the link

between the media and the Diocese.

The Director of Communications shall:

- Ensure the safeguarding policy is accessible via the website and support communication of the policy
- Liaise with counterparts in other agencies on live cases
- Provide guidance to parishes and senior staff on communications matters following an allegation
- Brief the media as appropriate
- All media contacts must be referred to the Director of Communications.

Diocesan Safeguarding Reference Group (DSRG) – DBS check not required for this role

The Diocese is required by the national policy of the Church of England, *Protecting All God's Children*¹⁷, to set up a group of senior staff and independent experts to review and monitor how child protection issues are handled by the Diocese. The remit of this group also includes Diocesan adult safeguarding arrangements. Terms of reference are set out in the Diocesan Synod Members' Handbook – Part 2: Committee Handbook¹⁸.

Safeguarding Management Groups – DBS check not required for this role

In response to a serious or complex allegation, the Safeguarding Manager will establish a Safeguarding Management Group to oversee the handling of the case. For more information see 'Safeguarding Allegations and Case Management'.

The Role of the State

The work of protecting children and adults from abuse is the responsibility of local authorities (councils) and the police. It is essential for the Diocese to work closely with them when there is a problem, to make sure that mistakes are not made which lead to children or adults being harmed.

¹⁷ www.churchofengland.org/media/37378/protectingallgodschildren.pdf

¹⁸ Diocesan Synod Members' Handbook – Part 2 www.chelmsford.anglican.org/uploads/Committee_Handbook_2012_final.pdf

The Local Authority

Children's Social Care

The local authority can investigate complaints that a child may be being abused and remove that child from the situation in which the abuse is happening. The part of the local authority responsible for this is the Children's Social Care. This policy refers to these services as the child protection services of the local authority for clarity. Children's Social Care will work with not only family settings, but also organisations such as schools, youth groups and any group in which services are provided to children.

Adult Social Care Services

The local authority can investigate concerns that a vulnerable adult may be being abused. The part of the local authority responsible for this is Adult Social Care Services. The local authority is responsible for co-ordinating all instances of alleged abuse that happens within their local area working in partnership with other agencies to investigate these concerns.

Local Authority Designated Officer

The Local Authority Designated Officer (LADO) works within Children's Services and should be alerted to all cases in which it is alleged that a person who works with children has:

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

The LADO role applies to paid, unpaid, volunteer, casual, agency and self-employed workers. They capture concerns, allegations or offences emanating from outside of work. The LADO is involved from the initial phase of the allegation through to the conclusion of the case.

They will provide advice, guidance and help to determine whether the allegation sits within the scope of the procedures.

The LADO helps co-ordinate information-sharing with the right people and will also monitor and track any investigation, with the aim to resolve it as quickly as possible.

Adult Safeguarding Team

The Adult Safeguarding Team (AST) is a part of the Local Authority Adult Safeguarding Services and should be alerted to all cases in which it is alleged that a person who works with adults has:

- behaved in a way that has harmed, or may have harmed a vulnerable adult
- possibly committed a criminal offence against a vulnerable adult
- behaved towards a vulnerable adult in a way that indicates s/he is unsuitable to work with vulnerable adults

(This applies to paid, unpaid, volunteer, casual, agency and self-employed workers).

The AST should be involved from the initial phase of the allegation through to the conclusion of the case. They will provide advice, guidance and help to determine whether the allegation sits within the scope of the procedures.

In the Diocese of Chelmsford there are nine local authorities with responsibility for providing child and adult safeguarding services:

In the Barking Area:	In the Bradwell Area:	In the Colchester Area:
<ul style="list-style-type: none">• Barking• Havering• Newham• Waltham Forest• Redbridge• Essex County Council	<ul style="list-style-type: none">• Southend Borough Council• Thurrock Council• Essex County Council	<ul style="list-style-type: none">• Essex County Council• Cambridgeshire County Council

The Police

The police have powers to investigate crimes and take actions which may lead to the prosecution of people who have broken the law.

The police have powers under Section 46 of the Children Act 1989 to protect children. If the police believe that a child is at risk of suffering significant harm in a particular situation then they may exercise powers under this Act to remove the child to suitable accommodation or if the child is already in a place of safety, take steps to keep the child there. A

child cannot be kept in police protection for more than 72 hours and usually, the child would be immediately turned over to the local authority in order to place them into foster care.

The police also have a role in public protection and play an essential part in monitoring offenders in the community.

Most child abuse is a crime and the police will look to see if they can find the evidence to carry out a prosecution of the offender.

Although the abuse of vulnerable adults in itself isn't a specific crime there are a wide range of offences that can be pursued including, rape, false imprisonment, theft, common assault, grievous bodily harm, fraud by false representation and neglect.

The police will investigate to see if they can find the evidence to carry out a prosecution of the offender; the individual raising the matter is not expected to prove the truth of a concern or investigate it.

In the Diocese of Chelmsford there are several police forces with safeguarding responsibilities.

These are:

- The Metropolitan Police covering the London Boroughs.
- Essex Police covering the County of Essex, including the unitary authorities.
- Cambridgeshire Police covering the parishes in the Colchester Episcopal Area outside the Essex boundaries.
- British Transport Police covering the railways and underground services throughout the Diocese.

CONFESSION, CONFIDENTIALITY & CONSENT

Sharing Information

The expectation that personal and sensitive personal information will be respected is supported by the law, as well as by ethical obligations to others, and the Diocese takes these duties seriously. However the duty to keep this information confidential has limits. Personal and sensitive personal information may be shared within the law to prevent or solve a crime, or related serious misconduct in a church 'workforce' role, or whenever disclosure is in the public interest.

This means that when an allegation of abuse is made in any church setting, it must be reported to the Diocesan Safeguarding Team within 24 hours. Appropriate information will also be shared with the police or the child and/or adult protection services of the local authority whenever necessary. This will always include disclosures of abuse, unless it relates to an adult victim or an adult survivor of child abuse who objects and there is no danger of the abuse continuing against them or any other victim.

It is essential that this is made clear to all those working in the Church, whether they are paid or unpaid.

If the person who is sharing the information is worried about the matter being referred to the police or child and/or adult social care then professional advice can be sought from the DST.

