ARCHDIOCESE of SOUTHWARK

Managing and Responding to Safeguarding Allegations and Concerns

1. Roles and Responsibilities – Safeguarding Allegations and Concerns

1.1. The Archbishop and Trustee's Responsibilities

- To ensure that appropriate personnel and procedures are in place to recognise and respond to safeguarding concerns or allegations.
- To report any concerns or allegations against a member of clergy, staff member or volunteer to the Safeguarding Team immediately when any safeguarding disclosure or information is received or known.
- To ensure that the Archdiocese has clear and agreed safeguarding arrangements in place with other Church bodies which operate within the diocese, including any religious communities.
- To remain distant from the process, in case of need for intervention in the event of Disciplinary/Canonical action, claims made against the diocese or pastoral breakdown. Information received must be such that it does not compromise any future role they may play.
- To ensure that the safeguarding team manage all cases appropriately following diocesan guidance
- That the Safeguarding Sub-committee and Panel Group has an appropriate chair and vice-chair
- That Clergy subject to an allegation are appointed a support person and receive ongoing support
- To ensure that all appropriate support and information is offered to all that have been harmed by abuse who has disclosed and where required, to support their families.
- To consult with the Head of Safeguarding before removing a cleric from ministry on the grounds that the cleric presents a significant risk of harm.
- To seek advice from the canonical lawyer and Archbishop's Council before suspending a priest and/or concerning any preliminary investigation.

1.2. Head of Safeguarding and Safeguarding Team

- Receiving, risk assessing and managing safeguarding concerns, disclosures and allegations.
- Referring safeguarding concerns, disclosures and allegations to statutory agencies where the threshold for reporting is met.
- Instigating internal risk assessments and liaising with statutory agencies
- Attending meetings as requested by statutory agencies.
- Sharing information with statutory agencies in relation to concerns, disclosures or allegation or any other assessment process concerning an individual who represents the diocese or who attends our parish or events.
- Preparing reports as required for Trustees, Sub-Committee and statutory agencies.
- Convening and offering expert advice to all members of the Archdiocese.
- Completing Internal risk assessments and reviews where appropriate
- Keeping complete case management safeguarding records and to be the source of all safeguarding information for the Archdiocese.
- Records and information to be stored appropriately and in accordance with best practice in record keeping
- Report quarterly to the safeguarding Sub-committee panel group all clergy and/or complex safeguarding concerns
- Ensuring all victims/survivors are offered compassionate and consistent support.

- Where support accepted, ensuring that the needs of the victim/survivor are fully recognised and acknowledged throughout the safeguarding process.
- Ensuring information regarding contact with the victim/survivor is recorded and stored appropriately within the CMS.
- Keeping the Safeguarding Trustee updated regarding the risk assessment process and liaising with support person to ensure support, advice and pastoral care is offered to the subject of concern.
- Liaising regularly with support persons.
- Ensuring that the voice of both the victim/survivor and the subject of concern is heard throughout the process.
- Informing the subject of concern with sufficient information of the allegation made, taking guidance from statutory agencies where appropriate.
- In relation to a clergy risk assessment, advising on suitable appointment of an independent risk assessor and preparing the terms of reference and contract
- Preparing a term of reference for any independent risk assessment, including sufficient information for the work required
- Completing risk assessments and reviews when required
- Implementing and monitoring all Safeguarding and care plans at regular intervals

1.3. The Vicar General (VG)

- Will act as Co-Vice Chair of safeguarding sub-committee.
- Will be the liaison point between the Head of Safeguarding and Archbishop's Council (ABC)
- To support the Archbishop in considerations regarding removing a cleric from ministry
- Keep the Archbishop and ABC informed of updates of safeguarding cases.
- Arrange support for Clergy/parish when a parish is affected by a safeguarding concern or allegation
- Support the Episcopal Vicar for Safeguarding.

1.4. The Episcopal Vicar for Safeguarding

- To report to the Vicar General on individual cases of concern and to provide advice on appropriate management of issues related to clergy.
- To work closely with the Head of Safeguarding and the Safeguarding Team in promoting good practice and compliance with safeguarding standards and the Archdiocese Safeguarding policies.
- To be a member of the Safeguarding sub- Committee and support its work
- To provide visible championing of the Archdiocese's safeguarding policy to build a safe environment for all
- To support approaches within the Archdiocese to listening to the voice of survivors of abuse
- To support the development and delivery of safeguarding training and to ensure compliance with the Archdiocese and National requirements
- At the request of the Vicar General, to undertake interviews with clergy and prepare reports in consultation with the Head of Safeguarding.
- To liaise with the Episcopal Vicar for Clergy Welfare on the development of good practice

1.5. Subject of concern Support Person

- A support person will be offered to all Clergy and significant lay roles when subject to a safeguarding concern.
- The support person will predominately be a senior member of clergy specifically trained in pastoral care, it can also be a person of the subject's choice-if they have the appropriate skill set.
- No-one directly involved in the management of the case, or who may be required to give evidence in any court proceedings, should be directly supporting the subject.
- The Role of the support person should be particularly alert to the sense of isolation and vulnerability which the subject may experience.
- The support person is responsible for support, keeping the subject informed of the progress of their case and direct them to counselling and support as necessary.
- Assist the subject to access advice in relation to both criminal and Canon law.
- Monitoring compliance of any Safeguarding Plan in place if this is an agreed part of their role.
- Sharing relevant information to the Head of Safeguarding where appropriate
- Record notes of meetings.
- The support person is NOT the confidant of the subject. They must be bound by a professional responsibility to disclose to the appropriate authorities where:
    i. others are at risk of harm.
    ii. the subject makes disclosures of intentions to hurt or harm either themselves or others.
    iii. the subject makes disclosures of their guilt, or not of the matter being investigated.
    iv. safeguarding information is to be shared to assist in the prevention, detection, or prosecution of a crime. It is important to recognise and to acknowledge where others may still be at risk, the Police and possibly Children's/Adult's Services or the Local Authority will need to be informed. If the support person is unsure about whether they can share information, they should seek advice from the Head of Safeguarding.

The support person is not:

i. A counsellor for the respondent and should not act in that role.
ii. A spiritual guide for the subject.
iii. An advocate for the subject.

- The support person should not take confession from the subject.
- The support person does not manage the case file and will not have access to it.
- Where the subject accepts the offer of a support person, the support person guidance shall be shared with the subject and the support person
- The frequency of contacts/meetings should be agreed between the respondent and the support person.
- The support person should receive regular supervision from the Vicar General, this could include external support if required.

1.6. Support Person for Victim/Survivor-where possible

- The support person has received guidance on their role and responsibility
- Where possible no-one directly involved in the management of the case should be directly supporting the victim/survivor/subject, recognising the limitations due to staff numbers of the SGT
- Victims/survivors who are children or young people will require specialist support, under advice from Children's Services.
- The role the support person plays must be agreed in consultation with the victim/survivor, and maybe responsible for the following matters;

a) Liaising with the statutory agencies to provide support to the victim/survivor-the support person is not the victim/survivors advocate at any meeting they attend.
b) Listening to and representing the victim/survivor's pastoral needs.
c) Identifying any therapeutic or other needs the victim/survivor may have and offering choices as how these may be best met, in consultation with the Head of Safeguarding.
d) Listening to and representing the victim/survivor's views during the management of
the safeguarding concern or allegation.
e) Recording details of any meetings or contact they have with the victim/survivor on the CMS and passing on relevant information to the Head of Safeguarding
f) Records of meetings would include dates, times, locations, and an overview of the meeting.
g) The support person is NOT the confidant of the victim/survivor.
h) They are bound by a responsibility to disclose to the appropriate authorities (e.g., the Police, Head of Safeguarding etc.) where:
    i. Others are at risk of harm.
    ii. The victim/survivor makes disclosures of intentions to hurt themselves or others.
    iii. Safeguarding information is shared that may assist in the prevention, detection, or prosecution of a crime.

1.7. Chief Operations Officer (COO)

- The Head of Safeguarding to keep the COO updated whenever there is a potential financial, regulatory, or reputational impact or where there is a significant risk that requires management/mitigation/monitoring.
- The Head of Safeguarding to keep the COO informed immediately should a case involve an employee of the diocese.
- The COO to be mindful of legal requirements to inform insurers, charity commissioners, etc. and have an overview of risk management to the organisation and wider church to ensure things are managed effectively within guidance.
- The COO to report all matters that meet the threshold to the Charity Commission on behalf of the Trustees.

1.8. Diocesan Canonical Lawyer

- The Canonical lawyer shall act as canonical process advisor to the Trustees, Head of Safeguarding and the Panel Group to support its decisions, actions, and recommendations.
- The Canonical lawyer is responsible for:
    I. Giving legal advice to the Archbishop on any canonical aspect relating to safeguarding in conjunction with the Head of Safeguarding, in relation to the terms of reference and letter of instruction for risk assessments.
    II. Advising the Archbishop on matters relating to powers of suspension.
    III. Advising the Archbishop (in the event of the allegation being substantiated), in consultation with the director of communications and the Head of Safeguarding, on an appropriate form of words in relation to any proposed communication/apology to the victim/survivor.

The Canonical Lawyer CANNOT represent the subject. The respondent's lawyers must be independent i.e., not associated with the same legal practice.

