

Ongoing Worship/Safeguarding Agreements

What are they, why do we need them, and how do they work?

House of Bishops Practice Guidance 'Responding to, Assessing and Managing Safeguarding Concerns or Allegations Against Church Officers' states *'The Church of England, based on the message of the gospel, opens its doors to all. This means that there are likely to be those with criminal convictions for sexual and/or violent offences and other forms of abuse, as well as others who may pose a risk, attending a church or are members of worshipping communities. Some individuals will pose an ongoing or potential risk of harm to other individuals who attend the church. The Church has a duty to minister to all, which imposes a particular responsibility to ensure that everyone who attends the Church is safe'*.

What are they?

They are an approved process that is intended to facilitate a person to worship who may pose a risk to others, whether they be children or vulnerable adults, or any other member of the congregation or church community. They are a customisable document, tailored to an individual's needs and circumstances, normally with a 'support group' of counter-signatories to ensure that the agreement is adhered to, managed properly, and reviewed when necessary.

The guidance is specific to the Church of England and has been drawn up by the House of Bishops. It takes into consideration an individual's rights, but also the necessity to safeguard against those who may pose a risk to children and vulnerable people.

To ignore or disregard the guidance, could constitute concerns around failing to give due regard to safeguarding, and may be considered 'misconduct'.

A copy would normally be held securely within parish safeguarding files, the individual, and by the Diocesan Safeguarding Team.

Why do we need them?

In short, to ensure that we do what we can to safeguard all within our church communities.

In most cases, relevant persons will come to us having recently been dealt with by a court or from leaving prison. In most cases they will have certain conditions and restrictions placed upon them and sometimes their everyday lives, that we need to comply with. We are also expected to act responsibly and safely when conditions do not necessarily apply to a church setting, but we are still aware that concerns and risks exist.

Sometimes agreements are put in place when a person is awaiting the outcome of an investigation. We are obligated to abide by any safeguarding measures placed upon individuals.

To ignore legal requirements, could result in a person being recalled to Prison or us having to legally justify why we did so.

Below is a short guide as to what restrictions can/may be placed on an individual:

Sex Offenders Register (S.O.R.)

This follows a conviction or a Police caution for certain sex offences (including downloading indecent images of children), it can be anything between 2 years and rest of life in length. Individuals subject to sex offender registration must inform the Police where they live, in some cases, who they spend time with, and are normally visited by Police Public Protection Unit (P.P.U.) at least once a year, depending on risk level.

'Being on Licence'

This normally follows being released from prison before the end of the sentence and being managed within the community. The licence will often have conditions restricting activities. An adult on licence will be managed by the Probation Service.

A breach of licence can result in a 'recall' to prison for the remainder of the sentence to be served.

Sexual Harm Prevention Order (SHPO)

These are measures imposed by a court at sentence for offences of a sexual nature, including internet grooming and downloading image offences. A SHPO can be anything in length from 5 years to indefinitely. They place conditions and restrictions on the life of a convicted person, such as 'not to have any contact with children under 16 years', 'not to have internet access that cannot be seen by Police'. Social Services are likely to be made aware of any family that someone subject to a SHPO would have contact with. The court must be satisfied that when the Police or Crown Prosecution Service apply for a SHPO its conditions are proportionate and relevant to the offence. The conditions placed are intended to protect vulnerable persons and the general public who may not know of a person's history.

A SHPO can only be varied or cancelled at court or expires on its 'end date'.

Breach of a SHPO is a separate offence which can carry a custodial sentence.

'Bail' and 'Bail Conditions'

Bail is a legal measure used by the Police and/or Courts, usually whilst a decision is being made regarding disposal (charge to Court, Caution, etc), or when a matter is awaiting going to Court or between Court appearances. It places a legal requirement for an individual who is suspected of committing an offence to attend a Police Station or Court as directed. It is a criminal offence to fail to respond to bail as directed.

Very often bail will have conditions attached, these are usually to safeguard victims, witnesses, and the public, and to prevent the commission of further offences. The breaching of any bail conditions can sometimes be arrestable, and in any event should be reported to Police.

