

# **SAFEGUARDING HANDBOOK 5**

Managing Those Who Pose a Risk

Version: October 2018



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\* Safeguarding Handbooks 1-6, CrossReach Child Protection Handbook and CrossReach Adult Protection Handbook are available to view on the Church of Scotland website:  
[http://www.churchofscotland.org.uk/about\\_us/safeguarding\\_service/key\\_publications](http://www.churchofscotland.org.uk/about_us/safeguarding_service/key_publications)

## Introduction

In the early years of this century, the General Assembly instructed the Church of Scotland Safeguarding Service to work collaboratively with other members of the Church community and Councils to prepare a Deliverance for General Assembly, outlining how it would be proposed to manage sex offenders who wish to worship in congregations, as well as providing a theoretical basis on why forgiveness of such people ties into a Christian ethos but is somehow tempered by a realistic desire for **'Ensuring a Safe Church for all'**.

In 2009 the General Assembly received and approved the report entitled **'For such is the Kingdom of Heaven'** which laid out the theological basis for managing sex offenders who had committed offences involving children and some vulnerable adults, and who wished to come to Worship or at least have some form of Christian Fellowship with the Church. The basis for this was the **Covenant of Responsibility** arrangements.

In 2013, a further Deliverance was received and approved by General Assembly whereby sex offenders who had committed offences involving adults in certain circumstances would also be managed under the same arrangements.

Changes in the public protection agenda in wider society, (which will be explored later in this handbook), coupled with the embedding of the Covenant of Responsibility process within the wider Church has led to an expectation and acceptance that these arrangements work and should be expanded to help many others **'who pose a risk'** to safely worship and involve themselves in wider Church life.

The purpose of Safeguarding Handbook 5 is to provide information and guidance to congregations on how these processes work, as well as the circumstances where they apply. This Handbook has been updated to reflect on the needs of the modern Church and builds on the excellent work that was done in this area in previous years.

Safeguarding Handbook 5 has also been updated to include changes as reflected in the **Safeguarding Act** presented to, and passed by General Assembly 2018.

## Part 1

### **How do we define 'Those who pose a Risk'?**

Until now, the Church of Scotland has defined 'those who pose a risk' as being Registered Sex Offenders who wish to worship with the Church of Scotland.

This Handbook expands the definition of this term to include every person who has committed any sexual offence, or who we learn poses a risk to others. The Safeguarding Act 2018 further clarifies such individuals as being "any person in respect of whom the Safeguarding Service receives notification from any of the Responsible Authorities that such person poses a risk of harm" this would include violent offenders and mentally disordered.

This term may, in some circumstances, include some people who pose a risk of serious violent offending. These changes reflect that a number of seriously violent offenders who wish to attend worship or have contact with a Church community, activity or event, may be referred to the Safeguarding Service by Police or a Criminal Justice Social Worker by virtue of the fact that these offenders are now also managed under Multi Agency Public Protection Arrangements (MAPPA).

The Church of Scotland welcomes everyone into its Fellowship, without prejudice, but recognises that the challenges some congregations face when trying to deal with people with a history of committing certain offences can mean that the local congregation, Minister or Kirk Session can have a situation where the life of their Church is disrupted through public knowledge or concern about that Offender.

### **Who is a 'Sex Offender'?**

A sex offender is an individual who, at some point, has committed a crime which contains to a greater or lesser extent, a sexual element. Such individuals may have been punished for the offence, and they may or may not be managed by the Police or by Criminal Justice Social Workers as a 'Registered Sex Offender'.

In the same manner, an unconvicted sex offender who wishes to worship in, or have contact with, any congregation of the Church of Scotland needs to be subject to these arrangements when it is learned that they may pose a risk of harm to members of that congregation.

The Church has as its overarching priority the safety of everyone who comes to that Church.

The Church of Scotland Safeguarding Service has an excellent working relationship with the Police, Criminal Justice Social Work, Disclosure Scotland and other public bodies. Sometimes information is shared by agencies with the Safeguarding Service about individuals, who may not have met an evidential threshold to be brought to court, but who have acted in a manner which has raised concerns about their risk to groups such as children, young males or adult women.

It should be emphasised that the number of such cases are very few. However there have been such cases.

It is not unheard of that an individual makes an admission, usually to the Minister, or to another trusted member of the congregation that they have committed a sexual offence in the past but this has not been investigated or even reported to the Police. In these circumstances, while acknowledging the honesty of the individual, but without prejudice, clearly the Church has to act to ensure the safety of everyone in that congregation.

### **Who is a 'Risk of Harm' Offender?**

The Church of Scotland policies and procedures in the area of public protection have to reflect the current policies and procedures in wider civil society. In 2016 the authorities who risk manage Registered Sex Offenders under the Multi Agency Public Protection Arrangements, (known commonly as MAPPA), widened the remit to include individuals who were identified as posing 'Other risk of serious harm' to the public. These individuals will be few in number and through risk assessment by the authorities, are felt may pose a significant risk of harm to the community if this risk was not managed.

In the Church context, it will be that such 'Other risk of serious harm offenders' will be individuals, managed through MAPPA and who the authorities' advice the Safeguarding Service need managed in the Church setting.