1.9. Communications Director

- Takes the lead on all matters of communication, including statements for potential or actual media coverage, statements made to the congregation, during and following an investigation, in collaboration with the Archbishop, Canon Lawyer, Head of Safeguarding and COO.
- Liaising with any senior cleric, provincial/national leads of communications in all appropriate cases where media coverage is expected.
- Advising the Archbishop, in consultation with the Canon lawyer, Head of Safeguarding and COO on an appropriate form of words in relation to any proposed apology to the victim/survivor.

1.10. Independent Safeguarding Professionals (ISP) to the Trustee Sub-committee

- Independent safeguarding professionals may be contacted by the Head of Safeguarding or Chair of Panel group, to discuss a case and seek advice on particular areas-eg Social care/Religious life
- When required review the quality of risk assessments and Safeguarding Plans (when new Lime Culture starts).
- It is not the role of the ISP to be part of the case management process but will offer advice and consultation at/after Panel group meetings when required.
- The ISP will act as advisers on specific matters, casework, risk management and safeguarding plans to the trustee safeguarding subcommittee meetings.

1.11. Trustees Safeguarding Subcommittee

- Receive anonymised management information relating to cases received into the safeguarding office.
- Receive anonymised risk assessments and safeguarding agreements that the SGT have completed. (When Lime Culture risk assessments are implemented.)
- Discuss anonymised cases in relation to clergy and significant lay roles or where reputational risk is impacted.
- Considering information and themes from quality assurance processes e.g., Diocesan Self Assessments, lessons learnt reviews, independent audits, and file audits to make recommendations to improve safeguarding arrangements.
- Be advised of any barriers or issues which are impacting on the ability of the archdiocese to effectively manage safeguarding risks, this includes DBS, Training, CMS and updates

2. Responding to Allegations and Concerns

2.1. Internal Case Management Process

- Every safeguarding concern, disclosure or allegation will be triaged and managed by the safeguarding team-See the CSSA guide to Management of allegations and concerns for reference.
- The Archdiocese also practices safeguarding within the context defined by the Charity Commission, that safeguarding is about proactively preventing harm, harassment, bullying, abuse, and neglect, and being prepared to respond effectively if problems arise and understanding our duty to safeguarding, extends to all individuals, including beneficiaries, staff, volunteers, and anyone else who interacts with the charity.
- National, Diocesan policy and best practice will be followed throughout all cases.
- The Archbishop will be kept updated by the SGT, via the Vicar General, regarding clergy and complex cases.
- The safeguarding team will ensure that appropriate referrals are made to statutory agencies when the threshold for referral is met

- The Head of Safeguarding will inform the Chief Operations Officer whenever there is a potential of financial, regulatory, or reputational impact, where there is a significant risk that requires management/mitigation/monitoring or if the case involves an employee of the diocese.
- The Head of Safeguarding will decide when an internal risk assessment or review will be carried out, considering any canonical or legislative considerations.
- The Head of Safeguarding will take all Clergy and complex cases to the Sub-committee Panel group who will review all matters to ensure effective oversight.
- The Head of Safeguarding and panel group will make recommendations for action required by the Archbishop, including removal from ministry.
- The safeguarding team will determine when the subject should be informed and what they should be told in relation to the concern or allegation where the statutory agencies are not involved. Where statutory agencies are involved the team will be led by the advice from statutory services.
- The safeguarding team will determine the arrangements required for the management of the subject in relation to their role/position, having full regard to the views of the statutory agencies.
- The safeguarding team will ensure how the victim/survivor and/or their family can best be supported.
- The safeguarding team will ensure how the subject can best be supported.
- The Head of Safeguarding will advise the Archbishop regarding support and pastoral care required for a parish when clergy or a volunteer is subject to a serious concern.
- The safeguarding team will set and maintain boundaries of information sharing and confidentiality, including when information can be shared with the Police, the insurance company, the Charity Commission, the Local Authority Designated Officer, and the Catholic Safeguarding Standards Agency
- The Head of Safeguarding will agree statements to the press and the Parish in consultation with the Director of Communication, COO and Archbishop's Council.
- The safeguarding team will ensure that accurate information is kept and shared securely where appropriate and in accordance with data protection legislation.
- The Head of Safeguarding will ensure independent risk assessments are carried out during and/or following the outcome of the allegation, this includes:
    i. agreeing the terms of reference, with the COO, and commissioning work to be completed
    ii. ensuring comprehensive contract and confidentiality agreement
    iii. ensuring any appropriate recommendations are implemented
- The Head of Safeguarding will ensure lesson learnt review is implemented at the end of all complex cases and lessons learnt are recorded within the CMS
- Where clergy are involved, the panel group will be involved in a review of lessons learnt.
- The Head of Safeguarding to advise the Archbishop when to undertake a lesson learnt review at the end of the process.

2.2. Responding to Allegations and Concerns-A child or young person, or an Adult is at immediate risk of harm

The person that identified the child or adult as potentially at immediate risk of harm must refer immediately and directly to the police and advise the Head of Safeguarding as soon as possible afterwards, providing a detailed written account of the concerns/allegations/account given by the person. Advice must be taken from the police on what information can be shared with family members and when to do so, recognising that sharing information could put persons at risk.

When a person's conduct towards a child or an adult may impact on their suitability to work with or continue to work with children and/or adults, the Head of Safeguarding must refer the allegation to the local authority's designated officer or adult social services for safeguarding within one working day. If the accused person is deceased, the local authority designated officer must still be informed of the allegation concerning a child.

2.3. Concern that a child or an adult might be suffering, or is suffering from harm, caused by somebody outside of the Church.

2.3.1. Children

Where it is believed or suspected that a child is suffering or is likely to suffer significant harm, or a child would be likely to benefit from family support services with the agreement of the person who has parental responsibility. The information must be;

- Referred to the SGT within 1 working day, who will triage and refer to the Local Authority Children's Services Department within 1 working day.
- Advice must be taken on what information can be shared with family members and when, in any case where to do so may put a child at risk.

2.3.2. Adults

- Inform the SGT within 1 working day who will then make enquiries and consult with the alleged victim about making a referral to adult social services (making a referral if appropriate to do so).
- It is not for individuals within the Church to decide whether an adult about whom they have concerns meets the threshold for consideration as an 'adult at risk'. If in doubt, concerns about the welfare of an adult should be referred to the local authority social services department.

2.3.3. Children and adults

- Where it is believed that a criminal offence may have taken place, the allegation must be referred by the SGT to triage and refer (where appropriate) to the Police within 1 working day.
- When a person's conduct towards a child or adult at risk may impact on their suitability to work with or continue to work with children/adults, the Head of Safeguarding must refer the allegation to the local authority's designated officer (LADO) for safeguarding children or adult social care/police within one working day.
- If the respondent is deceased, the local authority designated officer must still be informed of the allegation.
- Advice must be taken on what information can be shared with family members and when, in case to do so puts a child at risk.
- The Head of Safeguarding will make an offer of support to the person/family and if assistance is initially refused, they will advise that they can take up the offer of assistance at any time.

2.4. A child or an adult makes an allegation or discloses something of concern in respect of somebody with a role within the Church.

2.4.1. Children

- Inform the SGT within 1 working day who will refer to the Local Authority Children's Services Department within 1 working day. Regardless of whether the subject is living or deceased,
- Where it is believed that a criminal offence may have taken place, the allegation must be referred to the Police within one working day.

- When a person's conduct towards a child may impact on their suitability to work with or continue to work with children, the Head of Safeguarding, must refer the allegation to the local authority's designated officer (LADO) for safeguarding children within one working day.
- If the respondent is deceased, the local authority designated officer must still be informed of the allegation.
- Where it is believed or suspected that a child is suffering or is likely to suffer significant harm, or a child would be likely to benefit from family support services (with the agreement of the person who has parental responsibility), the Head of Safeguarding will advise the SGT to make a referral to the local authority children's social services department.