The following 7 'golden rules' are taken from information sharing guidance HM Government (2009):

- 1) Remember that the Data Protection Act is not a barrier to sharing information but provides a framework to ensure that personal information about living people is shared appropriately.
- 2) Be open and honest with the person (and their parent/carer if appropriate) about why, what, how and with whom information will or could be shared, and seek their agreement to do this, if it is safe and appropriate to do so.
- 3) Seek advice if you are in any doubt, without disclosing the identity of the person where possible.

(You can seek confidential advice from the Diocesan Safeguarding Team without initially disclosing the identity of the person, but abuse

must in any case be reported to the DST within 24 hours).

- 4) Share with consent where appropriate and, where possible, respect the wishes of those who do not consent to share confidential information. You may still share information without consent if that lack of consent can be overridden in the public interest (e.g. to prevent a crime being committed or repeated, or to detect (solve) a crime that has been committed).
- 5) Base your information sharing decisions on considerations of the safety and well-being of the persons concerned and any others who may be affected or harmed by their actions.
- 6) Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up-to-date, is shared in a timely fashion and is shared securely.
- 7) Keep a record of your decision and the reasons for it – whether it is to share information or not. If you decide to share information record what you have shared, with whom and for what purpose.

Capacity

All people over the age of 16 are presumed, in law, to have the capacity to give or withhold their consent to sharing of confidential information unless there is evidence to the contrary.

The Mental Capacity Act (2005) Code of Practice¹⁹ defines the term 'a person who lacks capacity' as a person who lacks capacity to make a particular decision or take a particular action for themselves at the time the decision or action needs to be taken.

A person who is suffering from a mental disorder or impairment does not necessarily lack the capacity to give or withhold their consent for information sharing. Equally, a person who would otherwise be competent may be temporarily incapable of giving valid consent due to factors such as extreme fatigue, intoxication, shock, fear, severe pain or sedation.

Where a child under 16 years of age is concerned, the consent of their parent or carer should be obtained before their personal information

¹⁹ The Mental Capacity Act (2005) Code of Practice <https://www.justice.gov.uk/downloads/protecting-the-vulnerable/mca/mca-code-practice-0509.pdf>

is shared. If this is not possible due 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 or vulnerable adult will be placed at further risk of abuse by involving the parent or carer, the information can be shared without consent. Where any doubt exists the advice of the Diocesan Safeguarding Team should be obtained by calling 01245 294444.

Confidentiality

Whilst every effort should be made to ensure that confidentiality is preserved, in matters of safeguarding this will be governed by what may be an overriding need to protect a person who has been abused, or is currently at risk of abuse.

All those working with children or vulnerable adults must be clear that it is not possible to keep information about suspected or actual abuse confidential.

There is a common law 'Duty of Confidence', where a person has a right to expect information given in confidence to be kept confidential by the person receiving the information i.e. doctor and patient, solicitor and client.

The 'Duty of Confidence' is not absolute and disclosure can be justified:

- i) If the information is not of a confidential nature and is available elsewhere.
- ii) If it is in the public interest to disclose the information, e.g. for the prevention or detection of crime.
- iii) If a Court orders the disclosure of information.
- iv) If there is another legal obligation to disclose the information.

When deciding on breaching confidentiality without consent of the person the disclosure would have to be proportionate to the need to protect the child or vulnerable adult.

Even where you do not have consent to share confidential information, you may lawfully share it if this can be justified in the public interest. Seeking consent should be the first option. However, where consent cannot be obtained or it is refused, or where seeking it is inappropriate or unsafe, the question of whether there is a sufficient public interest

must be judged on the facts of each case. Therefore, where you have a concern about the safety and well-being of a person, or a crime has been committed, you are not prevented from sharing confidential information simply because consent has not been given. Advice should always be sought from the Diocesan Safeguarding Team on 01245 294444, especially where there is any uncertainty or consent has been refused.

Confession

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

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

The House of Bishops' *'Protecting All God's Children'* advises that:

'Canon Law constrains a priest from disclosing details of any crime or offence which is revealed in the course of formal confession; however, there is some doubt as to whether this absolute privilege is consistent with the civil law. Where a penitent's own behaviour is at issue, the priest should not only urge the person to report it to the police or the local authority children's social care, if that is appropriate, but may judge it necessary to withhold absolution. In such a case the priest may consider it necessary to alert the bishop to his or her decision in order to safeguard himself or herself and seek advice on the issues, though the penitent's details would not be shared without their permission. The priest might also judge it appropriate to encourage the penitent to speak personally to the bishop.'

Protecting All God's Children (2010) House of Bishops²⁰

One successful form of practice employed by priests in this position has been to withhold absolution until the penitent has admitted their

²⁰ www.churchofengland.org/media/37378/protectingallgodschildren.pdf

behaviour to the police and then to accompany them to the police station to make this disclosure.

In any event, within the Diocese of Chelmsford, confidential and professional advice can be sought at any time from the Diocesan Safeguarding Team on 01245 294444.

SAFEGUARDING ALLEGATIONS AND CASE MANAGEMENT

Safeguarding allegations²¹ may be about something that is going on now, something that may happen in the future, or something that happened in the past. Allegations about abuse in the past must be treated as seriously as allegations about abuse which is happening now – these allegations are often described as being about ‘Historical Abuse’ (see ‘Disclosures of Historical Abuse’).

Allegations of abuse, or concerns about a child or a vulnerable adult, may arise in a number of ways in the parish context, for example;

- a child or vulnerable adult discloses abuse
- someone discloses concern for a child or vulnerable adult
- you notice signs of potential abuse of a child or vulnerable adult
- disclosure from a perpetrator; an adult makes a disclosure about their own actions or behaviour (see also ‘Confession, Confidentiality and Consent’)

If you are unsure whether something you observe or are told about is harmful or abusive, or you don’t know what you should do regarding a safeguarding situation in your parish, consult with the Diocesan Safeguarding Team for advice, support and guidance as soon as possible on 01245 294444

²¹ Information about suspected abuse is usually called an ‘allegation’. This is not because the claim is disbelieved, but because it will need to be supported by an investigation in order for it to proceed – for example to court.

Emergency Situations

Most safeguarding situations in the church context are not emergencies.

