

CHESTER ROAD BAPTIST CHURCH

Vulnerable Adults Policy and Procedures

Adopted at the church members meeting
16 January 2014

SAFEGUARDING VULNERABLE ADULTS

The Chester Road Baptist Church (hereafter referred to as ‘the Church’) policy on Safeguarding Vulnerable Adults was adopted at the Church Members Meeting on 16 January 2014. It is displayed in the church buildings and a copy of it is in this document.

This document, referred to as ‘Vulnerable Adults’, contains:

1. Introduction.
2. The Church’s policy on Safeguarding Vulnerable Adults.
3. Copies of the Church’s procedures:
 - 1 Recruitment of Paid Employees and Volunteers.
 - 2 Reporting mistreatment.
 - 3 Ministering to known offenders.
 - 4 Handling complaints against church workers.
4. Information on:
 - 1 Confidentiality and information sharing.
 - 2 What is mistreatment, abuse or harm.

The information, procedures and forms contained in this document were adopted at the Church Members Meeting on 16 January 2014.

They will be reviewed at the Church Members Meeting in May 2014, and every 12 months thereafter.

This pack should be read in conjunction with

- 1 No Secrets, produced by the Department of Health.
- 2 Safeguarding Adults, a national framework of standards and good practice in adult protection work.
- 3 Time for Action, produced by Churches Together.

If the procedures contained here are not followed then the Church cannot be held responsible for any subsequent vulnerable adult protection issues which arise.

**Chester Road Baptist Church
POLICY STATEMENT
Safeguarding Vulnerable Adults**

Summary of the Church Policy

The Church is committed to the respectful pastoral ministry of all adults within the church community.

The Church recognizes that everyone has different levels of vulnerability and that each person may be regarded as vulnerable at some time in their lives.

The Church commits itself to the safeguarding of people who may be vulnerable, ensuring their well-being in the life of the church.

The Church commits itself to promoting the inclusion and empowerment of people who may be vulnerable.

The Church commits itself to promoting safe practices by those in positions of trust.

The Church undertakes to exercise proper care in the appointment and selection of those who will work with people who may be vulnerable.

The Church will select all those with pastoral responsibility within the Church. Selection will include the use of Disclosure and Barring Service (DBS) disclosures where legal or appropriate.

The Church is committed to supporting, resourcing, training and regularly reviewing those who are in contact with people who may be vulnerable.

It is the responsibility of each church member to prevent the physical, emotional, sexual, financial and spiritual abuse of vulnerable people and to report any such abuse that we discover or suspect.

The Church will respond without delay to any complaint made that an adult for whom we were responsible has been harmed, cooperating with police and the local authority in any investigation.

The Church will seek to offer informed pastoral care to anyone who has suffered abuse, developing with them an appropriate healing ministry.

The Church will challenge any abuse of power by anyone in a position of trust.

The Church will care for and supervise any member of the church community known to have offended against a vulnerable person.

Each person who works with vulnerable people will agree to abide by these recommendations and the guidelines established by the church.

Responsible People

This Church has appointed Roger Allen as the Safeguarding Trustee for Vulnerable Adults.

- Oversee and monitor implementation of the policy and procedures on behalf of the church's charity trustees.

The Church has appointed Carole Turner and Sarah Dewey as the Designated Persons for safeguarding vulnerable adults.

- Advise the church on any matters related to the safeguarding of vulnerable adults.
- Take the appropriate action when abuse is disclosed, discovered or suspected.

Policy and procedures

A copy of this policy statement will be displayed permanently on the notice board in the corridor.

Each worker with vulnerable adults whether paid or voluntary will be given a copy of the policy and relevant procedures and will be required to follow them.

A full copy of the policy and procedures will be made available on request to any member of the church, the parents or carers of any vulnerable adult from the church or any person associated with the church.

The policy and procedures will be monitored and reviewed at least annually. The policy statement will be tabled annually at the church meeting in May together with a report on the outcome of the annual review.

Adopted at the Church Members Meeting on 16 January 2014.

To be reviewed at the Church Members Meeting in May 2014, and every 12 months thereafter.