2.4.2. Adults

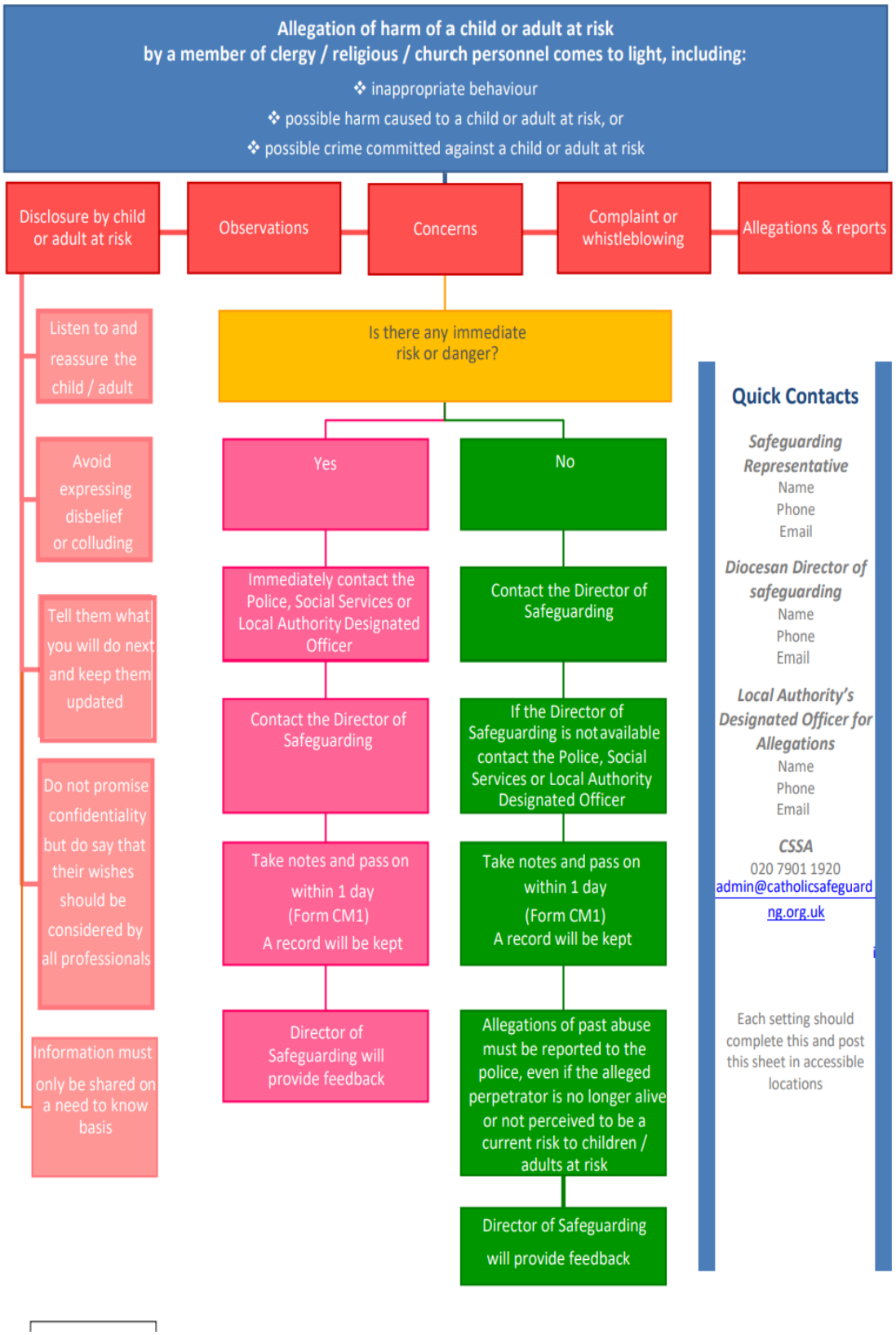
- Inform the Head of Safeguarding or Safeguarding Team within 1 working day.
- The Safeguarding Team will consult with the alleged victim about making a referral to adult social services (making a referral if appropriate to do so).
- Regardless of whether the subject is living or deceased, where it is believed that a criminal offence may have taken place, the subject must be referred to the Police within one working day. If this cannot be achieved, the reason must be documented.
- When a person's conduct towards an adult may impact on their suitability to work with or continue to work with adults, the Head of Safeguarding or Safeguarding officer must refer the allegation to the relevant local authority department for safeguarding adults within one working day.
- If the respondent is deceased, the local authority safeguarding department must still be informed of the allegation.
- Where there is risk to a child or another adult, adult safeguarding services should involve local authority safeguarding colleagues as well as any relevant partners e.g., Police, NHS or other persons relevant to the case.

2.4.3. Additional Action-Children and Adults

- If the allegation is against the Head of safeguarding or members of the SGT, a report must be made to Chief operations officer, who will then be responsible for ensuring that safeguarding procedures are followed.
- Religious congregations that are aligned to a diocese or are members of the Religious Life Safeguarding Service (RLSS) are required to report all allegations to the aligned diocese or RLSS and agree who will make the referral to statutory authorities.
- The Head of safeguarding will inform the Ordinary for the area where events are said to have occurred, as well as the Ordinary of the person reported and inform the RLSS.
- Regarding the ecclesiastical investigation, the norms given in Pope Francis' Apostolic Letter, "Vos Estis Lux Mundi", are to be followed.
- The Head of safeguarding will also inform Chief operations officer who will inform the Insurance Officer at the earliest opportunity and liaise with them throughout the process.
- If the case relates to a member of a religious order, the Religious Order Superior must refer the case to their Insurance Officer.
- The COO will notify insurers and refer matters to the Trustees who must consider whether something is reportable to the Charity Commission as a serious incident.
- The Head of Safeguarding will inform the diocesan or congregational designated person and liaise with them throughout the process.
- The individual about whom the allegations or concerns are being raised will not be told, if to do so could endanger others and/or prejudice any form of investigation.

- The SGT will participate in strategy meetings/discussions and liaise with statutory authorities until the investigation is concluded.
- A referral to the local Multi-Agency Public Protection Arrangements (MAPPA) Coordinator might also be considered by the strategy meeting
- The SGT will take advice from the Designated Officer about what and when information can be shared relevant parties e.g., the victim, families, and the respondent, so as not to compromise a child's safety or prejudice an investigation.
- The Head of Safeguarding will take advice from the Designated Officer as to whether a referral to the Regulatory Body such as Ofsted, Care Quality Commission (CQC), Care Inspectorate Wales (CIW), or Healthcare Inspectorate Wales (HIW), General Medical Council (GMC), Health and Care Professions Council (HCPC) or others should be made.
- The Head of Safeguarding will decide when referrals to The Disclosure and Barring Service (DBS) must be made for consideration for inclusion on the Adult's or Children's Barred List. A referral to the local Multi-Agency Public Protection
- The Head of Safeguarding will, where appropriate oversea the process to undertake enquiries/investigation/Independent assessment, where statutory authorities decide not to investigate or conclude their investigation without criminal proceedings but concerns remain.
- For clergy and religious, the guidance of a canon lawyer should be sought to ensure compliance with the requirements of canon law.

2.5. Flowchart responding to Allegations of Abuse or Concerns about Children and Adults at Risk



2.6. Concerns and allegations relating to adults who do not meet the statutory threshold for being considered as an 'adult at risk'

In addition to recognising the statutory threshold for determining that an individual is an 'adult at risk', the Church recognises that at different times and in different contexts, adults can be vulnerable because of the conduct of individuals working in the name of the Church. Where allegations are made in relation to adults who are considered vulnerable but do not meet the statutory threshold, the matter should be referred to the Head of Safeguarding for consideration, in conjunction with the Vicar General as to whether it is appropriate to implement the safeguarding procedures to address the matter.

2.7. Notifications of allegations to the Church, where the alleged victim is not known to the Church

When a notification of an allegation is received from a third party such as statutory authorities or insurers, and the Church does not have any knowledge of or contact with the alleged victim, an offer of support must be made using the referring agency as an intermediary. This offer of support must be followed up in writing, addressed as far as possible to the alleged victim, and passed to the agency acting as intermediary, making clear that if support is not required at the current time, it can be requested later. Confirmation must be gained from the intermediary that the offer of support has been given to the alleged victim.

2.8. Responding to an anonymous concern/allegation

Anonymous complaints are to be handled carefully. Anxiety and fear may persuade some people not to immediately reveal their identity. It is sometimes difficult to act on information under these circumstances, unless at some point the name of the victim/survivor becomes known. The victim/survivor should be informed that anonymity might restrict the ability of professionals to access information or to intervene to protect a child, young person and/or vulnerable adult.
As much openness, as possible should be encouraged. However, if any identifiable information that relates to a safeguarding concern or allegation (current or non-current) is received, it must be passed onto the Head of Safeguarding, who will refer to the appropriate statutory agencies so an investigation can be undertaken to assess the risks, as required.

2.9. Responding to someone who admits to abusing a child, young person or vulnerable adult.

It is necessary to tell a person who admits an offence against any person, that such information cannot be kept confidential. If such an admission is made, even where the admission relates to something that happened a long time ago, the matter must be referred to the Safeguarding Team, who will refer to the appropriate statutory agencies so an investigation can be undertaken to assess the risks, as required.

2.10. Managing a low-level concern

The Diocese demonstrates a zero tolerance to concerns or behaviour that contributes to an unsafe environment or puts others in distress. A low-level concern is any concern, no matter how small and it may be nothing more than a concern that someone may have acted in a manner which:

- Is not consistent with the ethos of the Church, Codes of Conduct, ethics, or policy and procedures, and/or relates to their conduct,.
- Even if not linked to a particular act or omission which has caused a sense of unease about that adult's suitability to work with children, young people or adults at risk.

People do not need to be able to determine whether their concern is a low-level

concern as described above, or if it is serious enough to be considered for referral to the statutory authorities. Once somebody shares what they believe to be a low-level concern that determination will be made by the Safeguarding Team.
Low-Level Concerns can relate to:

- Adults' behaviour towards children
- Adults' behaviour towards adults, particularly those who are vulnerable, or at risk,
- Peer on peer behaviour
- Children reporting adult behaviour
- Adults sharing concerns about other adults, and
- Includes self-reporting

2.11. Referring a low-level concern
All low-level concerns within a parish should be referred by the Safeguarding Office. If concerns are passed on to the Parish Safeguarding Representative or Parish Priest, they will consult with the Safeguarding Office. For further details see the Low-level Policy.