## Part 2

### Who is this Handbook for?

This handbook is for everyone in the Church community with an interest in 'Managing Those Who Pose a Risk' but is primarily aimed at the congregational Safeguarding Panels who are responsible for managing these arrangements in their Church. This Handbook also provides an explanation of what we do and what can be reasonably expected of us when working with the statutory authorities such as Police, Criminal Justice Social Work or Health Professionals who work with the Church of Scotland Safeguarding Service in this area.

### Policy

#### 'Including Those Who Pose a Risk'

It is recognised that individuals who have committed certain offences and who want to worship or have contact with a Church or with a Church based activity or community, can give anxiety and worry for other members of that community. It is recognised too, that as far as is possible, the Church is for everyone. This may mean including someone in the life of a Church who challenges the sense of values and shared norms of many of those already in the congregation.

The rationale behind 'including those who pose a risk' is to enable everyone to worship safely and enjoy Christian Fellowship, but with proportionate and sensible measures in place to mitigate and minimise any risk posed.

#### Worship?

Simplistically, for the purposes of this handbook and process, we understand Worship as including the taking part in Church service, or faith related activities such as Bible studies, groups or Christian based exploration and activities.

#### Church based or led, group or activity?

There are too many different organisations and events run by a Church or Congregation that might apply to this policy to list definitively. However some might include such things as a coffee morning, lunch club, whist club or other social or community based event. The key is that these events are run by the Church for the benefit of their members or of the wider community. Any need for formal arrangements would be made on a case by case basis through discussion with every stakeholder. These will not ordinarily be one off events but organised meetings, activities or groups that meet periodically. It also may be that the individual wishes to be a volunteer in some way, for example in cutting grass or other odd jobs or other voluntary tasks that need done in a Church community.

#### Principles on which this policy is based

Principles are similar to values, the things we hold dear or believe to be right and govern our actions:-

**Priority** – Safeguarding children and all adults in our Church takes primacy over everything.

**Zero Tolerance** – no type of harm or abuse will ever be acceptable or justifiable.

**'Duty to protect'** people; Employees, Office Bearers and volunteers have a 'duty to protect' as well as a 'duty to care' for everyone in the Church. This includes those who are subject to Covenants of Responsibilities.

**Communication** – enabling all those involved in the community of the Church to know who to tell if they have concerns that someone may pose a risk.

**Confidential information sharing** – the duty to protect takes precedence over an individual's right to confidentiality whenever a risk is identified.

**Decision making** – the responsibility for making decisions is a joint one and not the responsibility of any single person.

## Part 3

### **How do we become aware of ‘Those who pose a risk’ wanting to join our Church community?**

There are many ways in which a congregation may become aware of someone who poses a risk and who wishes to worship or join in other activities.

#### **Self – disclosure**

It is not uncommon for an individual who already attends worship to approach the Minister or other trusted member of the congregation and disclose that he is a sex offender or has been so in the past. This individual may have been encouraged to do so by the Police who monitor him or by the Criminal Justice professional who manages a licence that offender has to adhere to. In such circumstances the trusted member of the congregation who has been told this information should immediately share this with the Minister, or Safeguarding Coordinator. For transparency the Minister or the Safeguarding Coordinator should speak to the individual and explain the Church of Scotland Policy in this area and how there will need to be a Covenant of Responsibilities agreed. It should be clarified with the individual what information about their offending they are willing to share.

#### **Police**

In common with other faith denominations, the Church of Scotland and Police Scotland have an established professional relationship and a protocol which means that they participate in the discussions and meetings with a Safeguarding Panel, Safeguarding Service, to agree appropriate risk management measures which are encapsulated in the Covenant of Responsibilities. It is common for Police Officers to contact the Safeguarding Service or the individual Church itself to identify that a person that concerns them wishes to attend Church in some capacity.

#### **Criminal Justice Social Work**

Similarly, a Social Work Professional working with an individual will contact the Safeguarding Service or congregation seeking advice as to how a client that they work with can access worship or a church based service or activity.

#### **Prison Chaplaincy**

Prison Chaplaincy has a key role working with people who are in prison. The Prison Chaplains work with, and provide Christian Fellowship and worship for, many sex offenders. They are an integral part of multi-agency working arrangements while that person is in prison. Prison Chaplains also contact the Safeguarding Service prior to that offenders release from prison so that arrangements can be made to facilitate that individual's continued relationship with the Church in an appropriate congregation or with a Pastoral care team.

#### **Community awareness**

It is not uncommon that some communities, especially in smaller towns or in a rural setting, already have awareness around an individual who may have committed a sexual offence, often through reporting in local media.

#### **What to do?**

It does not matter how awareness of an individual who ‘poses a risk’ comes to the attention of the congregation, **the first thing to do is to seek advice from the Safeguarding Service in Edinburgh**. The Church employs a Safeguarding Officer with a background in this area specifically to assist congregations in these situations. Likewise, no matter if the concern is raised through gossip or hearsay information, it is always worth speaking to the Safeguarding Service as it is not difficult to check if the information is based in some fact.

#### **The role of the Safeguarding Officer**

The role of the Safeguarding Officer is to advise and guide congregations through the process and subsequent management of the Covenant arrangements. In addition, the Safeguarding Officer will contact and arrange all meetings between the Police, Criminal Justice Social Work professionals, other relevant professionals,

congregations and the individual offenders. Ordinarily the Safeguarding Officer will attend each of these meetings and provide a minute of what has been agreed.