However; if a child or vulnerable adult needs immediate medical help or you believe a crime is being or is likely to be committed you should call the emergency services (dial 999) and ensure the services that respond are informed of your safeguarding concerns.

If you believe that it would be dangerous for the child or vulnerable adult to return home, or he or she does not want to return home and you are concerned for their safety you should contact the emergency child/adult social care team, or the police and seek their help or intervention.

All types of disclosures or concerns regarding abuse must be taken seriously.

A child or vulnerable adult discloses abuse:

If someone makes a disclosure to you it is important to remember that they have picked you – this might be the one-chance they have to tell someone about what is happening to them, or the only time they try to tell someone.

Someone discloses concern for a child or vulnerable adult

If someone discloses concerns about a child or an adult this should be listened to carefully and a record of the conversation should be made.

It is important to be clear that if the information suggests that the child or vulnerable adult is at risk of significant harm then the information will also need to be reported to the DST and passed on to statutory services.

The following are essential points to remember:

- Listen carefully to the child or adult:
- Believe the child or adult.
- Don't make assumptions or offer alternative explanations.
- Only use open questions (Open questions begin with words like: *who, what, when, where, why, how*, describe and cannot be answered with 'yes' or 'no').
- Remain calm.
- Never promise the child or adult that you can keep a secret. Explain

that you will share information only on a 'need to know' basis.

- Tell the child or adult what you are going to do next.
- **Take Action**

You notice signs of potential abuse of a child or vulnerable adult

If you notice signs or symptoms of potential abuse of a child or vulnerable adult you should report it as soon as possible to your manager (where appropriate) and seek advice and guidance from the Diocesan Safeguarding Team.

If it is possible and appropriate, or you believe they are at risk of significant harm, you may speak privately to the child or vulnerable adult about your concern.

- Only use open questions (Open questions begin with words like: who, what, when, where, why, how, describe and cannot be answered with 'yes' or 'no').
- Establish only as much information as is needed to be able to tell your manager/the DST and statutory authorities what is believed to have happened, when and where.
- **Never** do a medical examination (if you want to make a record of visible injuries use a body map diagram²²)
- **Take Action**

Disclosure from a Perpetrator

It is possible that a disclosure may be made by someone who is a convicted abuser or the perpetrator of previously unreported abuse. This would be more likely to be disclosed to those in roles 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 avenue which enables this to happen and protects children and vulnerable adults is the criminal justice system. It is necessary to tell a person who admits an offence against a child or vulnerable adult that such information cannot be kept confidential. Explain you have a duty to pass on the information to the statutory authorities, unless you judge that such a statement could place someone else at risk of harm.

Be supportive but do not seek more details than you need to report what is believed to have happened to your manager/the DST and to the statutory authorities, if appropriate. A person who gives information which could incriminate them, should be advised to seek legal advice, if civil or criminal proceedings may result.

²² Body Map available to download: <http://www.chelmsford.anglican.org/safeguarding>

Disclosures of Historical Abuse

The term historical abuse is defined as an allegation of neglect, physical, sexual or emotional abuse made by, or on behalf of someone who is now 18 years or over relating to an incident (or incidents) which took place when the alleged victim was under 18 years old. It is child abuse reported after the victim has become an adult.

When an adult makes this kind of disclosure it is important to take their wishes into account. For some adults the process of making the disclosure to a trusted person can be an important part of their healing process. Appropriate pastoral support should be made available to the adult making the disclosure and also to the adult hearing the disclosure.

Depending on the nature of the disclosure making a report to the police may not always be necessary and would normally be at the discretion of the victim unless others remain at risk of harm; however the adult making the disclosure should be encouraged to report the abuse to the police and supported if they choose to do so. In any event the disclosure should be reported to the Diocesan Safeguarding Team within 24 hours, where further advice and guidance will be given.

If the alleged abuser is likely to still be a risk to children or vulnerable adults, for example if they are still working with children, then a referral to statutory agencies will be required and the Diocesan Safeguarding Team must be informed as soon as possible to advise, assist and coordinate.

Record Keeping

Remember any records may be required by the police for use in court proceedings, so it is important that the guidelines below are followed closely.

- Write your record as soon as possible after the event.
- Record the date and time that you made the record.
- Make sure your name and role are included in the record.
- Sign and date the record.
- Make sure that the record is legible (use black ink) and kept in a safe

place (for example a locked filing cabinet).

- Make sure that the record is accurate, balanced and objective.
- Include facts and observations.
- Do not sanitise any language, it is important to use the words the child or adult uses.
- If you want to record locations/details of injuries use a body map diagram²³.

A 'Safeguarding Sheet' is available on the safeguarding pages of the diocesan website to guide you through recording your safeguarding concerns, conversations or other issues²⁴.

Taking Action

If you are aware of a safeguarding concern you should take the following steps:

- **Inform the Diocesan Safeguarding Team:**
 - This should be done within 24 hours of the disclosure being made, but you should still contact the DST even if it has been longer than 24 hours.
- **Make a record**
 - write down what has happened or what has been said and store your record securely (see 'Record Keeping')

Once informed the Diocesan Safeguarding Team will, wherever necessary:

- Liaise with the LADO²⁵ (Local Authority Designated Officer) and/or the AST (Adult Safeguarding Team).
- Liaise with other involved statutory agencies (e.g. police teams).
- Liaise with parish contacts.
- Attend multi-agency meetings and/or support others within the diocese to attend as required.
- Ensure support (see 'Providing Support') for all those affected by the situation.
- Make a record and hold a secure central case file.

²³ Body Map available to download: www.chelmsford.anglican.org/safeguarding

²⁴ 'Safeguarding Worry Sheet' available to download: www.chelmsford.anglican.org/safeguarding

²⁵ Local Authority Designated Officer (for allegations against staff). In the UK the LADO has the responsibility to oversee allegations against members of staff across all organisations.

- Inform the Archdeacon and/or Chief Executive and Diocesan Secretary
- Call a 'Safeguarding Management Group' (see 'Safeguarding Management Group') as required.

Investigation

Carrying out a formal investigation into claims of child or adult abuse is a specialised and complex task which is carried out only by social care teams in local authorities and the police or, at their discretion, by the DST.