2.12. Self-reporting
Occasionally a person may find themselves in a situation which could be misinterpreted or might appear compromising to others. Equally, someone may, for whatever reason, have behaved in a manner which, on reflection, they consider having fallen below expected standards.

Self-reporting in these circumstances can be positive for several reason. It is self-protective, in that it enables a potentially difficult issue to be addressed at the earliest opportunity. It demonstrates awareness of the expected behavioural standards and self-awareness as to the individual's own actions or how they could be perceived and it is an important means of maintaining a culture where everyone aspires to the highest standards of conduct and behaviour.

2.13. Handling low-level concerns
Anyone who brings concerns to the notice of the Archdiocese of Southwark will be responded to sensitively, respectfully, and seriously. The person that the concerns are raised with will make a written record of the conversation.

Concerns will be shared with the Safeguarding Team within 1 working day or as soon after, as is reasonably possible. If the concern is about a member of the Safeguarding team then the information should be referred respectively to the COO. If the person raising the concern does not have a role in the Church and is not raising a concern in a professional capacity, then if they do not wish to be named then that decision should be respected as far as possible. It cannot be guaranteed however, as a concern may be so serious that it may need to be referred to the statutory authorities. This situation must be explained in more detail to the person concerned if it were to arise.

Where the Church makes a referral to statutory authorities arising from information from somebody who has requested anonymity, the person requesting anonymity is to be advised that although their request will be noted with the referral, it may not be possible for them to remain anonymous.
Individuals who have roles within the Church must not make anonymous referrals because they are acting in their professional capacity with the requirement to safeguard and protect children and young people and adults at risk. The Head of Safeguarding will review the information provided, and if necessary, consult with relevant colleagues, to determine whether the behaviour is:

- consistent with the required standards of the Church
- consistent with the low-level concern policy
- a low-level concern that can be addressed by means such as being reminded of a code of conduct, mentoring, training, additional support, and supervision (this is not an exhaustive list)
- cumulative, in that it appears to demonstrate a pattern of behaviour that needs to be addressed
- a safeguarding matter, and if it is, whether it needs to be referred to statutory authorities
- something that should be dealt with by a different office e.g., HR, Vicar General.
- potentially unlawful and needs to be referred to the police

The Head of Safeguarding will also consider whether there is other information which, when considered, constitutes an allegation. If the Head of Safeguarding or Safeguarding Team is unsure, they can consult with statutory authorities. Enquiries into low-level concerns will be carried out discreetly, with information shared on a need-to-know basis. It is important to inform the person concerned about their behaviour in order that they can respond, and it can help the individual to address their behaviour at an early stage. The person about whom there are concerns will be spoken with by the most appropriate person, identified by Head of Safeguarding.

The outcomes will be dependent upon the concerns raised and the role that the person holds i.e., clergy, religious, parishioner, volunteer or staff. In some instances, a simple conversation with the person concerned may be sufficient to explain why their behaviour is concerning. Other concerns may be dealt with by further training, raising of awareness, support being offered, or safeguarding plans
being implemented.

Reporting a low-level concern does not mean that it will be judged by professionals as such. The decision could be made that the concern is more serious than initially believed and it may have to be reported to the statutory authorities and this could lead to various outcomes than the person reporting anticipates. Should this situation arise the courses of action and potential outcomes will be explained to the person reporting the concerns. Whilst it may not be possible, in all cases, to provide regular updates on the progress of enquiries being undertaken to address the low-level concern, informants can reasonably expect to be advised of key outcomes when enquiries are finalised.

2.14. Record keeping
Records will be kept of the concerns raised, all conversations, the outcomes, decisions made, the rationale and any action taken on CMS. All records will be stored confidentially and retained in accordance with the national safeguarding record retention schedule. If low-level concerns are dealt with at a local level e.g., by the Parish Safeguarding Representative or Parish Priest, the records must be sent to the Safeguarding Office so that they can review them alongside any other records that they hold, to ensure that all such concerns are being dealt with promptly and appropriately, and that any potential patterns of concerning, problematic or inappropriate behaviour are identified. A record of the review should be made on the file.

3. Management of allegations and concerns where there remains a concern following acquittal, a decision not to prosecute, no further action from Statutory Authorities-Internal Enquiries or complex cases which suggest the subject may pose a risk.

Where allegations have been made and there is an acquittal, a decision not to prosecute, no further action from statutory agencies or below the statutory agency threshold, but there remains a concern, or following a conviction, or in any context or set of circumstances where there is uncertainty about the level of risk posed to children or adults at risk, the Safeguarding Team will consider what actions need to be taken to protect people from potential harm.

In most cases the safeguarding team will complete an internal review and assess any risk that the subject may pose. The outcome of such a review will be considered by the panel group. In some incidents an 'Independent investigation' may be required. This refers to the process of making enquiries into a matter, usually after statutory investigation has taken place, by professionals who are independent of the Church and who are suitably qualified and experienced in this work where there are concerns about a person's behaviour or risk to children or vulnerable adults. Independent investigators would be commissioned for complex cases or where there is a conflict of interest.

3.1. Internal enquiries

The aim of an Internal enquiry is to establish whether or not there are ongoing safeguarding concerns and whether the subject is suitable to fulfil a Church role which carries the potential for engagement with children, young people and/or vulnerable adults. The aim is NOT to establish the guilt of the person accused. The Head of Safeguarding will identify the lines of enquiry to be followed with the assigned case worker, this will usually be a safeguarding officer. The safeguarding officer will undertake the enquiries as outlined and the Head of Safeguarding will produce a report on the investigation for the panel group and Archbishop. The panel group will review the report and make any further recommendations and considerations.

The complexity and variety of the lines of enquiry will be determined by the specifics of an individual case and therefore timescales for completion will need to be agreed at the outset, along with tasks identified. Should the panel group disagree with any decisions or recommendations within the Head of Safeguarding's report, these should initially be discussed in the panel group and if remained unresolved should be escalated to the chair of the Trustees safeguarding subcommittee or, where the subcommittee are unable to resolve the dispute, consideration to pass the matter to a review panel group.

3.2. Head of Safeguarding internal review

Where the Head of Safeguarding carries out the internal review, a report is prepared that should include:

1. Core details of the subject – name, date of birth, address, role.
2. A summary of the allegations - this will contain the following information: - Dates, venues of allegation, Age(s) of victim/survivor(s) at time of allegation, When the allegation was notified to the diocese, Age of the individual at the time of the alleged abuse, and their age now, When the allegation was reported to the statutory agencies and any action taken by them, and any outcomes from those actions.
3. If any statements have been made by the victim/survivor(s) to the statutory agencies, a copy of these should be sought. If not already taken by the statutory agencies or unable to retrieve, arrangements should be made to obtain an account from the victim/survivor, to include as much detail as possible.
4. name any witnesses-their account or existence of corroborative evidence.

3.3. Gain account from Victim/Survivor/complainant
When gaining an account from the victim/survivor/witness, in some cases, it may be appropriate to hold a meeting and subsequently provide a transcript of the meeting. The individual should be invited to a meeting at their convenience and be encouraged to bring a person for support if required. Teams or phone meetings, can also be utilised, with a record/transcript of the conversation sent to the person for agreement. If the individual prefers, they can submit a written account.

3.4. Gain account from subject
An account detailing the response to the allegation by the subject should also be taken, best practice is for this to be done during a face-to-face meeting that is subsequently transcribed to allow for accuracy. Teams/phone or other electronic meetings can also be utilised, if a face to face meeting cannot be arranged. The transcript must be checked and signed by the individual and retained on the case record. If the subject requests they can submit a written account, with the facility to respond to further questions if required.

As part of the investigations and for the preparation of the report, the Head of Safeguarding will preferably meet with the subject to give them the opportunity to reply to the allegation made. This invite should be in writing to evidence that it was done and the response. This opportunity should be given to the subject in addition to any other interviews with statutory agencies. This should not be done informally in a private meeting, as once the process has been initiated, all contacts between the diocese and the subject must be formal and recorded/minuted. There must be at least one other person present, e.g., the Individuals' support, when the meeting takes place. If the subject does not want someone to accompany them, the Head of Safeguarding should ensure there is a third person present. Having informed the subject of what has been alleged and of the information collected, the Head of Safeguarding offers the subject the opportunity to reply during the meeting. Minutes of the meeting will be recorded contemporaneously. The subject should be asked for his account and the following areas of discussion should be considered;

- Any relevant information about any previous allegations.
- Information pertaining to the direct allegation/concern and any other relevant information or corroborative evidence presented by the victim/survivor/witness or subject.
- The individuals' knowledge of and attitude to the victim/survivor
- The individuals' attitude to the Church process.
- Third party information - any corroborating evidence which supports the investigation or which supports the subject.
- The views of any other relevant people- Statutory agencies, other church officers and anyone else who may have been aware of the allegation, bearing in mind issues of confidentiality and data protection requirements.
- Consideration of other reports gained including, Risk Assessments

Once the interview notes are written up, the subject should be sent a copy for their approval.

3.5. Head of Safeguarding report
Once the enquiry is completed, the Head of Safeguarding will complete a report, which is a review of the information and an assessment of findings, which could include recommendations for further enquiries. It will include a clear statement, on whether the Head of Safeguarding believes the case is substantiated or unsubstantiated, unfounded, malicious, or false and/or whether there are ongoing safeguarding concerns.