The Safeguarding Officer will represent congregations in multi-agency meetings such as Multi Agency Public Protection Arrangements (MAPPA) or other professional meetings.

The Safeguarding Officer will contact the Police and/ or Criminal Justice Social Worker where it is known that a person wishes to worship or attend church run activities or services. During this discussion an assessment of risk decides whether it is safe for that individual to continue attending Church or activities until the arrangements are in place. For many individuals there are no professional anxieties about this continuing for various reasons, but for others there will be a decision that no such attendance will be facilitated until the arrangements are in place.

### **The role of the Congregation via its Safeguarding Panel**

The Kirk Session of a congregation devolves responsibility for managing the arrangements described in this handbook to its Safeguarding Panel. The Safeguarding Panel is usually made up of 3 members, many of whom have a professional background or experience in an area of public protection. Any Covenant of Responsibilities or similar arrangements are between the congregation and the individual who is subject to them. However the support and ongoing involvement of the Safeguarding Officer continues through the process and for the period of time that the arrangements are in place. **The confidential nature of Covenant of Responsibility arrangements mean that a congregation will not learn any details of anyone who is subject to the arrangements from the Safeguarding Panel or the Safeguarding Service.**

## **Stage 1 Covenant of Responsibilities**

### **How does a Covenant of Responsibilities come into being?**

However it becomes known to the Safeguarding Service that a relevant individual wishes to attend worship or other church led or based activity; the Safeguarding Officer will facilitate all the arrangements. However it is vital that even at such an early or preliminary stage that the whole of the Safeguarding Panel are aware of the individual and of their wish to attend Church or church led activity. This is to ensure that where it is agreed that such an individual can continue to attend worship, there is a degree of supervision of the arrangements. After making enquiries with the Police and/ or the Social Work professional, the Safeguarding Officer will arrange a meeting with all relevant professionals and the local Safeguarding Panel.

During this meeting there will be a limited sharing of relevant information to inform risk assessment. Such information will ideally initially come from the relevant individual but will involve the professional agencies participating to ensure that areas of risk, or those likely to be at risk, are protected. There may also be requests for feedback should it become known that that relevant individual was displaying certain behaviours or habits which would concern them, such as if an individual was to have contact with children, or be able to access the Internet, or if they were to come to Church smelling of alcohol or under the influence of other intoxicants.

Those in attendance at this initial meeting discuss how the individual might be able to safely attend worship or activity. The Safeguarding Officer will advise and it would be agreed a form of words and document which would be the Covenant of Responsibilities between that congregation and the individual. (See Appendix A). It will not be possible for some to physically attend Church because of the risk they pose. Other arrangements under an agreement of Christian Fellowship might be offered if appropriate. Ostensibly this would mean someone, (usually the Minister and/or a trusted Elder) taking and sharing Christian Fellowship with the individual in the community. Perhaps meeting in a coffee room or other suitable venue where the subject's faith and Pastoral needs can be explored and developed in a safe and controlled environment. Christian Fellowship may go on for months or even years or until the risk posed by the individual reduces to an extent that everyone is satisfied that it is at an acceptable level to allow their attendance into the physical Church life.

A Covenant of Responsibilities has much that remains constant throughout. However the part of this document that relates to an individual's attendance at worship or activity is drawn up being mindful of the risk and challenge to the congregation by the individual concerned.



The Safeguarding Panel, having attended the meeting then, aside from everyone else, decides whether they are content to facilitate the arrangements and the individual.

If the Safeguarding Panel is happy with the arrangements then the Safeguarding Officer will arrange a second meeting. In this meeting, as well as the professional agencies, the Safeguarding Panel members and the Safeguarding Officer, the individual is invited to come along.

For those who have committed sexual or relevant violent offences, that individual must agree to the arrangements and sign up to the process. Failure to sign the Covenant of Responsibilities means that in effect, they are refusing to worship.

A Covenant of Responsibilities is signed by the individual, a member of the Safeguarding Panel and the Safeguarding Officer. A copy of the document is given to each and also to any professional present such as Police or Social Worker. It is essential that such a signed document is securely and confidentially stored in the Church premises by that congregations Safeguarding Panel.

### **After a Covenant of Responsibilities is signed**

Once this document is signed, then the relationship between the individual and that congregation can begin. A Covenant of Responsibilities at this stage is a living document insofar as the conditions or agreed behaviour between the parties can be changed at review meetings.

The Safeguarding Officer will arrange and attend periodic review meetings between the professional agencies, the Safeguarding Panel and the individual where discussion will be made about how the arrangements are working. If changes are agreed, the Safeguarding Officer will amend the document and again, each copy is signed by the individual, a representative of the Safeguarding Panel and by the Safeguarding Officer.

These periodic meetings will continue to ensure that everyone involved in the arrangements are aware of their responsibilities and to ensure the relevancy and need for the Covenant of Responsibilities in this form.

If the subject of a Covenant of Responsibilities leaves the congregation and wishes to start worshipping or attending church events at another Church of Scotland congregation, then the Safeguarding Officer must be informed as the process begins again. **It is reiterated that a Covenant of Responsibilities is not between the Church of Scotland and an individual but is rather an agreement between that individual and the congregation where it is agreed that he can attend.**

## **Stage 2 Covenant of Responsibilities**

When the Covenant of Responsibilities has been in place for at least a year, and after at least one review of the arrangements has taken place, it may be evident that the arrangements are working so well that there is no need for a face to face review of the arrangements.