'Released under Investigation'

Similar circumstances to 'Bail' but not as structured, normally when Police have extended enquiries, or a prosecution decision may be delayed. However, a person will still be under investigation and often safeguarding steps will still need to be considered accordingly.

How do they work?

In most cases statutory agencies (Police, Prisons, Probation etc) will provide us with as much notice as they can. Sometimes we are notified by parishes that a person has asked to attend to worship.

The Diocesan Safeguarding Advisor/Assistant Diocesan Safeguarding Advisor (DSA/ADSA) will then arrange to initially meet with the individual with a view to discussing their needs, and to complete a risk assessment which can assist in the formulation of an appropriate and safe agreement. This will include identifying which church is most suitable for the individual to attend and time of service.

A discussion will then follow with the relevant agency to ensure that any proposed agreement is safe, appropriate and in keeping with any legal orders or requirements (as detailed above). If we were to allow a person to deviate from the terms of their licence or court order, they could be recalled to prison, and questions could be asked as to how that was allowed to happen.

Once it has been agreed that the proposed agreement is suitable, the relevant church would be contacted if they were not already aware, and the agreement drawn up. The House of Bishops practice guidance 'Responding to, Assessing and Managing Safeguarding Concerns or Allegations Against Church Officers', October 2017 states:

'The agreement must be dated, and all parties must sign the agreement to acknowledge that they agree to abide by its terms. The parties must also agree the time periods when the safeguarding agreement can be reviewed, this should at least be every 3 months. It must be made clear to the individual and all other parties to the agreement that no one else apart from those identified in the agreement will be informed of the facts without liaising with the DSA. That said, the individual must be advised that although the highest levels of confidentiality will be maintained, if there is a breach of the agreement or an individual refuses to comply with safeguarding arrangements, it may be necessary to inform others (such as the police or other statutory agencies and in some cases other members of the congregation) to protect children, young people and/or vulnerable adults. The parties to the agreement are responsible for supporting the individual and monitoring the agreement and the DSA must be informed immediately if they become aware of any breach of the agreement by the individual.'

The agreement may contain several relevant measures put in place to safeguard members of the church community, which may include:

- Attend designated services or meetings only.
- Sit apart from children, young people and/or vulnerable adults.
- Stay away from areas of the building where children, young people and/or vulnerable adults meet.
- Decline hospitality where there are children, young people and/or vulnerable adults present.
- Never be alone with children, young people and/or vulnerable adults.
- Never work or be part of a mixed-age group with children, young people and/or vulnerable adults.
- Take no official role in the Church or any responsible role where they will be trusted by others.
- To inform the Diocesan Safeguarding Team of any activity with any other church or any other activity on church premises.
- Not to use or have access to any church or diocese owned I.T. equipment (for internet type offences).

This list is not exhaustive, nor will it apply in all cases, the agreement should be relevant and proportionate for the individual and the risks they may pose.

The persons who normally counter sign an agreement (Support Group) are the Incumbent/Team Vicar, the subject, Parish Safeguarding Officer, (Adult or Child) and two Church Wardens. Others may be included if deemed necessary. The signatories are responsible for ensuring that the agreement is reviewed appropriately and being adhered to, they can be supported by the DSA/ADSA should any problems arise. They should also immediately report any breaches of the agreement or safeguarding issues that arise.

We hope that this guide assists you in your understanding of Worship and Safeguarding Agreements.

Our aim is not to exclude individuals who wish to worship and join a church community, but to ensure that their participation is safe and in accordance with good practice.

Please remember to call or contact the safeguarding team if you have any questions or are unsure of what to do next.

Contact Details

Email: safeguarding@dioceseofnorwich.org

Telephone: 01603 882345

The full guidance on this matter can be found on the Church of England website under safeguarding 'policies and procedures', titled:

'Responding to, assessing, and managing safeguarding concerns or allegations against church officers'
Section 7

<https://www.churchofengland.org/sites/default/files/2017-12/Responding%20PG%20V2.pdf>

Thank you

The Safeguarding Team