



Responding to Historical Abuse in the Church of Scotland: Policy and Procedure, Updated 2017

Supplement to Safeguarding Handbook 1, 2011

1. Policy statement

This policy is about how the Church aims to respond to the needs of survivors of historical abuse. It is underpinned by the *Safeguarding Policy Statement 2010* and *Safeguarding Handbook 1, 2011*.

The Church will:

1. Seek to ensure that there is a sensitive and effective response for survivors reporting any type of historical abuse perpetrated by a Church office bearer/employee (see glossary) in a Church activity, or by another service user in a social care service provided by CrossReach (Social Care Council).
2. Treat all disclosures of historical abuse seriously.
3. Offer the survivor the opportunity to be heard and listened to.
4. Ensure that where disclosures allege criminal activity, and/or there is an on-going risk of significant harm to the survivor, a child or adult, this information will be shared with the police or other public authorities.

2. Procedure

The procedure provides a framework for responding to reported historical abuse. Read it alongside the flowchart on page 4. Steps will not always happen in this exact sequence. The process could end at any stage.

1. Disclosure

The process starts with a report of historical abuse by a survivor, or other person, about the harmful conduct by a person as defined in 1.1 above. The disclosure may relate to any organised activity or service-provision in the Church or in a current, or past, CrossReach service (flowchart, step 1).

2. Safeguarding procedure

Historical abuse should be referred to the Safeguarding Service using the established safeguarding procedure for all reported harm. Basic information will be required about what happened, where, when and who was involved. The police, or other public authority, will take the lead role with investigation (step 2).

Appropriate senior staff in the Church Offices or CrossReach will be advised about the disclosure.

3. Initial Risk Assessment

The Safeguarding Service will do an initial risk assessment to determine if the information disclosed needs to be shared with the police or other public authorities.

4. Sharing Information with the Police

When a disclosure suggests that a crime has been committed, the Church’s standard practice will be to share this information with the police. The Church has a duty to contribute to public protection. Sometimes the survivor may be at risk of on-going harm or another child or adult may currently be at risk of significant harm.

In the first instance, the survivor will be encouraged to do this for themselves. Where the survivor does not want to, or is not able to do this, the relevant Church department/council or The Church of Scotland Safeguarding Service will share this information. But *the survivor retains control* – they do not have to speak with the police unless they want to. The police will decide what to do with the information e.g. note it for information or make further investigations.

5. Being heard and responding to the needs of survivors

“The greatest thing you can give a survivor is acknowledgement, not sympathy but acknowledgement”¹

If appropriate, the survivor will have the opportunity to speak to a member of staff from the Safeguarding Service. The member of staff can provide initial support and advice to the individual and assist in signposting them to the most appropriate services to meet their needs.

3. Summary

The Church will be receptive to the needs of survivors and will give them an opportunity to be heard. The policy and procedure provides a structure and process for this to happen. The measures of success will be the outcomes for survivors.

The Safeguarding Committee will regularly monitor and review this policy and procedure.

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¹ Quote from a survivor on the front cover of the Scottish Government report into historical abuse, *Time to be Heard: A Pilot Forum*, Tom Shaw, February 2011.

4. Glossary

Adults at risk

As defined in the Adult Support and Protection (Scotland) Act 2007: a person who is unable to safeguard their own wellbeing, is at risk of harm, and thirdly because they are affected by disability, mental ill health, physical or learning disabilities is more vulnerable to harm than a person not so affected.

Child

A child is a person under the age of 18 years old.

Church

All Church of Scotland congregations world-wide, Councils, departments, Church-provided social care services past and present, and any service provided by Church office bearers/employees.

Church office bearer and employee

An office bearer is (a) any person occupying a voluntary post in a congregation and (b) a Minister, Deacon or Reader of the Church of Scotland. An employee is a paid member of staff e.g. paid youth worker, pastoral care visitor, or paid staff working with 'adults at risk' in a congregation, staff in CrossReach service etc.

Disclosure or reporting

This is when an adult, or a young person, speaks about abuse in their childhood. The disclosure may relate to an individual's experience in the family home, community or while in foster, residential or other social care setting.

Historical abuse: past and present

This means adults reporting abuse that occurred when they were children. Historical abuse includes neglect, emotional, physical, sexual and financial abuse which took place before the survivor was 18 years old; and that have been reported by the survivor a significant time after the event. For more about what is meant by harm/abuse see *Safeguarding Handbook 1*, June 2011, pages 14–15 and 49–53. The term historical abuse is a **misnomer**: the effects of abuse are *current*, not past, for survivors. Similarly the offences may be 'historic' but reported criminality from the past needs to be investigated in the present which makes such cases current.

Allegations of historical abuse can also be made by adults at risk. An adult at risk is defined in the Adult Support and Protection (Scotland) Act 2007 as a person affected by disability that is at risk of harm, and is unable to protect themselves. This includes *some* adults affected by learning disability, physical disabilities, dementia or mental health difficulties. Adults at risk can make historical allegations of harm and abuse that occurred when they were under the age of 18 years and/or after a significant lapse of time when they were over the age of 18 years.

Perpetrators of abuse and historical abuse

The Church of Scotland historical abuse policy and procedure primarily relates to people who allege/report abuse by Church office bearers/employees and not to a person who discloses abuse by others whether or not this took place in a Church context. For the Church this means *any* current or former employee, office bearer, Church member or volunteer in any current, or former, congregation, Church organisation or CrossReach service. For CrossReach, and some activities in congregations, the alleged perpetrators could also be other children or adults at risk using the service.

Public authority

This is Police Scotland, local authority social work services or health services.

Survivor

This is the preferred term for the person affected by historical abuse. A survivor is usually an adult but may also be an older child or an 'adult at risk'. The survivor's 'supportive family members', spouses and partners are also indirectly affected by that same abuse.

5. Supporting documents

1. Directory of Help-Organisations for Adult Survivors of Childhood Abuse, May 2012
2. The Church of Scotland Safeguarding Listener Service – Information for Survivors, February 2014

6. Flowchart

The Church of Scotland Historical Abuse Policy and Procedure 2014 (updated December 2017)