1 Introduction

1.1 Context

In recent years, society as a whole has become more aware of the extent of harm to adults. In response to this Parliament passed the Care Standards Act 2000 and the Department of Health published accompanying guidance No Secrets, a document developing and implementing inter-agency policies and procedures to protect vulnerable adults. The guidance provides a framework for the safeguarding of adults, including recommended structures for the investigation of allegations of abuse by local authorities. Voluntary organizations such as churches are also asked to develop similar procedures if they are providing services or are in regular contact with adults who might be vulnerable.

More recent government guidance, Safeguarding Adults, is a national framework of standards and good practice in adult protection work. It was published in October 2005 and expands the guidance in No Secrets. In 2002 Churches Together in Britain and Ireland produced the report Time for Action, which in part challenged the Churches to respond more compassionately and effectively to adults who had been sexually abused in a church context.

1.2 Vulnerability

Human beings are, by their very nature, subject to the chances and changes of this world. Each one has strengths and weaknesses, capacities and restrictions. At some time everyone will be vulnerable to a wide range of pressures, concerns or dangers. Some people may consider themselves to be strong but, when circumstances change, strengths can quickly disappear. Some people by reason of their physical or social circumstances have higher levels of vulnerability than others. It is the Christian duty of everyone to recognize and support those who are identified as being more vulnerable. In supporting a vulnerable person we must do so with compassion and in a way that maintains dignity. Vulnerability is not an absolute; an individual cannot be labelled as 'vulnerable' in the same way as a child is regarded as such. Childhood is absolute: someone who is not yet eighteen years of age is, in the eyes of the law, a child; this is not the case with vulnerability.

Some of the factors that increase vulnerability include:

- A sensory or physical disability or impairment.
- A learning disability.
- A physical illness.
- Mental ill health (including dementia), chronic or acute.
- An addiction to alcohol or drugs.
- The failing faculties in old age.
- A permanent or temporary reduction in physical, mental or emotional capacity brought about by life events, for example bereavement or previous abuse or trauma.

1.3 Definitions for use with those who may be vulnerable

In order to bring into focus those people for whom the Church should have a particular care this working definition may be helpful: Any adult aged 18 or over who, by reason of mental or other disability, age, illness or other situation is permanently or for the time being unable to take care of

him or herself, or to protect him or herself against significant harm or exploitation.

A narrower definition is in use for the particular purpose of applying to the DBS, but it should be noted that the latest government guidance Safeguarding Adults does not speak of ‘vulnerable adults’, which puts the onus on the victim of abuse, but rather concentrates on enabling adults to ‘retain independence, well being and choice and to access their human right to live a life that is free from abuse and neglect’.

1.4 A definition of mistreatment, abuse and harm

Mistreatment is defined in No Secrets as ‘a violation of an individual’s human and civil rights by any other person or persons’. In a church context it could be any misuse of a pastoral or managerial relationship, from the most serious to less severe behaviour, which lies at its root. The term covers abuse, bullying and harassment. These categories are not watertight and can merge into one another. Harm is what results from mistreatment or abuse.

2 The Policy

2.1 Principles underlying the policy

Christian communities should be places where all people feel welcomed, respected and safe from abuse. The Church is particularly called by God to support those at the margins, those less powerful and those without a voice in our society. The Church can work towards creating a safe and non-discriminatory environment by being aware of some of the particular situations that create vulnerability. Issues which need to be considered include both the physical environment and the attitudes of workers.

A person who might be considered vulnerable has the right to:

- Be treated with respect and dignity.
- Have their privacy respected.
- Be able to lead as independent a life as possible and be able to choose how to lead their life.
- Have the protection of the law.
- Have their rights upheld regardless of their ethnicity, gender, sexuality, impairment or disability, age, religion or cultural background.
- Be able to use their chosen language or method of communication and be heard.

