

THE DIOCESE IN EUROPE

A METHODOLOGY FOR MANAGING SAFEGUARDING CONCERNS

This 'Diocesan Methodology' for managing safeguarding concerns issued on 9th December 2015 has immediate effect.

The Diocese in Europe Managing Safeguarding Concerns

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Managing Safeguarding Concerns

Introduction

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INTRODUCTION

The 2015 Diocesan Safeguarding Protocol contains (at Section 6.4) an outline of the approach to be taken in the event of a safeguarding concern being raised. This document sets out the detailed diocesan methodology aimed at ensuring that we are fully prepared for handling all concerns in a proportionate and timely manner.

The methodology is set out as a four step approach as outlined below. The details are explained in separate sections of this document.

If you need to refer to the details of the methodology please 'click' on the section links if you are using an internet version of the policy – or simply turn to the named section if you are using a paper copy.

Step 1: Initial 'Gatekeeping'

This stage is directed at ensuring that, following the raising of a concern, the correct next steps are taken. The detailed methodology is explained in [Section 1](#)

Step 2: Managing Serious Safeguarding Concerns

This stage would be required where there is a 'serious safeguarding situation' (as defined in [Section 1](#)). The objective is to properly manage the emerging problem in 'real time' to ensure that all of the immediate requirements, including care for victims, are invoked in a timely manner. The detailed approach is explained in [Section 2](#)

Step 3: Identifying what went wrong and identifying where we can improve

This stage is directed at seeking to determine what went wrong and what lessons are to be learnt. The detailed approach is explained in [Section 3](#).

Step 4: Implementing improvements

This stage is to ensure that the conclusions of Step 3 are properly implemented in a timely fashion. The detailed approach is explained in [Section 4](#).

Record Keeping

The maintenance of suitable records is an essential element of the protocol. Details of the diocesan requirements are set out in [Section 5](#).

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STEP 1 INITIAL 'GATEKEEPING'

The objective of this step in the methodology is to ensure that **all** matters are properly addressed and recorded irrespective of the nature or seriousness of the concern that has been identified.

Initial reporting of a concern

Concerns may be raised through a number of routes:

- From within Chaplaincies/Archdeaconries: this may be through the Archdeacon, an Area Dean, a Chaplain, a Warden, a Chaplaincy Safeguarding Officer etc. The Diocesan Safeguarding Protocol (section 6.4) requires that **all** concerns are to be reported to the Diocesan Safeguarding Team as soon as they can. This is a 'must' in **every** case no matter how trivial. This will include rumour, gossip, anonymous reports and when individuals are told something of concern by a person who says that they are not prepared to become involved).
- By a call from an individual directly to the Diocesan Reporting Line (accessed by the Diocesan Safeguarding Team only).
- By other routes – the recipient of the information must inform the Diocesan Safeguarding Team as soon as they can. (Again this is a 'must' in **every** case no matter how trivial.).

The Diocesan Safeguarding Team will commence a chronological record of the concern at this point.

Initial Response of the Diocesan Safeguarding Manager

The Diocesan Safeguarding Manager will, without delay, make an initial assessment (consulting with appropriate people as deemed necessary) of the nature of the claim to determine the next steps.

The outcome of the initial assessment may be either:

- There is no substance to the claim and the 'concern' may be dismissed and a documented record made with the reasons for the decision set out.
- The evidence points to a 'serious safeguarding situation'* and a conclusion reached that '*Step 2 – Managing a Serious Safeguarding Concern*'- may need to be invoked. To provide support and oversight for the decision making in relation to the concerns raised, the Diocesan Safeguarding Manager will consult with and gain the agreement of:
 - *The Diocesan Bishop (or the Suffragan Bishop in their absence or if there is a clear Clergy Discipline Measure (CDM) issue).*
 - *The Chair of the Diocesan Safeguarding Advisory Committee (and/or the member of the DSAC appointed for their legal expertise as appropriate).*

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- The evidence points to a potentially complex situation which may or may not be a 'serious safeguarding situation'* but for which further consideration should be given to the appropriate way forwards. To provide support and oversight for the decision making in relation to the concerns raised, the Diocesan Safeguarding Manager will consult with and gain the agreement of:
 - *The Diocesan Bishop (or the Suffragan Bishop in their absence or if there is a clear CDM issue)*
 - *The Chair of the Diocesan Safeguarding Advisory Committee (and/or the member of the DSAC appointed for their legal expertise as appropriate).*
- The evidence points to a matter of lesser concern** In this case there would ordinarily be no need to progress via 'Step 2' and the next stage in all cases would then be 'Step 3 - Identifying what went wrong and identifying where we can improve' as described in **Section 3**.

In all cases, information will be shared on a strictly need to know basis

The Diocesan safeguarding Manager will report **all** concerns to the DSAC on a quarterly basis together with the agreed next steps.