In such circumstances, a meeting will be arranged between the stakeholders who manage the Covenant of Responsibilities, (including the Police or Criminal Justice Social Worker if they are still involved) but will always have the Safeguarding Officer and Safeguarding Panel present. This meeting will review the arrangements, including advice based on the experience of the Safeguarding Officer and their professional assessment of risk, and the meeting may agree that it is appropriate to move the relationship between the congregation and the individual to a **stage 2 standing**. The subject can attend the review meeting but does not have any part in deciding if the Covenant of Responsibility arrangements will moved to a stage 2 status.

This means that while the Covenant of Responsibilities continues to be relevant and the individual has to comply with the agreement, there would be no need for any such further face to face reviews unless the Safeguarding Panel or the individual wished there to be so. For example if there were concerns about the individual's behaviour or because of a wish to amend the Covenant of Responsibilities then it would be appropriate and necessary to hold a meeting.

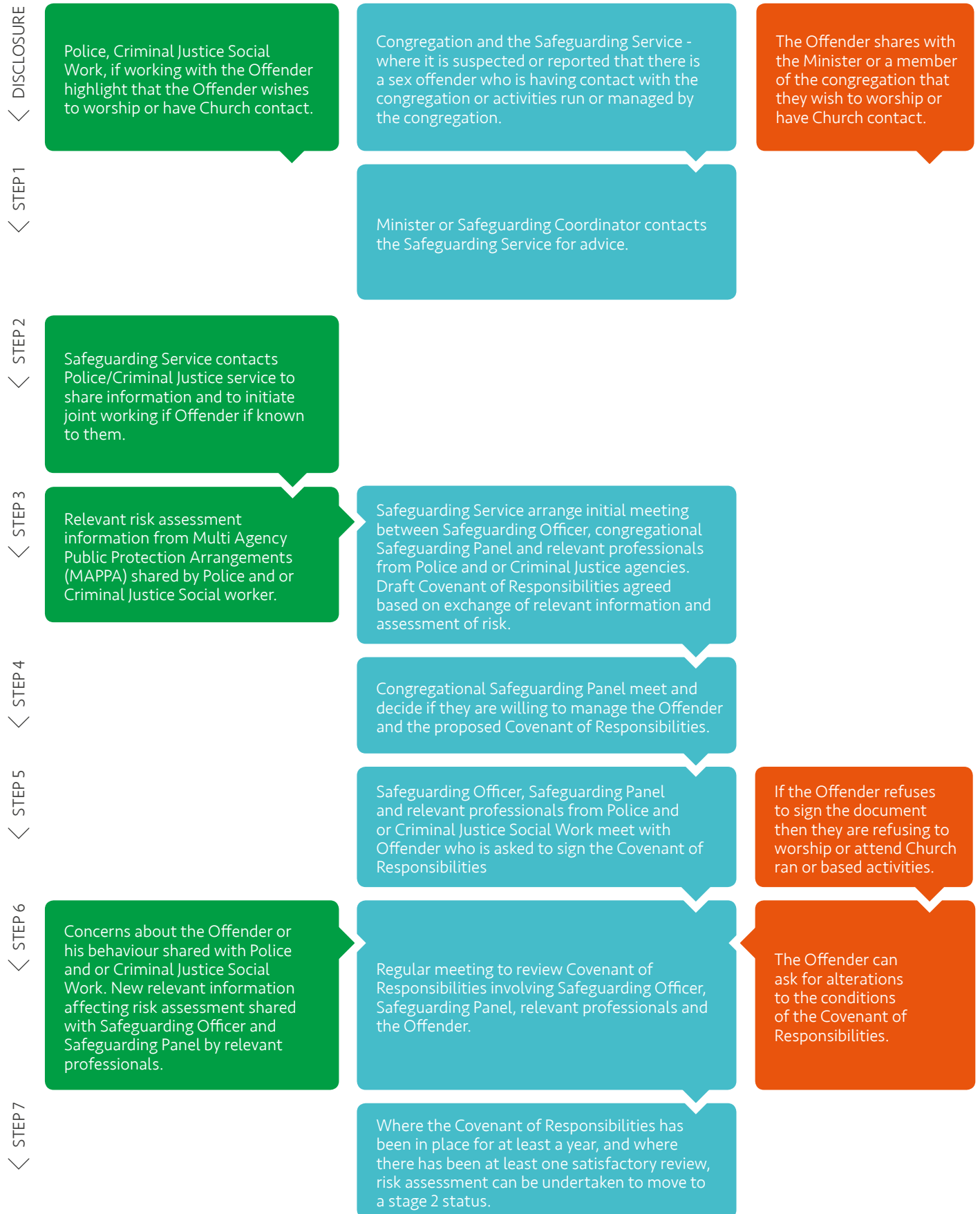
These arrangements are reviewed on an annual basis through a telephone call between the Safeguarding Officer and a nominated member of the congregational Safeguarding Panel. This review is recorded by the Safeguarding Officer and is acknowledged with the nominated member of the Safeguarding Panel by a letter acknowledging what has been discussed.



# Part 4 – Flow Chart and procedure

The flow chart below lays out the process of Covenants of Responsibility from start to finish.