2.2 Implementing this policy – a checklist

The government guidance No Secrets provides the following checklist showing the responsibilities of those who have contact with or provide services for vulnerable people. It provides an action plan for the Church. The Church should:

- Seek to work in a non-abusive way that respects the rights of individuals to enjoy privacy, dignity, independence and choice. See Good practice recommendations.
- Actively promote the empowerment and well-being of vulnerable people through the services we provide. See Good practice recommendations.
- Ensure rigorous recruitment practices to deter those who actively seek vulnerable people to exploit or abuse, including taking up references and using DBS checks. See Procedure 1.

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- Actively promote an organizational culture within which all those who express concern will be treated seriously and will receive a positive response from management. See Procedure 2.
- Ensure that staff and volunteers understand that vulnerable people can be abused and that they know what to do if they think that someone is being abused. See Procedure 2 and Appendix 2.
- Have an internal policy, procedure and guidance on how managers, staff and volunteers will deal with allegations of abuse, including allegations against their own organization's staff and volunteers. Ensure that the procedure links to the local inter-agency procedure. See Procedure 2.
- Work in cooperation with the local Adult Services and the police when they are investigating an allegation of abuse. See Procedure 2.
- Identify a Deacon who takes responsibility for the training of staff and volunteers, and updating procedures. See Section 2.3.
- Ensure that all staff and volunteers receive appropriate training and support.
- Ensure that confidentiality and information sharing related to the protection of vulnerable adults and perpetrators of abuse in a multi-agency context are maintained through the agreed protocols. See Appendix 1.

Have other policies and procedures in place which support good practice, e.g. complaints / whistle blowing / management of service users' money / staff disciplinary procedures. See Procedures 1 to 4.

Those organizations that provide a service commissioned by the local authority may well find that their responsibility to report abuse using the local inter-agency procedures will be a contractual requirement.

2.3 Implementing a policy in the Church

Everyone, as a citizen, has a responsibility for the safety, well-being and protection of others. Everyone within the church community also has a responsibility to ensure that there is a welcome for all people, including those seen as vulnerable. A policy about the safeguarding of vulnerable people should be the concern of the whole congregation and therefore should be presented to the Church Members Meeting for adoption and be reaffirmed at least annually.

This is an opportunity for church members to remember their commitment to one another. Everyone should be alert to situations where those who might be vulnerable are exposed to unacceptable risks. Those who work with vulnerable people often find themselves in challenging situations and need the support, prayers and encouragement of everyone in the congregation. Sometimes workers may be confronted with difficult behaviour on the part of those with whom they are working; sometimes workers may have to face difficult decisions about incidents that may need to be reported to the statutory authorities. The congregation and church workers need to be clear about the procedures which should be followed when there are concerns about people being harmed or abused.

Those who work most closely with vulnerable people in lunch clubs, day centres, Bible study groups or as pastoral visitors, etc., are in a unique position to get to know them. As a result workers might learn about things that give cause for concern or they may see others, sometimes including fellow workers or church members, behaving in ways that may be described as abusive

of potentially harmful. When visiting a care home, for example, a visitor may observe another resident showing signs of abuse. Workers should have a good knowledge of the guidelines for good practice and should be implementing them; they should know what to do if they learn of any incidents where vulnerable people are being mistreated or abused.

Not all concerns about the welfare or safety of a vulnerable person need the public authorities to be involved; sometimes it may be that the concern focuses on behaviour and attitudes that are not immediately harmful and then the matter should be dealt with through training or discussion. The choices of the adult concerned should if at all possible be accepted. The response to any concerns should always be proportionate and appropriate to the issue.

The church should do its best to provide a safe place for those who may be vulnerable. Where the church organizes special activities or groups for vulnerable people, care should be taken to ensure that those who work in these activities are carefully appointed, supported and supervised. Recruitment to other positions of trust should be carried out sensitively but thoroughly to try to prevent inappropriate appointments being made.

The deacons together with the ministers carries a duty of care for the safety of those who attend or use the church. The Church Meeting should ensure that a policy is in place that reflects the need to safeguard vulnerable people and that it is being implemented and has appropriate resources. The ministers and deacons need to find ways to communicate the policy to the whole congregation. The ministers in particular need to be aware of the pastoral needs of vulnerable people, their carers and those that work with them.