Allegations against Church Workforce

Despite adherence to safer recruitment procedures there will be occasions when allegations of abuse of children or vulnerable adults are made against people working on behalf of the Church.

If an allegation or concern involves a member of the Church Workforce²⁶ then the expectation is that the DST will be always be informed as soon as possible and usually within 24 hours, although you should still contact the DST even if it has been longer than 24 hours. The DST will be responsible for managing all such cases on behalf of the Church and will convene a Safeguarding Management Group meeting if necessary.

The guidance below relates to circumstances where it is alleged that a member of the Church Workforce has:

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

These behaviours should be considered in the context of the types of abuse and include allegations or concerns relating to inappropriate

²⁶ Church Workforce includes ordained clergy, holders of Bishop's licence or permission, those commissioned or authorised by the Bishop, those, paid or unpaid, who hold positions of responsibility in a parish or diocesan role and work with children or vulnerable adults, and those with representational parish ministry, for example; churchwarden, organist, server & choir members.

relationships between members of the Church Workforce and children or vulnerable adults.

Statutory guidance stipulates that all employers, including those from faith groups, appoint a senior designated person to whom all safeguarding allegations or concerns should be reported and that they provide a deputy to receive these reports in the absence of this person. For the Diocese of Chelmsford the Diocesan Safeguarding Manager and the DST fulfil this role.

The DST will inform the local authority LADO or AST within one working day and will do this prior to any local review of the situation commencing.²⁷ Outside of office hours the DST will contact the social care emergency duty team or local police and inform the LADO or AST as soon as possible within working hours.

Ofsted Registered Groups

Where an allegation is made against someone working in a Diocesan day care establishment (e.g. nursery) for children under the age of eight, which is an Ofsted registered childcare setting, Ofsted should be informed from the outset and kept involved.

Without prejudice to any statutory investigation and with statutory agency authority the accused member of the church workforce should:

- Be treated fairly and honestly and helped to understand the situation (subject to any restrictions necessary).
- Be kept informed of the progress and outcome of any investigation and the implications for any disciplinary processes.

Every effort should be made to maintain confidentiality and guard against publicity whilst an allegation is being investigated and considered by the statutory services – information should be shared only on a 'need to know' basis, and with the prior consent of the police or local authority.

Once in receipt of information about a concern or allegation, sufficient for statutory investigation, the DST will not investigate the matter or interview any of those involved, they will:

²⁷ Where an allegation against someone working in a Diocesan day care establishment (e.g. nursery) for children under the age of eight, which is an Ofsted registered childcare setting, Ofsted should be informed and kept involved.

- Obtain written details of the concern/allegation.
- Approve and date the written details.
- Record any information about times/dates and locations of incidents.
- Record discussions, decisions made and reasons for those decisions.
- Help to manage any present and future consequences for the church.

There are up to four strands in the consideration of an allegation – the DST will consider these in liaison with the LADO/AST.

- A Police investigation of a possible criminal offence.
- Social care enquiries and/or assessment about whether a child or an adult is in need of protection or services.
- Consideration of disciplinary action by the 'employer' or Bishop.
- Consideration of ongoing care, support and risk management within the Church.

The LADO or AST may choose to call a multi-agency 'strategy' or planning meeting to decide on the direction of the case.

At the conclusion of an investigation a final strategy or planning meeting, called by the LADO or AST will take place and this will ensure that all actions have been completed, including any referrals to DBS (for inclusion on barred lists). The DST will usually attend to represent the Diocese of Chelmsford and to provide support to the parish and its representatives as necessary.

Suspension

In all circumstances where an allegation is made relating to a member of the Church Workforce consideration must be given to whether that person should be suspended from their duties whilst the statutory agencies undertake any investigation.

Suspension is without prejudice and should be seen as a neutral act. Suspension allows for an individual to stand down or stand aside while an investigation is completed. The suspension is primarily for the protection of children and/or vulnerable adults but the needs of the person suspended themselves and their family should also be considered (see 'Providing Support'). Any information provided to the individual regarding the reasons for suspension must not prejudice any subsequent investigation.

Any decision about whether to suspend will be made in conjunction with the relevant 'employer' or Bishop and the DST. Advice will always be sought from the statutory agencies involved and legal advice obtained wherever possible.

Suspension should always be considered in any case where:

- There is a cause to suspect a child has suffered, or is likely to suffer significant harm;
- There is a cause to suspect that a vulnerable adult has suffered or is likely to suffer harm;
- The allegation warrants investigation by the police;
- The allegation is so serious that it might be grounds for dismissal and/or barring from working with children or vulnerable adults.

Safeguarding Management Group

The DST will normally take the Diocesan lead in managing any safeguarding allegation. This includes, at any stage in more serious or complex cases, the setting up of a Safeguarding Management Group within the diocese to manage the process, resources, information, liaison with outside bodies and other issues that arise.

Membership of each Safeguarding Management Group will be determined according to the circumstances and potential consequences of each case, but will always include representation from the DST, Diocesan staff and clergy at the appropriate level as a minimum, together with suitable parish representation as appropriate. The most serious cases, requiring greater transparency, will be chaired by an independent member of the Diocesan Safeguarding Reference Group.

The Safeguarding Management Group will consider and agree actions in order to provide:

- Points of contact and liaison with statutory and other agencies.
- Support and pastoral care for the victim and his/her family and the alleged perpetrator and his/her family.
- Handling of the practical and emotional repercussions for the parish and the diocese.
- Boundaries of confidentiality, and who in addition needs to be informed, including the insurance company.

- Public statements to the press and the congregation in consultation with the Director of Communications.
- Any legal implications in consultation with the Diocesan Registrar.
- Management of the boundaries and overlap with any disciplinary process, which itself will always be managed separately and elsewhere.
- Appropriate resources and priorities for any identified requirements.

Referring to Social Care or the Police

If it is required that a referral should be made to the local Social Care Team, or the Police, this will normally be confirmed and done in conjunction with a member of the Diocesan Safeguarding Team (DST).