Process for setting up a Covenant of Responsibilities, Church of Scotland, 2018  
 (Further detail about each step is in the Code of Practice for setting up a Covenant of Responsibilities)



## Step 1

- Early communication between the Safeguarding Service and the Congregational Safeguarding Panel or vice versa.
- The Safeguarding Service will advise about the appropriate use of the policy and procedure by the congregation. The Safeguarding Service will also talk through what to do, how and when, as set out in the policy and procedures.

## Step 2

- The Safeguarding Service will contact the relevant authorities.
- The Safeguarding Officer will arrange a meeting of the Safeguarding Panel, Police and or Criminal Justice Social Workers to -review/discuss the information and to draft a Covenant of Responsibilities which will manage any contact between the subject and the congregation or Church based or run activities.
- The subject should be informed by a nominated member of the Safeguarding Panel what the process is including the Church policy is around Covenants of Responsibilities. In a discrete manner the subject should be invited to self-disclose details of their offending on a confidential basis. The subject should be assured of the confidentiality of the process and of the small number of people who will be involved in the drafting and subsequent management of the Covenant of Responsibilities. The Safeguarding Officer will provide advice about this. The professionals from Police and Criminal Justice Social Work will also likely speak to the subject about the process and Covenant of Responsibility too. This allows the best possible results for keeping people safe, including the subject. This also provides reassurance to the subject that the process is structured and professional.

**All Covenants must be drawn up under the guidance and direction of the Safeguarding Service to ensure that the congregation is given the benefit of professional support.**

## Step 3

- Meeting between the Safeguarding Service, Police and or Criminal Justice professionals and representatives of the Congregation's Safeguarding Panel to address issues around risk and safe inclusion through the drawing up a Covenant of Responsibilities – see Appendix 1 of this Handbook for a document template.
- Each individual Covenant will be carefully drafted to take account of specific risk and/or unique factors relative to the church and the subject to produce an appropriate response.
- The subject is not present at this stage.
- The Covenant of Responsibilities template will be used at this meeting.
- A Confidentiality Agreement will be signed by all parties present at the beginning of every meeting.
- The meeting will be minuted.
- \*MAPPA (Multi Agency Public Protection Arrangements) is the framework which joins up the agencies who manage offenders. The fundamental purpose of MAPPA is public safety and the reduction of serious harm. Typically this will involve the Police, Criminal Justice Social Work, health and housing providers. Relevant information may include risk and management level as well as specific areas or groups of people who may be at risk from the Offender.

## Step 4

- The Safeguarding Panel will meet and decide if they are confident and content to manage the subject and Covenant of Responsibilities. Ongoing support from the Safeguarding Service will be provided for as long as the Covenant of Responsibilities is in place. The Police and Criminal Justice professionals will also be invited to continue to be involved in the review of the arrangements. The Safeguarding Panel can decide that their congregation is not the best placed to manage the subject of their needs. The Safeguarding Officer will then make enquiries to identify a suitable congregation elsewhere for that subject.

## Step 5

- Convene a meeting of the Safeguarding Panel, the subject and a Safeguarding Service representative. Where relevant, the Police and/or Social Worker should also be invited and may wish to attend.

- This meeting will be chaired by someone from the Safeguarding Service who will introduce the Covenant to the subject. If all is agreed the Covenant should be signed with a date set for a review.
- The subject may wish to have a friend or relative who is aware of their circumstances accompanying them and this can be positive for all parties.
- This initial Covenant is not negotiable. If the subject refuses to sign it then, in essence, they are refusing to worship.
- Remember the overarching priority of the Covenant is to protect everyone attending or associated with the Church. A Covenant review can be called at any time should it be required.

### **Step 6**

- Reviewing the Covenant. Circumstances can change and it is important that arrangements are regularly reviewed.
- Who attends? – Safeguarding Panel, the subject, a representative from the Safeguarding Service and Police and/or the Social Worker working with the subject.
- How often? – A review date will be agreed at the signing of the Covenant but can be called at any time should the need arise.
- Where? – At a formal venue, probably on Church premises, which may include a Manse but not in the homes of Safeguarding Panel members.
- Following the review a further review date will be agreed.
- A Confidentiality Agreement will be signed by all parties present at the beginning of each meeting.
- The meeting will be minuted.
- It is good practice to have the first part of the meeting closed before the subject joins the group. The subject can ask for amendments to the Covenant. It is a living document and it is important that they feel that they are stakeholders in the arrangements.

### **Step 7**

- Stage 2 Review
- Where a Covenant has been in place for at least 1 year and there have been no concerning issues associated with the subject, then, with the agreement of all parties, and after a structured risk assessment process an annual Stage 2 Review can take place.
- Who? - The process will be undertaken between a member of the Safeguarding Service and a designated member of the Panel.
- How? This will usually be by way of a telephone call and followed with a letter confirming the position and circumstances.
- In the event of changing circumstances, a return to the conventional “Stage 1 review” meeting can be implemented at any time.

### **General notes about the Procedure**

Managing disagreements and disputes at any stage in the procedure.