The conclusion of this report should assist the Archbishop in deciding whether there is a case to answer, the case is unsubstantiated or that the case is manifestly false or unfounded. The information presented in the report is not meant to be an exhaustive demonstration of the facts but something details the concerns raised, the pertinent persons accounts and an assessment of the information gained. After consideration of the report, the Archbishop can ask the Head of Safeguarding to make further enquiries or actions as required.

There are three possible outcomes:

1. The initial investigation finds the concern or allegation was unsubstantiated and there are no ongoing safeguarding concerns, the Archbishop should decide that the respondent should , if removed-be returned to work and inform the person responsible for them.
2. The initial investigation finds the concern or allegation was unsubstantiated but there are ongoing safeguarding concerns, in this scenario a risk assessment maybe required, the Head of Safeguarding could recommend to the Archbishop that an independent risk assessment is undertaken. Alternatively, the Head of Safeguarding may either carry out a further assessment or make arrangements for it to be carried out.
3. The initial investigation finds the concern or allegation to be substantiated, and if a risk assessment is yet to be completed, maybe required. The Head of Safeguarding should recommend to the Archbishop if an independent risk assessment should be undertaken or what action the Archbishop should consider.

At all stages outlined, all information should be recorded to provide a clear audit trail and cross referenced with the case file. Whilst a risk assessment is being awaited, if not already in place an Interim Safeguarding plan should be considered using the information gained from the internal enquiry and should be signed and dated by the subject and Head of Safeguarding.

3.6. Safeguarding Sub-committee panel group

The Head of Safeguarding's report should be subject to the panel groups review. The panel group can make comments, suggest further actions, gain clarity on content and make further recommendations. Once the panel group has completed their review, the report can be shared with the Archbishop and the outcome shared with the victim/complainant and subject. A decision will be made as to whether the entire report or a redacted version is supplied to the parties involved. This decision will be based on the content and the requirement to protect individuals or due to confidentiality.

3.7. Convening a Panel Group

For all serious allegations against clergy or a volunteer/staff member that has a role with children, young people and/or vulnerable adults, the Head of Safeguarding should inform the chair of the panel group, in consultation with the Vicar General, within 48 hrs of becoming aware of the safeguarding concern or allegation.

If there are ongoing statutory investigations, the panel group will be informed of the recommendations from the statutory agencies. Where there is no statutory agency involvement, but a safeguarding concern or allegation has been identified the Diocese will conduct its own investigation.

Throughout the most serious enquires-those involving clergy, volunteers/staff being removed from ministry/role or arrested- the Head of Safeguarding will update the panel group and Vicar General. The Head of Safeguarding will establish the process and with the

safeguarding team complete a thorough enquiry and where necessary complete a review and an assessment of risk. The decision making and actions taken sit with the Head of Safeguarding.

The panel group meets quarterly to review all clergy cases and other complex matters. Where required a panel group can be conveyed outside of this time frame to take an overview of the safeguarding team's actions. The panel group will receive a report from the Head of Safeguarding, where the actions taken, decisions made and outcomes are discussed. The panel will then review all actions, decisions and recommendations and contribute to any further considerations. All meetings are minuted and recorded on the CMS.

3.8. Conflict of interest in Panel Group

Each panel group must consider any Conflicts of Interest.
Conflicts of interest should be considered, such as:

- personally, knowing the respondent and/or the victim/survivor.
- a witness in the investigation.
- are pastorally supporting the respondent and/or the victim/survivor

Any person with a conflict of interest should not be included in the panel group. The Chair, usually the safeguarding Trustee, will lead the group.

The Archbishop and Vicar General must not be a member of the group, nor attend meetings of the panel group, in order not to compromise potential decisions about disciplinary matters which rest with them. The Archbishop should be kept informed of the process by their representative in the response group or the Head of Safeguarding and be advised on decisions which they recommend.

Minutes from all panel group meetings should be taken and circulated to attendees as soon as possible after each meeting. Absent members should be briefed on oversight of cases and/or recommendations for further actions required. If the safeguarding concern or allegation relates to a diocesan employee, then the COO must not be a member of the group, nor attend meetings of the panel group, in order not to compromise potential decisions about disciplinary matters which rests with them.

Legal advice, other than the canonical lawyer should be sought from the appropriate legal adviser as appropriate. Communications advice should be sought from the diocesan communications adviser throughout the process. A complete record of the case should be maintained by the case manager and retained on CMS.

3.9. Review of Recommendations to the Diocese

A review can be requested by:

- The subject
- The victim/complainant.
- The Archbishop

A review can be requested if:

a) They are dissatisfied with the findings or recommendations within the report compiled by the Head of Safeguarding
b) A request for further enquiries.
c) If the report has indicated that there is no issue to investigate or not to proceed further with a complaint, and the victim/complainant can request a review.
d) If the victim/complainant has expressed concerns in the course of action/recommendations recorded within the report at the completion of the enquiry.
e) The Archbishop requires an independent review or further action.

The Head of Safeguarding must be notified in writing of an intention to seek a review within 10 working days of sharing the report. Requests outside of this timeframe or where no recommendations have been made cannot be subject to a review.

The Archbishop and his counsel will subsequently make decisions based on the findings and recommendations of the report. Once this decision has been made, the Archbishop/Head of Safeguarding will communicate this with the subject and/or the Victim/Survivor. Any recourse or appeal to the Holy See against the decision of the Archbishop must be made in accordance with the canonical processes set out in the Code of Canon Law and other canonical legislation.

3.10. Review Panel Group

In complex cases involving clergy, if there remains a dispute regarding an internal review, discussions can be had to set up a review panel, to construct an independent panel group to review the evidence of the case and the process of enquiry, bearing in mind the rights of the subject, the requirements of canon law where appropriate and the duty to act fairly. The Panel composition including appointment of the Chair will be finalised within 10 working days of the decision to set up a review panel.

The Head of safeguarding provides the information considered in reaching the recommendations to the Review Panel. Before the Review Panel meets, if it is in receipt of information that should have been made available to the Head of Safeguarding at the original determination or was not available at the time, but had it been, it might have affected the recommendations, it must be referred to the Head of safeguarding for reconsideration.

The Head of safeguarding can review the recommendations in the light of the new information and alter them if necessary. The Review Panel must ensure that if it receives information that was not submitted to statutory agencies at the time but should have been, that this information is referred to the relevant agency. Documentation will not ordinarily be sent to the victim/complainant or their parent or guardian. Individual requests for disclosure of documentation however will be considered on their merits and must be agreed between the Archbishop and Chair of the Review Panel. Decisions about disclosure must have regard to the prevailing Data Protection legislation. Where there is any doubt, legal advice must be sought.

Written submission from the subject or their representative can be made to the Review Panel, including perceived inaccuracies in reporting and/or arguments in mitigation, no later than 10 working days before the Review Panel is scheduled to meet. There is no requirement to respond to representations other than to acknowledge receipt. The Review Panel must meet at least once prior to coming to a decision concerning the recommendations and should reach its conclusion within 4 months of being established. If necessary, the Review Panel can request further enquiries are made by the Head of safeguarding before reaching a decision, making explicit the nature of the further enquiries to be undertaken and the timetable for completing these enquiries.

The Review Panel will make its recommendation on the balance of probabilities, by consensus or majority decision. The recommendation and reasons must be recorded by the Review Panel Chair in writing and notified to the Archbishop, the victim/complainant, the subject and the Head of Safeguarding within 10 working days of the final meeting.

The Review Panel Chair, or their nominee on the Review Panel, will also maintain a record of the process of the review (see the National Review Protocol Monitoring Template and the National Review Protocol Report Template), which is to be signed by all members of the Review Panel and a copy of both sent to the Archbishop who must decide as to the appropriate course of action within 20 working days. This decision must be given in writing (canon 1718).

If the subject or the victim/their parent or guardian or the complainant has any complaints to make about the Review Panel process, these must be made to the Archbishop who will consider the complaint and respond. (For further details of the review panel see Appendix A)

3.11. Informing the Subject

Statutory agencies will inform the Safeguarding team about when they can tell the subject that an allegation has been made. However, it may be that the statutory agencies themselves inform the subject as part of their own investigative practices i.e., where an arrest is necessary. Where the statutory agencies are not involved, the Head of Safeguarding or Safeguarding Officer will determine when and what the Subject should be told in relation to the concern or allegation

Following the approval of statutory agencies or Head of Safeguarding to notify the subject, the Vicar General, or their representative and the Head of Safeguarding arranges a meeting with the respondent. The subject should be offered the services of a support person and the role description outlined to them. Should the subject refuse a support person, they should be informed that they are able to change their mind at any time during the process which follows. The subject should be informed they can be accompanied by another person at this meeting for their own support, the role of the supporter is to listen, so they can talk through what was said with the subject afterwards. The supporter is not an advocate for the subject, must be independent of the concern or allegation, and should not be a legal representative.