It is recommended that a named individual be appointed by the Church Members to act as the key person to speak on behalf of vulnerable people both within the congregation and to outside bodies. Ideally the appointed person should have some experience in this field. They should be recruited using Procedure 1 and they should apply for a DBS disclosure. Such a person may be the most appropriate person to receive information about concerns and will need to listen carefully, possibly discussing the matter with the adult concerned and making a decision about whether these concerns should be passed to an outside statutory body such as the police or the local authority Adult Services. The responsible deacon should always liaise with and seek advice from HEBA. If there is clear evidence that the vulnerable person has suffered abuse, then this should be reported as soon as possible to local authority Adult Services as the lead agency.

All Adult Services Departments (or similar) have policies about the safeguarding of vulnerable peoples and will work in multi-agency collaboration with the health service and police.

2.4 Promoting good practices working with people who may be vulnerable

Promoting a safe church is not so much a matter of procedures and rules but rather working together, both helpers and those with differing vulnerabilities, to provide the right environment for everyone to grow in Christian faith. It is important that those working together agree on standards of conduct and how activities are to be carried out. This is particularly necessary if those adults involved in the activity cannot speak for themselves. Attitudes of respect and consideration should be developed in all work with adults, ensuring that everyone is able to maximize their life choices and independence. Privacy and confidentiality are important to everyone and especially people who are dependent on others for aspects of their everyday living.

Some other points to consider are:

- Helping in such a way as to maximize a person's independence. People with additional needs can and do lead active and fulfilled lives but some may need support and resources to do so.
- Always respecting the person and all their abilities.
- Recognizing the choices people make even if they may appear risky.
- Giving people the highest level of privacy and confidentiality possible in the circumstances. Including everyone in decisions affecting their life.
- Creating an environment within the Church that can include everyone.

Most people will have no difficulty accepting these values of independence, choice, inclusivity, privacy and respect. However, it is sometimes difficult to think how they might be put into practice. The following provides further examples of good practice (GP).

Good Practice 1 - Premises

Church buildings will be inspected to meet Health and Safety standards and should allow people with disabilities to participate as much as possible. Deacons should undertake a regular audit of their buildings in order to ensure that premises enable the church to carry out its duties under the Disability Discrimination Acts of 1995 and 2005. Issues of access, visibility, audibility and toilet facilities are among the items that should be addressed.

Good Practice 2 - Prevention of abuse in the church

Prevention is best achieved by both the careful training of members and the provision of supervision and mentoring for all those working with vulnerable people. Members need to understand that they hold a position of power and influence even if they do not feel that that is the case.

Prevention can be particularly difficult with those who may be vulnerable, because of the range of people who are in contact with them and the variety of ways in which churches and others try to be of help or befriend people who otherwise would be isolated. The desire to provide a safe environment should not get in the way of allowing people to develop their own friendships and contacts – some of which may be felt to be risky. If people are working together in groups this can be one way in which harmful behaviours can be prevented.

This is not, however always the case and there have been many instances of a culture of abusive behaviour or attitudes developing in organizations or amongst groups of workers. Risks are increased when people have individual contact with those who are vulnerable. Regular worship in church should take account of the wide range of requirements of any congregation. As well as the church building offering full accessibility for people with mobility challenges, it is also important to cater for the requirements of other disabled people. All those involved in pastoral ministry, whether paid or unpaid, minister or lay, should be working within this or a similar set of guidelines. Following such guidelines should not only protect vulnerable people but also ensure that workers are not wrongly accused of abuse or misconduct.

Good Practice 3 - Pastoral relationships

Exercising any kind of ministry involves workers developing an understanding of themselves and how they relate to others, how they increase the well-being of others and how they ensure their own well-being and safety. People in positions of trust necessarily have power, although this may not be apparent to them, therefore respecting professional boundaries is particularly important.

Many pastoral relationships can become intertwined with friendships and social contacts, making this guidance even more necessary.