The following points should be kept in mind:

- Initial contact should be made by telephone or in person.
- Give the Social Care Team as much detail as possible: descriptions, dates, times, and what was actually said, seen or heard.
- Distinguish between fact and opinion and between what you have seen and what others have told you.
- Follow up your contact with the Social Care Team by a letter/ completed referral form confirming what you have said to them (within 24 hours).
- Keep a record of your conversations and contacts – take names and contact details of those people you have spoken with.
- Be prepared to have further discussions with the social services and/or a police team.

Providing Support

Safeguarding situations in the church setting can be complicated: sometimes victims and alleged perpetrators may both be part of the church community, and extended family and friends may also be affected.

The following people may need support (this list is not exhaustive):

- The victim
- The family and friends of the alleged victim
- The alleged perpetrator

- The family and friends of the alleged perpetrator

- Other members of the congregation affected
- The person to whom the disclosure was made, or who observed the signs of abuse
- The incumbent or priest in charge
- The Parish Safeguarding Officer
- The PCC

Allegation/Concern Identified and reported to the Diocesan Safeguarding Team (DST)

DST informs LADO/AST within one working day if alleged behaviour:

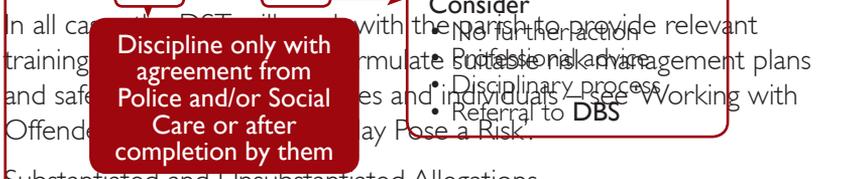
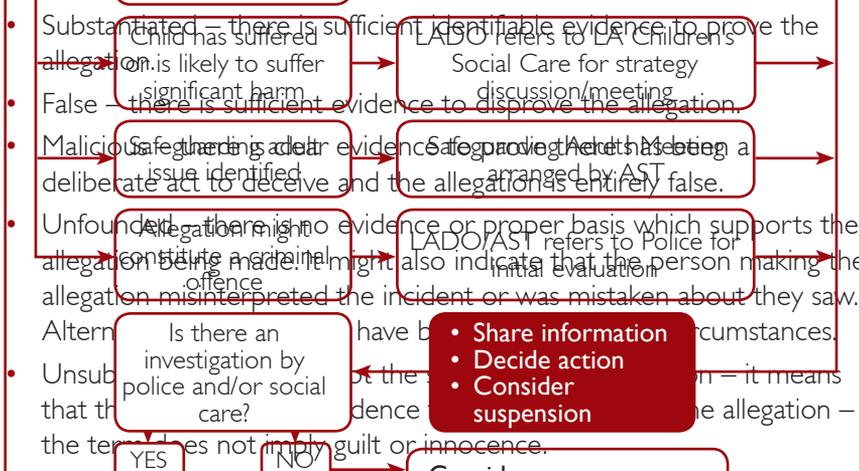
- harmed or may have harmed a child or adult
- **may have been a criminal offence**
- **towards children/vulnerable adults is unsuitable**

The Diocesan Safeguarding Team will coordinate arrangements for support. It is necessary to be clear about who is providing support and to remember that one person cannot support everyone, and in some situations support may be required.

Consultation between LADO/AST and DST



At the final strategy meeting the outcome of allegation investigations:



Substantiated and Unsubstantiated Allegations

Where an allegation is considered to be substantiated or unsubstantiated it may be necessary for the DST to make a referral to the DBS. If an

allegation is substantiated or unsubstantiated and the person is dismissed, or the 'employer' ceases to use the person's services in the same capacity, the DST will liaise with the LADO or AST to discuss whether a referral to the DBS for inclusion on the barred list will be made. This referral should be made within one month of the allegation being considered 'substantiated' or 'unsubstantiated'.

The following groups have a legal duty to refer information to the DBS:

- Regulated activity suppliers (which will include Churches)
- DBS Registered Bodies (this includes the Diocese of Chelmsford)
- Personnel suppliers
- Groups with a power to refer (including local authorities, health and social care, education boards and supervisory authorities e.g. CQC and Ofsted).

Safeguarding Allegation Management Process²⁸

²⁸ LADO – Local Authority Designated Officer , LA – Local Authority, AST – Adult Safeguarding Team

Safer Recruitment

Safer recruitment applies equally to paid and voluntary positions, to full-time and part-time roles and even the most casual of 'helping' arrangements. Abuse is prevalent in all social classes and most abuse is conducted without the knowledge or suspicion of closest friends, neighbours and colleagues of the abuser. Anyone could be an abuser. It is vital, therefore that every possible step is taken to ensure that those working or volunteering with children, young people and vulnerable adults within the church context are properly vetted before they are ever appointed. The Church of England endorses the most stringent recruitment practice in its guidelines.²⁹

Safer recruitment practice is about taking all reasonable steps to ensure that not only is the best person for the role being recruited, but also that any potential for their committing abuse is prevented or minimised. It ensures that the Church and individual parishes can be confident that people who work with children and vulnerable adults in their church setting have not done anything in the past which indicates they may be a danger. It also makes sure that people have been honest about their past, have demonstrated their value to others and everyone knows what is expected of them when they are involved in a Church activity. Even new recruits, during their probationary period, can be removed easily from their role, if they are found to be unsuitable.

Recruiting your workers carefully will not necessarily stop people harming children or vulnerable adults, but it can go a long way towards preventing it. Therefore **all** those involved in recruiting paid staff and volunteers at any level within this Diocese must comply with safer recruitment practice, whether or not the role is eligible for a criminal record check via the Disclosure and Barring Service (DBS).

The seven points below outline the basic steps towards safer recruitment – some of these are supported by downloadable information sheets and templates from the Diocesan website.

1. Job Description

A **Job Description** (JD) clarifies the role and helps to avoid misunderstanding. A JD should also include a 'Person Specification'

²⁹ Safeguarding Guidelines relating to Safer Recruitment (CofE 2010) www.churchofengland.org/media/1161891/safeguarding4.pdf

showing the kind of person likely to be suited to the role. Together they describe the essential and desirable skills and experience required. The JD should set out whether a DBS check is required for the role.