- Contact the Safeguarding Service who will provide support for your Safeguarding Panel where disputes or non-compliance are issues.
- What if the subject does not want to comply with the Covenant? - the Covenant is non-negotiable. If an individual chooses not to comply they are choosing not to worship.
- This guidance will be regularly reviewed and updated.
- Where a Safeguarding Panel has concerns about a person exhibiting any other form of behaviour which represents a risk within their church it is imperative that early communication is made with the Safeguarding Service or the Police if an emergency.
- A Confidentiality Agreement is signed at the beginning of each meeting. It may feel that this is repetitive but this mirrors the good practice of other criminal justice professionals and it ensures that new attendees are not forgotten. It does no harm to remind everyone at the meeting, on every occasion, of how important confidentiality is to the whole process.
- In conclusion, a Covenant of Responsibilities is about formally recognising and managing risk in a way which protects all those in the congregation, including the subject, in a proportionate and pragmatic manner.

## **Further Guidance and Good Practice**

**Q:** Are Panels only concerned with Sex Offenders?

**A:** No. Safeguarding Panels can:

- Support the Coordinator with 'safe recruitment' matters.
- Consider how to manage a situation where an applicant is not suitable to work with children or adults or an allegation of harm is made in your Church.
- Ensure your Church is complying with all current Safeguarding Policies.
- Consider how to promote good Safeguarding practice and awareness-raising training.
- Ensure that procedures are followed and records maintained to the satisfaction of the Presbytery.

## **How often should a Safeguarding Panel meet?**

This is entirely up to the Safeguarding Panel to decide. It would be a good idea to meet on a regular basis, perhaps monthly or bi-monthly but also be prepared to meet at short notice if required. The advantage to meeting on a regular basis is to establish a pattern so as not to raise suspicion within the Church when there is a meeting.

Consideration should be taken when such meetings are held when an offender is present in order that security is not potentially compromised. Also that there are no other activities involving children or vulnerable adults ongoing at the location or close by which may cause, at the very least, potential embarrassment.

## **Should the Panel keep records?**

It is very important that Panels keep a clear record of all the decisions that they make and also a record of the reasons for their decisions. If a situation should arise in the future where the advice given or the decision taken by a Safeguarding Panel is questioned, it will be in the Panel's interest (and ultimately the Church's interest) to be able to evidence that the matter was given measured consideration and the discussion was informed.

## **Information Security**

The Safeguarding Service will be the first point of contact for receiving sensitive conviction information about an offender from the authorities. This information will not always be shared in its entirety with Safeguarding Panels but sufficient information will be available for discussion to assess and manage risk.

As previously mentioned, all those attending a meeting in regard to a Covenant of Responsibilities will be required to sign a confidentiality declaration agreeing to retain any information discussed within the forum accordingly.

All information sent either by mail or through electronic transfer by the Safeguarding Service will be anonymised or password protected. Panel members should ensure that any correspondence sent by them is also suitably anonymised and protected.

Records should always be stored in a secure and confidential place in the Church premises. If records are stored electronically then these can only be on Church housed systems and care should be taken to ensure the network is secure and the records are password protected. It is strongly recommended that all hard copy documents from which the offender might be named or identified are stored by way of two lockfast barriers e.g. a locked receptacle in a lockfast room within the Church.

The length of time records are kept is prescribed by GDPR and the Church of Scotland Law Department.

Guidance on data retention for congregations can be found on the Church of Scotland website here

[www.churchofscotland.org.uk/resources/law\\_circulars](http://www.churchofscotland.org.uk/resources/law_circulars)

[www.churchofscotland.org.uk/\\_data/assets/pdf\\_file/0012/51222/Safeguarding\\_Act\\_Safeguarding\\_Guidance\\_FINAL\\_.pdf](http://www.churchofscotland.org.uk/_data/assets/pdf_file/0012/51222/Safeguarding_Act_Safeguarding_Guidance_FINAL_.pdf)

# Appendix 1 - Covenant of Responsibilities template for Worship.



The Church of Scotland

Safeguarding Service

## Covenant of Responsibilities

Between The Safeguarding Panel of [Insert name of Church] Church of Scotland Congregation, and [Insert name of Subject]

[Date]

### 1. Introduction

[Name] wishes to worship with the Congregation and the Congregation welcomes/ provides [amend accordingly] the opportunity for [Name] to attend worship, provided that the conditions contained in this Covenant of Responsibilities are met, in order to ensure the safety of children, adults at risk of harm [amend accordingly], as well as [Name] and others associated with the Congregation.

If the conditions contained in this Covenant of Responsibilities are not met [Name] will be unable to attend Worship and any concerns about [Name] will be shared with the relevant authorities in terms of section 5 below if deemed necessary.

### 2. Key Terms

In this Covenant:

“Children” means a young person under the age of 18.

“Adult Woman” is a female over the age of 16.

“Adult Male” is a male over the age of 16.

“Adult at Risk of Harm” means adults who are aged 16 years or over and:

- (a) Are unable to safeguard their own well-being, property, rights or other interest; and
- (b) Are at risk of harm; *and*
- (c) Because they are so affected by disability, mental disorder, illness or physical or mental infirmity, are more vulnerable to being harmed than adults who are not so affected.