- Church workers should exercise particular care when ministering to persons with whom they have a close personal friendship or family relationship.
- Church workers should be aware of the dangers of dependency in pastoral and professional relationships and seek advice or supervision when these concerns arise.
- Church workers who exercise a healing ministry should be trained in the theology and non-intrusive practice of that work.
- Church workers should recognize their limits and not undertake any ministry that is beyond their competence or role (e.g. therapeutic counselling, deliverance ministry, counselling victims of abuse and domestic violence, or their perpetrators, or giving legal advice). In such instances the person should be referred to another person or agency with appropriate expertise.
- Church workers should avoid behaviour that could give the impression of inappropriate favouritism or the encouragement of inappropriate special relationships.
- Church workers should treat those with whom they minister or visit with respect, encouraging self-determination, independence and choice.
- Care should be taken when helping with physical needs, washing and toileting, always respecting the choices of the individual concerned.
- Pastoral relationships may develop into romantic attachments and such situations should be handled sensitively. Workers need to recognize such a development and make it clear to both the person concerned and a supervisor or colleague. Alternative arrangements should be made for the ongoing pastoral care of the person concerned.
- Church workers should not undertake any pastoral ministry while they are under the influence of drink or non-prescribed drugs.

Good Practice 4 - Conversations and interviews in a ministry context

Formal interviews and informal conversations in a ministry context are pastoral encounters. Church workers should be aware of their language and behaviour. For example, innuendoes or compliments of a sexual nature are always inappropriate. When a person asks questions or seeks advice around topics of a sexual nature, the worker should be discerning about the motives and needs of the person and question their own ability to assist.

The church worker should consider in advance:

- The place of the meeting, arrangement of the furniture and lighting, the worker's dress.
- The balance of privacy for conversation with the opportunity for supervision (open doors or windows in doors, another person nearby).
- The physical distance between people determined by hospitality and respect.

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- Being aware that someone may have suffered abuse or harassment in the past.
- Whether the circumstances suggest a professional or social interaction.
- The propriety or danger of visiting or being visited alone, especially in the evening.
- The personal safety and comfort of all participants.
- Establishing at the outset the nature of the interview in respect to subject matter, confidentiality and duration.
- The appropriateness of initiating or receiving any physical contact, for example gestures of comfort, which may be unwanted or misinterpreted.

Church workers should consider keeping a daily record of pastoral encounters to include date, time, place, subject and actions to be taken. The content of any encounter should only be recorded with the person's consent unless it is a matter of child protection or might be a record of suspicion of abuse or mistreatment.

- Any record should be factual and avoid rumour or opinion.
- Records concerned with abuse should be kept indefinitely (at least 50 years).
- The publishing, sharing or keeping of personal data or images should follow the appropriate legislation.

Good Practice 5 - Sexual conduct

The sexual conduct of church workers may have an impact on their ministry within the Church. It is never appropriate for workers to take advantage of their role and engage in sexual activity with anyone with whom they have a pastoral relationship.

Workers should be aware of the power imbalance inherent in pastoral relationships.

- Church workers must not sexually abuse an adult or a child.
- Church workers must take responsibility for their words and actions if wishing to make physical contact with another adult (e.g. a hug may be misunderstood) or talk to them about sexual matters. This will include seeking permission, respecting the person's wishes, noticing and responding to non-verbal communication, refraining from such conduct if in doubt about the person's wishes.
- Church workers should follow the Church's discipline on sexual matters.
- Church workers must not view, possess or distribute sexual images of children and should refrain from viewing, possessing or distributing sexually exploitative images of adults.
- Church workers should avoid situations where they feel vulnerable to temptation or where their conduct may be misinterpreted.

Good Practice 6 - Financial integrity

Financial dealings can have an impact on the church and the community and must always be handled with integrity. Those with authority for such matters should maintain proper systems and not delegate that responsibility to anyone else.

- Church workers should not seek personal financial gain from their position beyond their salary or recognized allowances.
- Church workers should not be influenced by offers of money.

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- Church workers should ensure that church and personal finances are kept apart and should avoid any conflict of interest.
- Money received by the church should be handled by two unrelated lay people.
- Any gifts received should be disclosed to a minister and deacon where it should be decided whether they could be accepted.
- Care should be taken not to canvass for church donations from those who may be vulnerable, e.g. the recently bereaved.
- Loans and financial gifts should not be made without the agreement of the minister and deacons.