2. Application & Confidential Declaration

An **Application Form** makes it easier for applicants to provide the information needed by the organisation and for the organisation to make sure it asks the right questions. In addition a **Confidential Declaration** statement should be completed by all applicants to posts that involve regular contact with children or vulnerable adults, and any offences disclosed should be notified to the DST for risk assessment.

3. References

Two **references** should be requested from each applicant and taken up prior to appointment. These should provide two different perspectives. Where the applicant is, or has worked in another setting, one reference should be from that employer or supervisor. A maximum of one reference may be accepted from a member of the same parish.

4. Interview

For any role or work in the parish (whether paid or voluntary) involving contact with children/young people/vulnerable adults, the potential candidates should be invited to an **Interview**. Interview questions should be relevant to the role being recruited for.

5. Disclosure and Barring Service (DBS)

If the role is eligible, the successful candidate is required to go through the **Disclosure and Barring Service (DBS)** process. The DBS certificate must be inspected and any disclosure made must be notified to the DST for risk assessment. The candidate must not be appointed until this has all been completed successfully.

6. Appointment

All **appointments** should be confirmed in writing.

7. Induction & Probationary Period

In any appointment, good practice suggests a clear **induction** period

and a defined **probationary period** followed by a review and appraisal before the appointment is confirmed as permanent. Six months is a common standard for probationary periods and monthly supervisory meetings are recommended as best practice when the individual is working regularly with children, young people or vulnerable adults.

Disclosure and Barring Service

All roles which are eligible for a DBS check must follow the relevant DBS procedures. It is important to remember that a DBS application is only one of several necessary parts of the safer recruitment process.

Current government legislation means that DBS eligibility for the majority of church roles relies on the definition of regulated activity; specifically the nature of any work with children or vulnerable adults, the frequency and period of the work to be undertaken.

Full information about the administration and management of the DBS process, including how to establish whether the role requires DBS clearance is provided via the DBS Section of Safeguarding Pages on the Diocesan website.

The following additional information, given in the Resources Pack and available on the website³⁰, will support Safer Recruitment:

Recruitment

Advert Example (Template)

Job Description Example (Template)

Confidential Declaration (Template)

DBS

DBS Eligibility Flowchart

DBS Application Process Flowchart (Clergy and Laity)

DBS Applicant Guidance Booklet

DBS Nominated Person Guidance Booklet

³⁰ www.chelmsford.anglican.org/safeguarding

WORKING WITH OFFENDERS AND OTHERS WHO MAY POSE A RISK

The Christian Church based on the message of the gospel opens its doors to all. This means that there are likely to be those with criminal convictions for sexual offences and other forms of abuse, as well as others who may pose a risk, attending the church. Some of these individuals will pose an ongoing or potential risk of harm to other church members.

It is important for the Church to be a safe place for everyone, including offenders as well as victims and this will, in some cases, require risk assessment and the formation of a risk management plan, known as a 'Safeguarding Agreement'. This will always be completed by the Diocesan Safeguarding Team and done in collaboration with statutory agencies, such as the Police and Probation, where relevant.

The arrangements described here apply most commonly to the perpetrator who has been placed on the sex offenders register; or barred from working with children or vulnerable adults by the Disclosure and Barring Service (DBS), or the individual who admits to being an abuser or a potential risk to children or adults in the Church. But, these arrangements also apply to an alleged perpetrator for the duration of an investigation, or whilst they are suspended from their usual role, as well as to those who may pose a risk to other church members irrespective of their criminal status. In all cases the parish must consult with the Diocesan Safeguarding Team who will determine the appropriate action to be taken to best safeguard the parish and its church community, based on the circumstances of each case.

In any parish in which it becomes known that there is an individual who is likely to fall within these requirements the DST must be informed within 24 hours so that appropriate actions may be taken.

Once notified the DST will usually make arrangements to complete a risk assessment with the individual concerned and agree a risk management plan, in the form of a Safeguarding Agreement, in collaboration with the individual, incumbent, churchwardens, PSR and other relevant parties within the parish (where applicable). Failure to sign the Safeguarding Agreement or comply with its contents will usually result in the individual being refused access to the church premises for any reason and to any church activities. Private worship arrangements away from the church may be agreed with the incumbent, but this is not guaranteed.

The creation of the DST provides the capacity and expertise for this process to be managed professionally and independently of individual parishes. Therefore any previous practice of managing this process within parishes should cease forthwith and all cases should be handed to the DST to provide greater transparency.

Barred Lists

When there is evidence that indicates that a person has harmed or posed/poses a risk of harm to children or vulnerable adults, they should be referred to the DBS to be considered for inclusion on the barred lists. This referral doesn't always have to follow a conviction via the courts; it could, for example, be a case where someone has lost their job due to concerns about their behaviour towards children or vulnerable adults.

The DBS will decide whether or not to bar someone from working with children and/or adults. If they are barred their name will be included on one or both of the two DBS 'barred lists' (previously called ISA barred lists) of individuals who are unsuitable for working with children and/or adults.

Not only is it an offence for a barred person to work with children and/or vulnerable adults, it is also against the law to 'employ' someone or allow them to volunteer for this kind of work, if they know they are on one of the barred lists.

In the most complex or extreme cases it may be necessary to obtain an independent risk assessment to provide even greater transparency or expertise. Due to the sensitivity and significant cost involved in this approach the decision will only be taken at the most senior Diocesan level with advice and guidance from the Diocesan Safeguarding Reference Group.

COMPLAINTS

The Diocesan Safeguarding Team is committed to reviewing and improving our practice.

A complaints system allows people to say what the problem is and allows the chance to put it right quickly.

This part of the policy is designed to establish a clear mechanism for the resolution of complaints about the implementation and management of the Safeguarding Policy and Procedures.

It is not to be used as a substitute for the Clergy Discipline Measure, which is a separate system.

It can be used:

- If the Diocese or parish, or any other organisation within the Diocese, does not follow up an allegation of child abuse or the abuse of a vulnerable adult in accordance with this policy.
- If there is a failure of communication with the child or vulnerable adult, or anyone else who is involved in the investigation
- If there is a failure of the pastoral support system
- If there are failures to carry out the policy at Diocesan or parish level.

A copy of the Complaints Procedure will be part of all versions of the Diocesan Safeguarding policy and the Complaints Procedure will be displayed on the Diocesan website³¹.