Before the meeting, the Head of Safeguarding will advise the Vicar General, or their chosen representative, what the respondent can and cannot be told in relation to the allegation which has been made, based on the Head of Safeguarding's communications with the statutory agencies. At the meeting the subject:

- Should be informed they have the right to obtain legal advice (both in relation to canon and secular law where appropriate) with regards to the allegation.
- Should immediately be advised of their right not to reply at this stage.
- Should be given enough detail about the concern or allegation to be able to offer a response if they choose to do so (Unless requested not to do so by statutory agencies). At this stage, the identity of the person raising the concern or making the allegation should not be disclosed if they are different from the victim/survivor.

A dated, written record of the meeting should be forwarded by the Head of Safeguarding to the Subject for agreement and signing. This record should detail what they have been informed of, and their response (if any). The person accused should be given written information about the process that will be followed. If the Head of Safeguarding or safeguarding officer is undertaking further enquiries and there is a potential conflict of interest expressed by any person concerned, the Vicar General can seek to identify a Safeguarding Coordinator in another diocese to make the enquiries and produce a report or seek an independent investigator.

3.12. Temporary removal from Ministry, Ecclesiastical Office, or other Post
There are occasions when there is a need to protect the freedom of witnesses, safeguard the course of justice and prevent scandal, so a temporary withdrawal from ministry, ecclesiastical office or other post within the Church is necessary. This is a neutral act and does not imply 'guilt'. it should be considered as both a protective action and as an act to facilitate the progress of enquiries and investigation. The decision to temporarily remove a person from ministry, ecclesiastical office or other post should not be automatic but must be taken in consultation with statutory agencies and any decision in respect of removal must be supported by the written agreement of the statutory authorities involved with the case.

There must also be a consideration for a Safeguarding Plan in place. Temporary removal must be agreed by the Archbishop and should be requested on a voluntary basis. Only if voluntary withdrawal cannot be achieved should the Archbishop resort to disciplinary measures in accordance with the provisions of the Code to limit the ministerial activity of the cleric. These measures must be imposed by way of precept.

3.13. Staff
For employees, the HR department must be consulted before taking any action in respect of temporary withdrawal from post.

3.14. Public statement
Any public statements about temporary removal from role must be agreed with the Police or Local Authority Designated Officer. All communications arising out of or in connection with the process, and the process itself, must be confidential and must not be subject to any public statement concerning the nature, cause, or status of the investigation or without reasonable representations by the subject.

3.15. Cross-boundary Placements
Temporary or permanent movements of diocesan clergy or members of religious congregations may be necessary to protect children and adults, safeguard the course of justice, protect the freedom of witnesses, and prevent scandal. Where an allegation is subject to statutory investigation and strategy discussions or meetings, agreement must be sought from statutory authorities as to whether it is necessary to move the accused to a different location. Presbyteries are not usually a suitable location. Consultation with the Head of Safeguarding and receiving Bishop of Congregation at the outset of the search for a placement must occur. The sharing all relevant details regarding the allegations, concerns, and history will take place. Prospective placements will be risk assessed. Once agreed, placement arrangements should be progressed as quickly as possible, and suitable timescales must be agreed in writing among all parties, including the Bishop or Religious Lead receiving the person being moved. Throughout the process, the subject of the proposed move will be kept informed of the process being undertaken. Local statutory authorities are to be advised of the proposed move and monitoring arrangements. Safeguarding Plans are to be reviewed, involving originating, and receiving parties, and parties informed of any changes.

3.16. Independent Review
'Independent specialist assessment' refers to the process carried out by expert professionals who are independent of the Church and who are suitably qualified and experienced to undertake assessments which might include, but are not limited to, 'risk assessments' or 'forensic psychological assessments' in relation to sexual behaviour or where relevant, other specific behaviours.

The commissioning of independent investigation and assessment is applicable to members of the Clergy (bishops, priests, and deacons) and Religious (members of Institutes of Consecrated Life and Societies of Apostolic Life) for whom the Church has a specific responsibility in Canon Law. Responsibilities towards employees are regulated according to local policies, procedures and employment legislation. Where it is determined by the employer that it is appropriate to commission an independent assessment or independent investigation, these procedures can be applied. It is the responsibility of the safeguarding team/employer to refer relevant cases to the DBS.

The Diocese adopts an approach similar to employment with regard to recruiting and managing volunteers, however this relationship is necessarily distinct and is not one of employer and employee. When a person who volunteers within the diocese is employed elsewhere and their work brings them into contact with children or adults at risk, it is the responsibility of their employer to decide what action should be taken in respect of their employment. Where concerns arise, the Church will decide whether to inform an employer on the advice of the statutory agencies to which the matter has been referred for investigation. A decision must also be made about continuing in the voluntary role.

3.17. Independent investigators or assessors

The CSSA can be consulted for a list of independent investigators and assessors. It is the responsibility of the Head of Safeguarding, in consultation with the Chair of the sub-committee, to decide who to appoint and to satisfy itself that the appointed person has the requisite skills, knowledge, and experience for the particular case. The same investigator or assessor should not be used repeatedly within the Diocese to avoid the potential for bias to develop over time.

The initial meeting with the independent investigator/assessor should address potential conflict of interest, scope of the investigation/assessment, arrangements including timescale, fees, and insurance cover. The letter of instruction should include the Standard Contractual Agreement. If the Standard Contractual Agreement is not used, it is recommended that the same headings are addressed.

For assessments, there must be a written agreement between the assessor and the subject. All relevant records are to be made available to the assessor/investigator in accordance with data protection legislation. Where relevant records are held by other agencies, requests for disclosure should be made. Although there is no specific requirement in Canon Law for anyone to undergo professional risk assessment, the Archbishop must consider the suitability of any persons engaged in the apostolate and may avail themselves of professional assessments in making such a determination.

Where an individual declines to undergo professional risk assessment the Head of safeguarding must advise the Archbishop, who will decide regarding the individual's suitability, prioritising the welfare of children and adults at risk as well as the wider community.

Reports should be submitted to the Head of Safeguarding within 3 months of an agreed start date and exceptionally within 6 months if the case is particularly complex. The investigator/assessor must apprise the subject of the contents of the report before it is finalised, noting any factual inaccuracies or objections. The subject must also receive a copy of the final report.

Where appropriate an Executive Summary report should be produced for investigations, that are anonymised and can be shared with individuals who have contributed to the investigation process, including the victim/survivor. The Executive Summary report should identify learning and where improvements can be made and make recommendations where appropriate. Independent assessment reports will not be shared with anybody other than the subject of the report and those who need to know for the purpose of making decisions in relation to future ministry/role. Relevant content may need to be shared with those responsible for managing ongoing risk.

The Head of Safeguarding and the panel group will consider the report and provide written recommendations and the rationale for the recommendations, to the Archbishop, advising no further action if there is no basis to support any concerns. Representations from individuals concerned can be submitted with the report and any recommendations made to the Archbishop. The Head of Safeguarding may utilise the report to complete a review of the information received and gained throughout an internal enquiry.

Once it has been determined that a review of the recommendations has not been requested by the subject or the Archbishop, the victim/complainant is to be informed of the recommendations before the Archbishop decides concerning the appropriate action to be taken.

The subject and victim/survivor are to be kept updated on progress by the Head of safeguarding or safeguarding officer throughout the process of further enquiries, investigation, or assessment. Consideration must be given to support needs throughout and at the time of communication recommendations.

4. Safeguarding Plans and Assessment of Persons of Risk

When a member of the Clergy or Religious, or a lay person wanting to attend Mass or take part in Church related activities, has had allegations made against them and after investigation concerns remain, or where they have been convicted of an offence against a child or adult or where there is no conviction but concerns remain about their conduct towards children or adults, they will be supported to participate in the Church using a Safeguarding Plan.

The Safeguarding Plan is not a legally binding document but seeks to encourage the individual to make a commitment to behave in a safe manner within the Church. Where the allegation is shown to have been false, malicious, or unsubstantiated and innocence has been clearly established, there is no requirement to implement a Safeguarding Plan.

The purpose of the Safeguarding Plan is to:

- Minimise potential risks to and protect the interests of alleged victims and their families.
- Ensure that any potential risks to the person concerned or others which are identified by statutory agencies or other processes, are managed.
- Reduce the potential for further concerns or allegations to arise.
- Support and enable a clear and transparent investigation process that cannot be unduly influenced by the person concerned.
- If relevant and necessary, determine what aspects of ministry, office, or role the person concerned will be required to withdraw from.
- Identify practical and emotional support for the person concerned including for Clergy and Religious, a suitable place to reside or a suitable community to belong to.

• Identify and agree the roles and responsibilities of identified personnel from within Church and other involved external agencies.

It is recognised that not all the above will apply in every situation.
By signing and adhering to the Safeguarding Plan, there is not a presumption of guilt on the part of the diocese.

The Safeguarding Plan must be informed by a process of identifying risks or potential risks. This can be done using the Risk Information Framework or using a different method that clearly identifies the areas of risk to others and the subject of the Safeguarding Plan. Risks must be clearly identifiable on case records so that they can be linked to any restrictions or supports identified in the Safeguarding Plan. Risk identification must be informed by current specialist assessments where these are available e.g., those by statutory agencies or other professionals. The appropriateness of inclusion of information from other agencies or individuals should be confirmed with them first. The views of the respondent and, where appropriate, the views of the person who has been harmed, made the allegations, or raised the concern will be sought and included in the Safeguarding Plan.