“Church” means [insert name and address of the church building or buildings];

“Congregation” means [insert name of congregation];

“Safeguarding Panel” means those members appointed to The Safeguarding Panel by the Kirk Session of [Name of Congregation] or those persons who may be co-opted onto the Safeguarding Panel to assist in the management of this Covenant of Responsibilities as and when required;

“The Safeguarding Service” is the department of the Church responsible for ensuring a “*safe place for all*”, located at The Church of Scotland Offices, 121 George Street, Edinburgh EH2 4YN;

“Worship” means attending services and bible study of the Congregation, discussion or faith development groups or any other similar activities which take place in the Church or any other buildings or places

associated with the Church, which, for the avoidance of doubt, could be a person's home. [amend accordingly as required];

"Other Church Activity" means any other activities organised under the auspices of the Church and may include, for example, concerts, fund-raising events and other social occasions.

### 3. Attendance at Worship

[Name] agrees to sit [describe area or other aspects of attending worship] as agreed and designated by the Safeguarding Panel who will monitor [Name].

[Name] agrees to [add additional conditions e.g. covering entering or leaving worship, using toilet facilities, attending tea/coffee, singing in choir etc. as may be required].

[Name] agrees not to be in a situation where he/she is alone with children or adults at risk of harm or other persons [Delete as required]; or to enter rooms, shared areas inside or outside the Church, where he/she could be alone with children or adults at risk of harm or other persons [Delete as required].

[Name] realises that he/she will not be allowed to take up any post, position of trust, responsibility or leadership within the congregation. This includes any duty or responsibility on behalf of the Congregation which gives lone access to the Church and contact with children or adults at risk of harm or other persons [Delete as required]. It also covers duties or activities away from the Church for any organisation or individuals where [Name] may be viewed as representing the Congregation or the wider Church.

For the duration of this Covenant of Responsibilities, [Name] agrees to decline invitations to visit the homes of members and adherents of the Congregation for social visits, house groups or other congregational activities where there are children or adults at risk of harm in that home, unless the Panel are satisfied that sufficient and appropriate safeguards are in place [delete or amend as required]. [Name] agrees to notify the Safeguarding Panel if he/she intends to attend another congregation.

### 4. Supervision

Members of the Safeguarding Panel will provide the supervision and support of [Name] to enable him/her to be included in Worship.

[Name] should seek the guidance of a member of the Safeguarding Panel in the event of there being any issues related to this Covenant of Responsibilities where advice or support is required.

### 5. Sharing of Information

The Safeguarding Panel fully understand the sensitive and confidential nature of the information contained within this Covenant of Responsibilities and will not disclose the information to a third party (i.e. someone out with the Safeguarding Panel), without the consent of [Name]. The Safeguarding Panel agrees that any disclosure of information will be kept to a minimum appropriate in the circumstances.

However, [Name] accepts that should any concern about their conduct arise, the Safeguarding Panel, at its sole discretion, will report that conduct to the Safeguarding Service, the Police and any other relevant body, including the Criminal Justice Service.

### 6. Duration and Review

This Covenant will remain in force for as long as the Safeguarding Service, **and in keeping with Safeguarding Policy**, considers that this is necessary, having regard to the circumstances.

The Safeguarding Panel and [Name] will attend regular meetings to formally review this Covenant of

Responsibilities at which will be present, where appropriate, representatives from the Safeguarding Service, and those working with [Name] from Police, Criminal Justice and other agencies except where it has been agreed that such a review process has progressed to a more remote review.

The next review meeting will be held:

Date .....  
Time.....  
Place .....

If there are concerns about [Name's] compliance or other factors relevant to the management of this Covenant of Responsibilities, a review meeting can be called at any time.

## 7. Support and Pastoral Care

For the duration of this Covenant of Responsibilities, pastoral care will be provided by [Name]

IN WITNESS WHEREOF: These present consisting of this and the preceding [number] pages are signed as follows:

Subject [Name] .....  
Signed.....  
Date .....

In the presence of  
[Name] .....  
Designation .....  
Signed .....  
Date .....

[Name] ..... [Safeguarding Representative].....  
Signed ..... Date.....



## Appendix 2 – Covenant of Responsibilities for Voluntary work or participation in Church led or based activity



The Church of Scotland

Safeguarding Service

### Covenant of Responsibilities

Between The Safeguarding Panel of [Insert name of Church] Church of Scotland Congregation, and [Insert name of Subject]

[Date]

### 1. Introduction

[Name] Subject wishes to carry out voluntary work and identified odd jobs for the Congregation and the Congregation welcomes/provides Subject the opportunity for subject to do any identified and mutually agreed tasks, provided that the conditions contained in this Covenant of Responsibilities are met, in order to ensure the safety of Children, as well as subject and others associated with the Congregation.

These voluntary duties do not constitute a contract of employment.

If the conditions contained in this Covenant of Responsibilities are not met subject will be unable to carry out his role or voluntary tasks and any concerns about subject will be shared with the relevant authorities in terms of section 5 below if deemed necessary.

### 2. Key Terms

In this Covenant:

“Children” means a young person under the age of 18;

“Church” means (Insert name and address of Church);

“Congregation” means (Insert name of congregation);

“Safeguarding Panel” means those members appointed to The Safeguarding Panel by the Kirk Session (Insert name of Church) Parish Church or those persons who may be co-opted onto the Safeguarding Panel to assist in the management of this Covenant of Responsibilities as and when required;

“The Safeguarding Service” is the department of The Church responsible for ensuring a “safe place for all”, located at the Church of Scotland Offices, 121 George Street, Edinburgh EH2 4YN;

“Other Church Activity” means any other activities organised under the auspices of the Church and may include for voluntary work, cleaning, gardening, painting or other agreed activities where the subject assists the Church.