All complaints should be made to the DST, unless the complaint is about their actions. If the complaint is about a member of the DST it should be directed to the DSM or Chief Executive and Diocesan Secretary of the Diocese if appropriate.

The complaint may be made by telephone, writing or email.

Complaints will always be acknowledged in writing.

All complaints will be reported to:

- The Diocesan Safeguarding Reference Group
- The Bishop's Staff Team

Information about complaints will be included in the annual safeguarding

³¹ www.chelmsford.anglican.org/safeguarding/

report submitted to the Bishop's Council.

The Complaints Procedure

The procedure is separated into three stages:

- 1) Informal Resolution
- 2) Investigation
- 3) Appeal panel

Informal Resolution Stage

Once a complaint has been received, in whatever form, the Diocese will have ten working days to consider it and respond. The response may include the offer of a meeting to discuss the matter. Any outcome agreed by all parties at this stage must be set out in writing and the complaint procedure concluded as 'informal resolution'.

Investigation Stage

If the complainant is unhappy with the informal resolution, or the matter is appropriate for additional investigation, the Diocese should undertake further investigation.

This investigation will be carried out by the DST or where necessary a suitably independent person, who may be from a different area of the Diocese, or separately commissioned by the Chief Executive and Diocesan Secretary.

Twenty-eight days will be allowed for the investigation. In exceptional circumstances (those which are beyond the control of the investigators) an extension can be requested by application to the Chief Executive and Diocesan Secretary.

The investigator will provide a report to the Chief Executive and Diocesan Secretary, who will consider and consult on any action needed.

The Chief Executive and Diocesan Secretary will have ten working days to reach a decision.

All parties will be notified of the decision. This should be done in a face to face meeting if appropriate and any party will have ten days in which to appeal against the decision.

Appeal Panel

If any party is not happy with the outcome of the Investigation/decision he or she may apply to the Appeal Panel.

The Appeal Panel will meet within 28 days of the request for a hearing.

The Appeal Panel will consist of three people appointed by the Diocesan Bishop and the Diocesan Safeguarding Reference Group Chair: No panel member shall have been involved in the safeguarding issue concerned.

The Appeal Panel will consider the Report, the comments of the Chief Executive and Diocesan Secretary and the view of the appellant before deciding the outcome of the appeal.

The decision of the Appeal Panel will be final.

WHISTLE-BLOWING

A whistle-blower is an employee, former employee or member of an organisation (e.g. business or government agency) who reports misconduct to people that have the power and the presumed willingness to take corrective action. It is the responsibility of all organisations to promote a culture which values good practice and encourages whistle-blowing.

This part of the policy is designed to establish a clear mechanism for whistle-blowing in relation to Safeguarding.

Safeguarding and Whistle-blowing

It is good practice to draw attention to bad or poor practice in an organisation, this includes practice which may itself be abusive or neglectful. Failure to report such practices amounts to collusion with the perpetrator. Those who work with children or vulnerable adults have an individual responsibility to raise concerns with someone who has the responsibility to take action – sometimes it may be necessary to go outside the immediate work environment or organisation to achieve this.

Whistle-blowing and the Law

In the past people may have been put off whistle-blowing due to fear of the consequences of speaking out. Although the Public Disclosure Act (1998) does not afford volunteers the same protection the same approach to whistle-blowing should be adopted.

The Public Disclosure Act (1998) seeks to protect the disclosure of the following:

- Criminal offence (past, on-going or prospective), failure to meet a legal obligation, miscarriage of justice, health and safety being endangered.
- The company isn't obeying the law (like not having the correct insurance in place).
- Risk of environmental damage.
- Deliberate concealment of any of the above.

Reasons for Whistle-blowing

- To prevent the problem getting worse
- To prevent the problem affecting more people

- To reduce the risks to other people, or protect other people from harm
- To prevent being implicated in bad practice oneself.

How to Whistle-blow

Concerns, suspicions or uneasiness about practice or behaviour of an individual should be voiced as soon as possible. The detail of these concerns should be specific about what practice is in question, what has been heard or what behaviour has been observed. Ideally the concerns should be recorded in writing, outlining the background and history, and providing dates and times; providing as many facts as possible; without relying on rumour or opinion.

Details of concerns should be passed directly to the Diocesan Safeguarding Team.

Anyone wanting to whistle-blow is encouraged to put their name to any disclosure; however, any concern raised anonymously will be considered at the discretion of the Diocesan Safeguarding Manager taking into account the seriousness of the issue raised, the credibility of the concern and the likelihood of confirming the allegation from attributable sources.

The whistle-blower is not expected to prove the truth of a concern or to investigate it.

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.

If the concern is found not to relate to safeguarding children or vulnerable adults, it should be investigated by the relevant body according to Diocesan complaints and grievance procedures, relevant employment law or CDM as appropriate.

Within the bounds of confidentiality, the whistle-blower should be given as much information as possible on the nature and progress of any enquiries.

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.

Nothing precludes an individual from taking civil action to seek redress from another individual (paid or unpaid) who makes a malicious allegation against them under this process.

SAFEGUARDING GLOSSARY

Note: Not all of these terms and abbreviations are used within the Diocese of Chelmsford Safeguarding Policy and associated documents, but in dealing with Safeguarding these definitions may be relevant and useful as a point of quick reference.

Abuse Includes physical, sexual, emotional, psychological, financial, material, neglect, acts of omission, discriminatory and institutional abuse. The Church also specifically recognises spiritual abuse.

Adult Any person aged 18 years or over.

Adult at risk The term is sometimes used to replace 'vulnerable adult'. See 'Vulnerable Adult'.

AST Adult Safeguarding Team – provided by the local authority delivers advice regarding safeguarding services for adults, develops policy and monitors performance.

CAFCASS Children and Family Court Advisory and Support Service is the Government agency responsible for Reporting Officers, Children's Guardians and other Court officers appointed by the Court in Court Proceedings involving children.

In addition, where a parent wishes to consent to a child's placement for adoption or give advance consent to a child's adoption, the adoption agency must request CAFCASS to appoint an officer to witness the consent, having first ensured that it is given with full understanding of its implications.