Keep all records on CMS (MyConcern) case and upload all related documents to the case file. Unless formally agreed (and recorded) otherwise, it is the diocese in which the priest is incardinated or the Religious Congregation to which the Religious belongs, which is the responsible authority for drawing up, managing, and reviewing a Safeguarding Plan.

4.1. Safeguarding Plan Process:
When alerted to a sex offender or person of risk who is interested in attending a church, which could be through the individual informing the parish priest, PSR, safeguarding team, probation/police alerting the safeguarding team or through information received from the public.

1. Obtain information of convictions, orders, assessments, registration status, license conditions and risk from the police MOSOVO and/or probation and any other information they can share. Prison chaplains may also be able to provide any information if they have been previously supporting the individual in prison.
2. Contact the parish priest to inform them of the individual's interest to attend their church and explain the process. Inform them that we will be back in contact once the risk assessment has been completed to arrange a safeguarding plan meeting and discuss what mass/services the individual could access.
3. Contact the individual and explain the risk assessment and safeguarding plan process, if they wish to continue, complete the risk assessment.
4. Complete risk assessment and discussion of preferred attendance.
5. Contact parish priest and discuss appropriate services/mass the individual is able to attend, taking to consideration who is at risk and the level of risk (i.e., family services, attending schools) along with the ability to manage and monitor the safeguarding plan. If necessary, visit the church to assess suitability of monitoring.
6. Contact the PSR (where appropriate) to discuss the safeguarding plan in terms of monitoring.
7. Make arrangement for the safeguarding plan meeting with Parish Priest, PSR, Individual, police and probation. If police and probation cannot attend, ask them to provide any information to take to the meeting to assist in the decision making of the plan.
8. Safeguarding plan meeting and agree the safeguarding plan content.
9. Create safeguarding plan to be signed by the subject, parish priest, PSR (if appropriate) Police, Probation, Safeguarding officer

10. Set review date dependent on risk Low- 12months, Med- 6 months, High- 3 months.
11. Provide a copy of the safeguarding plan to the parish priest, to kept in a secure place with only those with safeguarding responsibilities in the parish have access (priest, deacon, PSR), MOSOVO, probation and the subject.

4.2. Support for those Affected by Allegations of Abuse within the Church setting
This includes allegations of abuse, whether occurring in the past or recently, by a person acting in a church capacity within any parish, religious congregation made by:

- A child or young people (under the age of 18 years).
- An adult, regardless of whether the alleged abuse occurred in childhood or as an adult.

Where an individual consents to support being provided, all support will be discussed with the safeguarding officer. The diocese seeks to provide a compassionate, caring, and respectful response to all individuals who have been affected by allegations of abuse within a church setting, and who seek its help and healing. All reasonable efforts will be made to ensure that support is offered to those who seek it, confidentially, quickly, and effectively. Support will be focussed on the best interests and welfare of children and adults and where support is provided, it will be done in a manner which respects the individual's dignity, privacy, and safety, and which ensures so far as possible that particular needs relating to race, culture, age, language, religious beliefs, gender, sexual orientation or disability are addressed.

4.3. Pastoral Support
The diocese will seek to ensure that the availability of pastoral support is publicised on our website, in Parishes or other places where ministry takes place. Where statutory agencies are involved all arrangements for the provision of support will be undertaken in close liaison with these agencies. The safeguarding officer, must not take a dual role of supporting the person making an accusation of abuse and supporting the person accused of abuse, although they may act as a point of contact for both. In respect of individuals alleging abuse, the role of the Safeguarding Officer is to:

- Be a point of contact or identify a point of contact for victims/survivors/family members, for the purpose of providing written and verbal updates, at regular agreed intervals, in relation to case management (not claims management).
- Identify support needs and how these will be met, in consultation with statutory authorities where appropriate.
- Ensure that anybody appointed to provide support does not have role in case management (where staff numbers allow), claims management or penal/disciplinary processes within the Church.

4.4. Pastoral Support for Subject
It is the responsibility of the Archbishop to arrange the provision of pastoral support for individuals accused of abuse, where they are required to do so. Pastoral support is a right for all members of the Catholic Church in England and Wales and will be extended to any individual who is suspected of causing harm or who has caused harm to a child or adult at risk. Pastoral support will be provided in a way that enables an individual to participate in the life of the Church, whilst keeping others safe through the management of risks.

4.5. Head of Safeguarding's responsibility for pastoral support
In respect of the subject, the role of the Head of Safeguarding is to:

• Be a point of contact or identify a point of contact for the person who is accused of abuse, for the purpose of providing written and verbal updates, at regular agreed intervals, in relation to case management.
• Where required, participate in meetings to identify support needs.
• Ensure that identified support needs are referred to the Vicar General, who is responsible for addressing agreed needs, including identifying a named support person who does not any role in case management or penal/disciplinary processes.
• Manage risk using mechanisms including temporary removal from ministry and Safeguarding Plans.
• Commission an independent assessment where this is identified as appropriate.

4.6. Pastoral Visits by Archbishop for Parishes impacted by a safeguarding case
In appropriate circumstances, such as where there has been a criminal trial or publicity about cases of abuse which has affected a parish, as soon as practicable, and in liaison with the statutory authorities and where appropriate the Insurers, the Archbishop and Head of Safeguarding will arrange with the priest in charge to visit the parish or local community where abuse has or is alleged to have occurred. The aim of pastoral support for a parish or local community is to bring about community understanding/awareness and healing. The Archbishop presence in the parish of apostolic work of the local community of religious signifies leadership and is voice that can acknowledge the pain of the parish or local community and offer a strong lead to a wounded community. In those parishes supplied by religious congregations, both the Archbishop and the Congregation Leader should visit.

The purpose of the visit by the Archbishop is to:
• Begin to identify the pastoral support needs of the community and agree how they can best be addressed.
• Advise on how to access individual pastoral support, in conjunction with the Head of Safeguarding.

The Head of Safeguarding and other appropriate members of the community will arrange for agreed plans of pastoral support for the parish or apostolic work of the local community of religious to be carried out. It is the responsibility of the Archbishop to offer support to clergy/religious/pastoral workers before they take up a role in a parish or apostolic work of the local community of religious where abuse has or is alleged to have occurred, while it remains relevant.

It is the responsibility of the safeguarding team to assist Bishops and Religious Congregation Leaders in identifying suitably skilled, experienced, and supervised individuals to provide routine pastoral support. Where an individual requests support beyond routine pastoral support, such as the provision of formal counselling, or financial support, this must be directed by the Head of Safeguarding for their recommendations, following the diocesan counselling policy. All requests need to follow the process agreed within the policy and the CIS must also be informed.

4.7. Counselling Support
Where the Trustees have agreed that formal counselling or financial support may be appropriate, the Head of Safeguarding will communicate this with the victim/survivor. The safeguarding team will not recommend individual counsellors, but will signpost to charities where support can be gained. A referral to safe spaces will also be made if the victim/survivor agrees. There will be a written agreement between the Church and the individual setting out the parameters of the support to be offered by the Church. This, and any other written communication or documents relevant to the issue of support, will be kept

by the diocese or the religious congregation. A record of the support provided should also be kept on the CMS.

5. Re-integration into Ministry, Ecclesiastical Office, or Other Post
Plans for re-integration into ministry must take account of both the needs and concerns of the person returning and the potential concerns and anxieties of the community to which they are being returned. A person may only return to public ministry/role after a decision to re-integrate has been taken by the Archbishop or Religious Congregation Leader. Risks must be re-evaluated, and the Safeguarding Plan reviewed. It may not be possible for some individuals to return to a ministry/role in the Church community.

5.1. False allegations
Where the allegation is shown to have been false or malicious there should be no requirement to use the Risk Identification Framework or implement a Safeguarding Plan. In these cases, reintegration into ministry should follow an individually tailored plan and procedure that enables the individual to achieve a resolution of any feelings of anger or injustice resulting from the process of investigation. In most cases, where an allegation can be shown to have been made maliciously, a subject may expect a public statement to be made detailing this fact. The level of publicity which may be expected will be comparable with the level of publicity given to the original allegation and the temporary removal from ministry, ecclesiastical office, or other post.

Consideration must be given to the circumstances and context of the person who made the allegation before deciding on the nature and content of a public statement. In certain cases, it may be appropriate to consider informing individuals, such as colleagues and certain parishioners who have been especially affected by a subject's temporary removal from post, of the outcome of the case. This may be in writing and should be carried out in consultation with the respondent. Consideration must be given to the circumstances and context of the person who made the allegation before deciding on what information is shared. A form of words for the communication must take into consideration the views of the subject.

Where an allegation or concern is substantiated yet there follows a decision by the Archbishop or Religious Congregation Leader that the respondent may return to public ministry, this should be explained to the original complainant. It may be that the subject does not wish for any announcement to be made more publicly and this view should be respected. If the allegation or concern is substantiated, where there are ongoing risks, the accused person should be subject to a Safeguarding Plan and the arrangements for monitoring and support should be stated.

Pastoral support should be provided for the subject throughout the period of re-integration into public ministry. The requirements of each individual will be different, including the length of time that a person will require such care.