Good Practice 7 - Behaviour outside work and Christian ministry

In church ministry behaviour outside work can often impinge on that ministry. Church workers are expected to uphold Christian values throughout their lives.

Procedure 1 Recruitment of paid employees and volunteers

P1.1 Introduction

This procedure concerns the safe recruitment of paid employees and volunteers who are to work with those who may be vulnerable (including vetting by the DBS).

1. The Church should agree on ways in which new employees and volunteers who are to work with vulnerable people will be recruited and appointed, and who will be involved in the process. Agreement should be reached on who will be responsible for taking up references, seeking a confidential declaration, and validating the identity of applicants for DBS disclosures; these tasks can be completed by different people.
2. Leaders of groups should inform the person managing recruitment of possible new employees or volunteers at an early stage so that these procedures can be followed.
3. In general people should be involved in the life of the church for at least six months before being asked to help with work with vulnerable people.
4. People may visit groups on an occasional basis where it would be unrealistic to recruit them using this procedure. It is important that they are not made responsible for a group or left in sole charge.
5. Young people between the ages of 14 and 16 assisting as helpers should be treated as 'visitors' to a group; care should be taken to support and supervise these young people.
6. Young people between the ages of 16 and 18 assisting as helpers should be appointed in the same way as adults, but with their parents' permission.

P1.2 Managing the process

1. For any position, draw up a job description, which will include a statement of the tasks and responsibilities and to whom the person will be accountable.
2. Decide whether or not any new appointment requires a disclosure from the DBS. For disclosures at the standard or enhanced level there must be an expectation that the role will include regular contact with children or with vulnerable adults complying with the DBS definition, see below.
3. Ask all applicants to fill in an application form, which should include information about the policies required by the DBS. These policies should be made available to the applicant on request. The form will enable applicants to show their qualifications and experience for the tasks or position offered.
4. Seek two references including at least one that can comment on a person's suitability to work with either vulnerable people. If possible, ensure that one reference is from outside the present congregation. Obtain a reference from the minister of any previous church.
5. Interview the candidates. Interviews for volunteers are likely to be relatively informal but still need to ensure that the volunteer and the task are compatible and that the volunteer has the necessary skills to carry it out.
6. Ask each successful applicant to complete a confidential self-declaration form. This gives the individual the opportunity to declare any convictions or allegations at an early stage. It should be made clear to the applicant to whom the form should be returned and who will see any confidential information it contains. Information contained on a declaration should be discussed with the church deacons responsible for vulnerable people. The manager of the recruitment procedure should be informed when a satisfactory confidential declaration has

been obtained.

7. Complete the DBS process if applicable to the post. HEBA will have detailed procedures for this procedure.
8. If applicants have lived outside the UK it is the responsibility of the church to satisfy themselves through references or equivalent DBS procedures that they are suitable people to be appointed.
9. Once all the checks have been completed and the person is appointed, any contract, probationary period or commissioning should be agreed. The person appointed should be asked to adhere to any HEBA policy for the protection of vulnerable people, including a code of conduct. Post holders should be offered training and support to carry out their tasks.

P1.3 Criminal Records Bureau definition of a vulnerable adult

The DBS defines a vulnerable adult as:

A person aged eighteen or over who receives services of a type listed in paragraph 1) below and in consequence of a condition of a type listed in paragraph 2) below, has a disability of a type listed in 3) below:

- 1) The services are:
 - Accommodation and nursing or personal care in a care home.
 - Personal care or support to live independently in his or her own home.
 - Any services provided by an independent hospital, independent clinic, independent medical agency or National Health Service body.
 - Social care services, or any services provided in an establishment catering for a person with learning disabilities.
- 2) The conditions are:
 - A learning or physical disability.
 - A physical or mental illness, chronic or otherwise including an addiction to alcohol or drugs, or a reduction in physical or mental capacity.
- 3) The disabilities are:
 - A dependency upon others in the performance of, or a requirement for assistance in the performance of basic physical functions.
 - Severe impairment in the ability to communicate with others, or Impairment in a person's ability to protect him/herself from assault, abuse or neglect.
 - Those who regularly care for, train, supervise or are in sole charge of vulnerable people as described by the above definition are the only ones who should obtain a DBS enhanced disclosure.