* What is a 'serious safeguarding situation'?

The Church of England defines a 'serious safeguarding situation' as a situation (which includes reports of domestic violence and abuse) which may relate to a church officer (*ie anyone undertaking any paid or voluntary role on behalf of the church*) who has:

- Behaved in a way that has or may have harmed a child or adult; or
- Possibly committed a criminal offence against or related to a child or adult; or
- Behaved towards a child or adult or presented him or herself in a way that they may pose a risk to children or adults

This can be found at the following link: <https://www.churchofengland.org/clergy-office-holders/protecting-and-safeguarding-children-and-adults-who-are-vulnerable/safeguarding-policy-statements-practice-guidance.aspx>

* What are 'matters of lesser concern'?

These are all matters which do not otherwise fall within the definition of a 'serious safeguarding situation' as described above and which cannot be immediately dismissed as being of no substance. They will include a range of issues where no offence has been committed – or the behaviour of the individual did not pose an immediate risk – but where there remains a residual concern that a problem might otherwise have existed. This will include in particular 'near misses' such as individuals who have not disclosed a problem during their completion of their 'Confidential' Disclosure' but subsequently have a relevant blemished return from their criminal record checking.

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STEP 2

MANAGING A SERIOUS SAFEGUARDING CONCERN

Introduction

In a very real sense this is the 'emergency planning' stage of the methodology. The aim is to properly manage the emerging problem in 'real time' to ensure that all of the immediate requirements are invoked in a timely manner. It is likely that this aspect will only be required where the evidence points to a 'serious safeguarding situation' as described in [Section 1](#).

The management of a serious safeguarding concern will be the responsibility of a 'CORE GROUP' as explained below.

The Convening of the Core Group

The Core group will be convened on the authority of the Diocesan Bishop (or the Suffragan Bishop in the Diocesan Bishop's absence) and will comprise the following membership as necessary:

- Chair – an independent Chair who is not a member of the clergy (e.g. typically the member of the Diocesan Safeguarding Advisory Committee appointed for their legal and safeguarding background).
- The Diocesan Bishop (or the Suffragan Bishop if the Diocesan Bishop is excluded because of their legal role within the Clergy Discipline Measure (CDM) process).
- The Diocesan Secretary.
- The Chair of the Diocesan Safeguarding Advisory Committee (if not the Chair of the Group).
- The Diocesan Communications Officer.
- An Archdeacon - this may be necessary for the purpose of CDM.
- A local member of the clergy relevant to the matter being dealt with.
- The Diocesan Registrar - as needed.
- The Diocesan Safeguarding Manager/ Adviser - to provide professional safeguarding advice.
- The Diocesan Safeguarding Administrator - to provide administrative support.

The Role of the Core Group

The overall purpose of the Core Group is to provide advice, guidance, oversight and support to the Diocese when dealing with serious safeguarding situations and also to provide the confidentiality, reassurance and independence needed in handling such matters.

The detailed function of the Core Group in managing a serious safeguarding situation will very much depend upon the circumstances of the complaint and consequentially it is important to maintain a degree of flexibility in the approach which will be taken at the time. Nonetheless the Core Group should be mindful of the need to address the following key issues:

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- Strict confidentiality is essential in all the work of the Core Group as concerns raised may be personal and sensitive or they could also be unfounded or malicious. The Core Group must work on a strict 'need to know' basis.
- Establishing the facts where the concern raised has the potential to be a serious safeguarding situation but the information known is insufficient for referral to statutory agencies or to reach a reasoned conclusion.
- Taking such action as may be necessary to support the victim.
- Communicating with those involved locally.
- Communicating with the media both locally and potentially nationally within the country where the problem has arisen and within the UK where media interest is likely.
- Briefing other interested parties including Lambeth, other local players etc.
- Liaising with local law enforcement agencies where a criminal investigation is also being undertaken.
- Taking such action as may be necessary to isolate and remove the source of the problem.

A full record of the decisions and actions arising from the Core Group considerations must be made and maintained noted in **Section 5**.

The next stage, at an appropriate time dependent on circumstances, will be '*Step 3 - Identifying what went wrong and identifying where we can improve*' as described in **Section 3**.

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**STEP 3
IDENTIFYING WHAT WENT WRONG AND IDENTIFYING WHERE WE CAN
IMPROVE**

Introduction

The objective is to review all of the available evidence surrounding the circumstances of the event to determine, if possible, what went wrong and what lessons are to be learnt. It is primarily a forensic examination of the facts which may point to:

- Failures of the processes we have in place; or
- Failure of people to follow due process; or
- A combination of both; or
- No specific failure (NB where this is clearly evidenced at an early stage then there would ordinarily be no consequential requirement for a formal inquiry of any form though the reasons for this approach will still need to be recorded).