6. National Tribunal Service (NTS)
When statutory agencies have completed their enquiries and the matter is then handed to the Diocese to complete their own enquiries, the following action will be considered. In consultation with the statutory authorities involved consider the range of available information to determine whether there is evidence to suggest the subject may present a safeguarding risk. The Police Investigating Officer is likely to have information about the circumstances of the allegation that might not have been put forward for consideration by a Court.

Where required, the Archbishop can request a preliminary hearing and refer a case to the National Tribunal Service. See National Tribunal Service guidance for further details https://www.cbcew.org.uk/wp-content/uploads/sites/3/2023/11/NTS-Information-110123.pdf.

7. Civil Claims

The safeguarding team must not deal with or discuss claims that are being made by a victim/survivor but must refer them to the Chief Operations Officer. In all cases where a civil claim has been intimated or commenced involving allegations against the subject, when notified of the intention to institute further enquiries/investigation/ assessment, the CIS must be contacted by the Head of Safeguarding. The Safeguarding Team will then liaise and with any solicitors appointed by the insurers, to agree how best to approach further enquiries/investigation/ assessment. The CIS should notify the Head of Safeguarding of the agreement reached. If agreement cannot be reached, the matter must be referred to the Trustees and to
the Archbishop for a decision as to how to proceed.

8. Information Sharing

Information must only be shared with those who need to know (including other dioceses and religious congregations where risk is not confined to one) and with statutory agencies. If there is any doubt as to whom information can be shared with, advice must be sought from the diocesan DPO.

Where an adult who is not working or ministering within the Catholic Church in England and Wales provides information about abuse and requests anonymity, encourage and support the person to refer the matter directly to the Local Authority Children's or Adult Services Department or Police. Where the Church makes a referral to statutory authorities arising from information from somebody who has requested anonymity, the person requesting anonymity is to be advised that although their request will be noted with the referral, it will not be possible for them to remain anonymous in these circumstances:

8.1. Sharing information with the statutory agencies

- All safeguarding concerns and allegations that suggest that there is a current risk of harm and that meet the requirements of referring (apart from those received under the Seal of Confession) must be passed to the statutory agencies.
- Disclosure should include names, addresses, details of the concerns/allegations, and if the subject has made an admission, where this information is available.
- Ensure that a record is kept of your decision and your reasons for it.

8.2. Situations when information can be shared as part of an investigation by the statutory agencies

- Safeguarding information is still subject to data protection legislation. Information can be shared without consent sensitive personal data (e.g.,. that which relates to allegations) where it is in the substantial public interest and is necessary for the prevention or detection of any unlawful act and must be carried out without consent because seeking consent would prejudice the purposes.
- Information can also be shared without consent if it is in the substantial public interest and the sharing is necessary to support a function designed to protect members of the public from "…dishonesty, malpractice, or other seriously improper conduct by, or the unfitness or incompetence of, any person…" and to seek consent would prejudice those purposes – see The Data Protection (Processing of Sensitive Personal Data) Order 2000

- During an investigation, if the Police request information from a file, every effort should be made to cooperate.
- Advice about this should be sought from the diocesan legal adviser.
- Police forces have standard forms for requesting personal data, in accordance with guidance issued by the Association of Chief Police Officers (ACPO). The form should certify that the information is required for an investigation concerning national security, the prevention or detection of crime, or the apprehension or prosecution of offenders, and that the investigation would be prejudiced by a failure to disclose the information. This provides a legal basis for supplying the data under the Data Protection Act exemptions. All requests for personal data from the police, apart from emergency requests, should be required to be on the requisite form.
- Other law enforcement agencies may not use standard forms. However, any request should:
    i. be in writing, on headed paper, and signed by an officer of the agency.
    ii. describe the nature of the information which is required.
    iii. describe the nature of the investigation (e.g., citing any relevant statutory authority to obtain the information).
    iv. certify that the information is necessary for the investigation.
    v. If a properly completed form or letter is received, the data should normally be disclosed. An emergency is one where there is reason to believe that there is a danger of death or injury to a person. The police and other emergency services may urgently require personal data and may not have time to complete a formal written request.

In these circumstances, any person who has access to the data can legally disclose the information, but the safeguards below need to be met:

i. If possible, seek the authorisation of a senior manager before providing the data.
ii. If the request is received by telephone, ask the caller to provide a switchboard number, and call them back through the organisation's switchboard before providing the data.
iii. Ask the enquirer to follow up their request with a formal written request, so that this can be held on file.
iv. Keep a record of the enquiry and the response and pass details to the data protection officer as soon as possible.

8.3 Between Church Bodies

There will be occasions when information sharing between Church bodies is required. As each of these situations is unique, the decision whether and what to share with another Church body will be on a case-by-case basis. To assist, the following questions may be used:

a) Does the recipient have a legitimate interest in receiving this information?
b) What is the justification for sharing information, (is it necessary and proportionate to share the information)?
c) Is there a risk of harm to an identified or unidentified child, young person and/or vulnerable adult if such information is not shared?
d) Can permission be obtained from the subject to share information? If consent cannot be obtained can the information still be shared?
e) Should the subject be informed the information is being shared?
f) Should information about the victim/survivor be redacted?
g) Is there sufficient information available in the public domain such as media reports which can be highlighted as a concern to another church body without any confidential information needing therefore to be shared?
h) Does the recipient have a legitimate interest in receiving this information?

8.4. Data Protection: The principles of the relevant data protection legislation should be considered when deciding whether to share information. If in doubt contact the diocesan DPO. If not possible because an emergency arises, ensure any decisions made about sharing information are documented and then discuss with the DPO as soon as practicable thereafter. Much of the data, if not all, in relation to safeguarding and the Church will be classed as "sensitive personal data" under the current Data Protection Act 1998. This means that generally to be able to process this sensitive personal data, (and this will include the sharing of sensitive personal information), the data controller must process the data:

1. Fairly.
2. Lawfully and
3. With justification under one of the conditions of Schedule 2 and one of the conditions of Schedule 3.

The term processing is given a wide definition under the DPA 1998 and encompasses anything done with that data. Where a person does not consent to the sharing of information Individuals may not give their consent to the sharing of information for several reasons. It is important to:

• Explore the reasons for a person's objections.
• Explain why it is important to share the information.
• Explain with whom the information will be shared and why.
• Explain the benefits, to them or others, of sharing information (e.g., to prevent a crime/harm).
• Discuss the consequences of not sharing the information.
• Reassure them that the information will not be shared with anyone who does not need to know.
• Reassure them that they are not alone, and that support is available.

It is very important that the risk of sharing information is also considered. In some cases, such as domestic violence and abuse, it is possible that sharing information could increase the risk to the individual.

All decisions to share data must be discussed with the Head of Safeguarding, in the first instance. If a person cannot be persuaded to share information about him/her with relevant others (e.g., local authority/police), his/her wishes, in the first instance, should be respected. That said, there are certain situations where this refusal can reasonably be overridden, including, for instance, where:

- The person lacks the mental capacity to make that decision (under the Mental Capacity Act 2005).
- Other people are, or may be, at risk of harm.
- It is necessary for prevention or detection of a crime.
- It is believed that a serious crime has been committed. or
- A court order or other legal authority has requested the information.

The principle of necessity and proportionality should underpin decisions about sharing information without consent. Indeed, what should be considered is whether the sharing would prevent a risk and whether the public interest in sharing overrides the interest in maintaining confidentiality, (i.e., what will happen if the information is shared balanced against what will happen if the information is not shared).

All decisions should be on a case by-case basis. Ultimately, if a person has not consented to sharing of information, please seek advice with the Head of Safeguarding and the DPO Individuals who have roles within the Church must not make anonymous referrals because they are acting in their professional capacity with the requirement to

safeguard and protect children and young people and adults at risk.

9. Disclosure of Abuse and the Sacrament of Reconciliation
Disclosures of abuse within the Sacrament of Reconciliation are to be responded to in accordance with current sacramental practice. The Sacrament of Reconciliation offers the penitent the seal of absolute confidentiality. In this context alone is the priest bound to keep secret what is disclosed. Where there is involvement of an interpreter, e.g., during the Confession of a deaf person, a duty of complete confidentiality is extended to this person. Information gained in the context of the sacramental confession may not be used in any other forum.
If the priest is subsequently contacted by the penitent, outside of the Seal of the Confessional, the Seal of Confession still applies to what was disclosed in the original Confession. However, the priest must make it clear to the penitent that the Seal of Confession no longer applies to anything disclosed subsequently outside Confession. Although the priest cannot use any knowledge gained from the original Confession or act on it, he must explain that he has a responsibility to take all reasonable steps to protect children or adults who may be at risk of abuse.
When the nature of the abuse disclosed is criminal, the Penitent should be directed to bring the matter to the attention of the statutory authorities and informed that the Head of safeguarding can help in making any necessary contacts.

9.1. Survivors and victims of abuse and the Sacrament of Reconciliation
Survivors/Victims can be encouraged to seek help outside the sacrament and to pass on the information to an appropriate person. The Head of Safeguarding can help in making any necessary contacts. It is not the priest's role to engage in counselling in the context of the sacramental confession, even if he is appropriately professionally qualified to do so, since this leads to a confusion of roles and might give rise to conflicts of interest.

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