CAMHS Child and adolescent mental health services promote the mental health and psychological wellbeing of children and young people, and provide high quality, multidisciplinary mental health services to all children and young people with mental health problems and disorders to ensure effective assessment, treatment and support, for them and their families.

Capacity	Capacity is the ability to make a decision about a particular matter at the time the decision needs to be made.
Care Proceedings	Care proceedings can be brought by the local authority under section 31 of the Children Act 1989 if there is concern that the child concerned is suffering or is likely to suffer Significant Harm attributable to the care being given to the child, or likely to be given if an Order were not made, not being what it would be reasonable to expect a parent to give, or the child being beyond parental control. This test is referred to as the threshold criteria.
CDM	Clergy Discipline Measure
CEOP	The Child Exploitation and Online Protection Centre is a command of the UK's National Crime Agency (NCA), and is tasked to work both nationally and internationally to bring online child sex offenders, including those involved in the production, distribution and viewing of child abuse material, to the UK courts.
Child	For safeguarding purposes everyone under 18 years of age is a child. (See: s.105 Children Act 1989 www.legislation.gov.uk/ukpga/1989/41/section/105)
Child Protection Conference	A formal inter-agency meeting, following an enquiry under section 47 of the Children Act, which decides whether the child is at continuing risk of significant harm and whether the child is to be subject to a child protection plan.

Child Protection Plan A child protection plan is a working tool that should enable the family and professionals to understand what is expected of them and what they can expect of others. The aims of the plan are:

To keep the child safe

To promote their welfare

To support their wider family to care for them, if it can be done safely.

Child Protection Reference Group (Diocesan) See 'Safeguarding Reference Group (Diocesan)'

Church Workforce Includes clergy, holders of Bishop's licence (PTO), those commissioned by the Bishop, those, paid or unpaid, who hold positions of responsibility in a parish and work with children or vulnerable adults, and those with representational parish ministry, for example; churchwarden, organist, server & choir members.

Concern There are many ways in which an individual might become concerned about a child or a vulnerable adult. The Diocese of Chelmsford Safeguarding Policy and the associated documents give detailed information on what to do if you are concerned.

For the purposes of the Safeguarding Policy we have used the word concern to describe times when an individual is worried, anxious, distressed or uneasy about the welfare of a child or vulnerable adult.

Continued →

Concern	<p>For example, a concern may arise in a situation when:</p> <ul style="list-style-type: none"> • a child or adult discloses something that has upset or harmed them • someone else reports something that a child or adult has told them, or they say that they believe a child has been or is being harmed • a child or adult shows signs of physical injury for which there appears to be no explanation • a child or adult's behaviour suggests he or she is being abused • the behaviour or attitude of one of the workers towards a child is inappropriate • a child demonstrates worrying behaviour towards other children. <p>There can be no absolute criteria to define when something is a safeguarding concern but if you are ever unsure you can contact the Diocesan Safeguarding team for advice and guidance.</p>
Core Group	<p>A Core Group is the group of family members and professionals who meet regularly if a Child Protection Conference makes a child the subject of a Child Protection Plan. The Core Group is responsible for the implementation and review of the Child Protection Plan with the ultimate aim of making sure that the Child Protection Plan is keeping the child safe.</p>
CPS	Crown Prosecution Service
CQC	Care Quality Commission is responsible for the registration and regulation of health and social care in England.
CRB	Criminal Records Bureau (now replaced by the Disclosure and Barring Service – see 'DBS')

DASH	Domestic Abuse, Stalking and Harassment and 'Honour'-based violence risk identification checklist is a tool used to help front-line practitioners identify high-risk cases of domestic abuse, stalking and 'honour'-based violence.
DBS	Disclosure and Barring Service (formerly CRB the DBS was created in 2012 following the merging of CRB & ISA)
Diocesan Safeguarding Reference Group	A group of senior staff and independent experts who meet quarterly to review and monitor how child protection and adult safeguarding issues are handled by the Diocese and to provide expert advice and guidance as necessary.
DSM	Diocesan Safeguarding Manager and Safeguarding Adviser to the Diocesan Bishop (formerly Diocesan Child Protection Adviser or DCPA)
DST	Diocesan Safeguarding Team
Every Child Matters	<p>Every Child Matters is the approach to the well-being of children and young people from birth to age 19, which is incorporated into the Children Act 2004. The aim is for every child, whatever their background or their circumstances, to have the support they need to:</p> <ul style="list-style-type: none"> Be healthy. Stay safe. Enjoy and achieve. Make a positive contribution and; Achieve economic well-being. <p>This means that the organisations involved with providing services to children are teaming up, sharing information and working together, to protect children and young people from harm and help them achieve what they want in life.</p>
FGM	Female Genital Mutilation

FII	<p>Fabricated or Induced Illness is a rare form of child abuse. It occurs when someone who is caring for a child, usually the child's biological mother, fakes or deliberately causes symptoms of illness in the child.</p> <p>FII is also sometimes known as Munchausen syndrome by proxy.</p>
GP	General Practitioner
Grooming	<p>Grooming refers to actions deliberately aimed at establishing an emotional connection and trust with someone in order to increase the likelihood of them engaging in sexual behaviour or exploitation. Grooming may also include threats or bribes, which persuade the person that it would be impossible to ask for help.</p>
Guidance	<p>Guidance provides contextual information or addresses the question of 'why' specified actions may be required.</p>
HBA	<p>Honour Based Abuse (sometimes called honour based violence) is a collection of practices, which are used to control behaviour and exert power within families to protect perceived cultural and religious beliefs and/or honour. Such violence can occur when perpetrators perceive that an individual has shamed the family and/or community by breaking their honour code. The individual is being punished for actually, or allegedly, undermining what the family or community believes to be the correct code of behaviour.</p> <p>So-called 'honour based abuse' is a fundamental abuse of Human Rights. There is no honour in the commission of murder, kidnap and the many other acts, behaviour and conduct which make up violence in the name of honour.</p>
HMCS	Her Majesty's Court Services
HMP	Her Majesty's Prison



The Church of England
in Essex and East London

Diocese of Chelmsford

**If someone is suffering abuse
or you have any safeguarding concerns
contact our Safeguarding Team
Duty Manager as soon as possible**

Tel: 01245 294444

Email: safeguarding@chelmsford.anglican.org