### **3. Voluntary Work**

Subject agrees that he will only carry out such tasks that are identified by the Safeguarding Panel of (Insert name of Church) Parish Church, and also that he will be supervised while carrying out these works in the Church or grounds as agreed and designated by the Safeguarding Panel who will monitor subject.

Subject agrees not to be in a situation where he is alone with Children; or to enter rooms, shared areas inside or outside the Church, where he could be alone with Children.

Subject realises that he will not be allowed to take up any post, position of trust, responsibility or leadership within the congregation. This includes any duty or responsibility on behalf of the Congregation which gives lone access to the Church and contact with Children. It also covers duties or activities away from the Church for any organisation or individuals where Subject may be viewed as representing the Congregation or the wider Church.

For the duration of this Covenant of Responsibilities, Subject agrees to decline invitations to visit the homes of members and adherents of the Congregation for social visits, house groups or other congregational activities where there are Children in that home. Unless the Safeguarding Panel is satisfied that sufficient and appropriate safeguards are in place.

### **4. Supervision**

Members of the Safeguarding Panel will provide the supervision and support of Subject to enable him to carry out voluntary work as agreed with the Safeguarding Panel.

Subject should seek the guidance of a member of the Safeguarding Panel in the event of there being any issues related to this Covenant of Responsibilities where advice or support is required.

### **5. Sharing of Information**

The Safeguarding Panel fully understand the sensitive and confidential nature of the information contained within this Covenant of Responsibilities and will not disclose the information to a third party (i.e. someone out with the Safeguarding Panel), without the consent of Subject. The Safeguarding Panel agrees that any disclosure of information will be kept to a minimum appropriate in the circumstances.

However, Subject accepts that should any concern about his conduct arise, the Safeguarding Panel, at its sole discretion will report that conduct to the Safeguarding Service, the police and any other relevant body, including the criminal justice service.

### **6. Duration and Review**

This Covenant will remain in force for as long as the Safeguarding Service, at its sole discretion, considers that this is necessary, having regard to the circumstances.

The Safeguarding Panel and Subject will attend regular meetings to formally review this Covenant of Responsibilities at which will be present, where appropriate, representatives from the Safeguarding Service, and those working with Subject from police, criminal justice and other agencies except where it has been agreed that such a review process has progressed to a more remote review.

The next review meeting will be held:

Date.....  
Time.....  
Place .....

If there are concerns about Subjects compliance or other factors relevant to the management of this Covenant of Responsibilities a review meeting can be called at any time.

## 7. Support and Pastoral Care

For the duration of this Covenant of Responsibilities, pastoral care will be provided by

IN WITNESS WHEREOF: These present consisting of this and the preceding ..... pages are signed as follows:

Subject [Name] .....  
Signed.....  
Date .....

In the presence of .....

Designation .....  
Signed.....  
Date.....

Colin Robson  
Designation .....  
Safeguarding Officer.....  
Signed.....  
Date .....

# Appendix 3 - Confidentiality Agreement

## Confidentiality Agreement

### Confidentiality Declaration

Name of Subject.....

Date of Meeting .....

Location of Meeting.....

In working with subjects, Police, Social Work Department, other agencies, church representatives and other persons as may be appropriate, all persons present at this meeting have agreed to boundaries of confidentiality. The persons present within this meeting respect those boundaries and hold the meeting under the shared understanding that:

- **the disclosure of information outside the meeting, beyond that agreed at the meeting, will be considered as a breach of the subject's confidentiality and a breach of the confidentiality of the agencies involved.**
- **All transmitted documents must be anonymised to prevent the identification of the subject.**
- **All documents must be stored in an appropriate manner e.g. two lockfast barriers (locked cabinet within locked room)**

Name	Organisation	Position	Signature

### Quick Guide for Safeguarding Panels.

**If you know, or think, that an individual might pose a risk to your congregation in attending for worship, seek advice from the Safeguarding Service in the Church of Scotland National Offices. The service can be reached on telephone number: 0131 240 2256 or via email to: [safeguarding@churchofscotland.org.uk](mailto:safeguarding@churchofscotland.org.uk).**

**A Safeguarding Officer will arrange a meeting with the Safeguarding Panel and the individual concerned.**

**Following that meeting it may be appropriate for a Covenant of Responsibilities to be introduced or other action to be taken.**

**Once a Covenant of Responsibilities is in place it will be managed by the Safeguarding Panel together with a Safeguarding Officer from the National Offices in accordance with Safeguarding Service Handbook 5, Managing those who pose a risk.**

## How to contact the Safeguarding Service

The service is available 9.00am-5.00pm, Monday to Friday. You can leave a telephone or email message outwith this time.

The Church of Scotland Safeguarding Service  
The Church of Scotland  
121 George Street  
Edinburgh  
EH2 4YN  
Tel: 0131 240 2256  
Email: [safeguarding@churchofscotland.org.uk](mailto:safeguarding@churchofscotland.org.uk)

 [facebook.com/churchofscotland](https://facebook.com/churchofscotland)

 [@churchscotland](https://twitter.com/churchscotland)

Scottish Charity Number: SC011353

[www.churchofscotland.org.uk](http://www.churchofscotland.org.uk)