Please note that this step is not to be used as a disciplinary tool. If disciplinary actions are needed then these come at **Step 4**.

The timing of the review will need to have regard to whether or not:

- A Core Group has been convened (where it may be necessary to delay the review to avoid conflict of interest).
- A criminal investigation is underway (where it may be necessary to await the outcome of that investigation before commencing the review).

Who will conduct the review?

The review will need to be undertaken at an appropriate level and may range from an investigation by the Diocesan Safeguarding Manager to a more structured 'inquiry' convened by the Diocesan Bishop. The approach to be taken will need to be determined based on the circumstances. The following commentary provides guidance on suitable approaches to be taken:

- For matters where 'Step 2' was not required (ie there was no need to convene a 'Core Group') it will normally be sufficient for the Diocesan Safeguarding Advisor to conduct a review consulting with the appropriate people as necessary.
- For matters where 'Step 2' was required (ie a Core Group had been convened) the seriousness of the complaint will normally necessitate the convening of a formal 'Inquiry Team'. This will be a matter for the Diocesan Bishop to determine in consultation with the Chair of the Diocesan Safeguarding Advisory Committee, the Chair of the Core Group and as advised by the Diocesan Safeguarding Advisor. The Inquiry Team may be comprised as follows:
 - The Inquiry Team role may be incorporated into the role of the Core group; or

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- Where this is not appropriate (ie there is a need for a greater level of independence) a separate inquiry team will be identified by the Diocesan Bishop in consultation with appropriate parties within the diocese (as noted above) and, where independence from the diocese is a particular issue, from other third parties (in particular the National Safeguarding Panel and the National Safeguarding Advisor).

In either case the identified team must have clearly identified terms of reference.

How will the review be undertaken?

Irrespective of the nature of the review (ie whether it is simply undertaken by the Diocesan Safeguarding Advisor or by a formal 'Inquiry Team') the review should consider the following:

- All available written evidence.
- Where possible, statements from people involved (oral or written). Particular care will need to be exercised in respect of victims where they may decline a request to provide information directly especially where children are involved.
- The testing of the evidence (if possible directly with those who have provided the relevant information).
- The relevant Church of England or Diocesan policy or protocol.
- Any relevant issues external to the Church of England that may be pertinent to the case in question.

From this it will be possible to determine in most cases where there might have been:

- A failure in our procedures; or
- A failure of an individual to comply with the procedures. This may be either:
 - A deliberate act (with consequential 'disciplinary' implications); or
 - A consequence of a lack of understanding because of poor training, information etc – with obvious implications for the delivery of our procedures rather than a deliberate act by the individual.

A written record of the review is to be prepared to include:

- The evidence considered.
- Statements received (if this is undertaken).
- The results of the testing of evidence (if this is undertaken).
- The conclusions reached.
- Recommendations for improvements and who is to be responsible for their implementation and by when.

Guidance on the taking of notes etc relevant to the keeping of records can be found in the Diocesan Safeguarding Protocol at section 6.4

Further guidance on conducting an enquiry can be found in the Church of England's Practice Guidance: 'Responding to Serious Safeguarding Situations Relating to Church Officers' by following the link given below:
<https://www.churchofengland.org/media/2254740/responding%20to%20serious%20situations.pdf>

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**STEP 4
IMPLEMENTING THE OUTCOME OF STEP 3**

Introduction

The objective is to ensure that the recommendations arising from Step 3 are properly and timely implemented. The responsibility for implementing the recommendations will be identified during the Step 3 deliberations.

What might the implementation involve?

This will be very dependent on the nature of the case but might typically require one or more of the following aspects:

- Revising the diocesan processes to take account of any procedural deficiencies.
- Undertaking additional training/information provision if the processes were correct but not properly understood.
- Disciplinary proceedings where an individual deliberately (either intentionally or because of incompetence) failed to follow a correct process.

It is essential that the corrective actions are taken expeditiously to help in preventing a reoccurrence of the problem.

Keeping others Informed

The diocese (through the Diocesan Safeguarding Advisory Committee) will ensure that lessons learned (in an appropriately anonymised form as appropriate) are shared both across the diocese (through the Archdeacons), across the broader Church of England (through the National Safeguarding Panel) and with all other parties who might be considered to have an interest in the conclusions

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RECORD KEEPING

The maintenance of proper records is an essential element in managing safeguarding concerns. Section 6.7 of the Diocesan Safeguarding Protocol identifies the records that need to be maintained. In summary the Diocesan requirements include the need for:

- A note of the initial record of concern. This forms a part of the chronological record (referred to in Section 1).
- Copies of all correspondence generated by or received by Diocesan Office*.
- Copies of all investigations or inquiries undertaken*. This includes:
 - The proceedings of the Core Group (if convened);
 - The Review into the complaint including the review recommendations.

**A format for these records is not specified as the nature of the record will vary according to circumstances.*