P1.4 Confidential declaration form

This should be completed by those wishing to work with vulnerable people. The Confidential Declaration form applies to workers who are likely to be in regular contact with vulnerable people. This form is strictly confidential and, except under compulsion of law, will be seen only by those responsible for the appointment and, when appropriate, the HEBA's adviser for vulnerable people. All forms will be kept securely under the terms of the Data Protection Act 1998.

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If you answer yes to any question, please give details, on a separate sheet if necessary, giving the number of the question you are answering.

1. Have you ever been convicted of a criminal offence (including any spent convictions under the Rehabilitation of Offenders Act 1974)?

YES ! NO !

Note: Declare all convictions, cautions, warnings or reprimands however old or whether you are at present under investigation by the police. Motoring offences that cannot be dealt with by a prison sentence need not be declared. Posts where the person is working or coming into regular contact with children or vulnerable adults are exempt from the 'Rehabilitation Act 1974'. Convictions obtained abroad must be declared as well as those from the UK.

2. Have you ever been cautioned by the police, given a reprimand or warning or bound over to keep the peace?

YES ! NO !

3. Are you at present under investigation by the police or an employer for any offence?

YES ! NO !

4. Has your name been placed on the Protection of Children Act (POCA), List 99 or the Protection of Vulnerable Adults List (POVA), barring you from work with children or vulnerable people?

YES ! NO !

5. Have you ever been found by a court exercising civil jurisdiction (including matrimonial or family jurisdiction) to have caused significant harm* to a child or vulnerable adult, or has any such court made an order against you on the basis of any finding or allegation that any child or vulnerable adult was at risk of significant harm from you?

YES ! NO !

Note: Declare any finding of fact by a civil court that your actions have significantly harmed a child or vulnerable adult. Declare any court orders made on this basis.

6. Has your conduct ever caused or been likely to cause significant harm to a child or vulnerable adult, or put a child or vulnerable adult at risk of significant harm?

YES ! NO !

Note: Make any statement you wish regarding any incident you wish to declare.

7. To your knowledge, has it ever been alleged that your conduct has resulted in any of those things?

YES ! NO !

If yes, please give details, including the date(s) and nature of the conduct, or alleged conduct, and whether you were dismissed, disciplined, moved to other work or resigned from any paid or voluntary work as a result.

Note: Declare any complaints or allegations made against you, however long ago, that you have significantly harmed a child, young person or vulnerable adult. Any allegation or complaint investigated by the police, Children's Services, an employer or voluntary body must be declared. Checks will be made with the relevant authorities.

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8. Has a child in your care or for whom you have or had parental responsibility ever been removed from your care, been placed on the Child Protection Register or been the subject of a care order, a supervision order, a child assessment order or an emergency protection order under the Children Act 1989, or a similar order under other legislation?

YES ! NO !

Note: All these matters will be checked with the relevant authorities.

9. Have you any health problem(s), which might affect your work with children or vulnerable adults?

YES ! NO !

Note: Declare in confidence any health issues that may affect your ability to work with children or adults. This question is primarily intended to help you if you subsequently need to withdraw from work e.g. because of a recurring health issue.

* Significant harm involves serious ill-treatment of any kind including neglect, physical, emotional or sexual abuse, or impairment of physical or mental health development. It will also include matters such as a sexual relationship with a young person or adult for whom you had pastoral responsibility.

Declaration

I declare that the above information (and that on the attached sheets **) is accurate and complete to the best of my knowledge.

Signed

Full name

Date

Date of Birth

Address

.....

** Please delete if not applicable. Please return completed form to:

Before an appointment can be confirmed applicants may be required to provide an enhanced/standard disclosure from the Criminal Records Bureau – see minister for details.

All information declared on this form will be carefully assessed to decide whether it is relevant to the post applied for and will only be used for the purpose of safeguarding vulnerable adults.

Procedure 2 Reporting mistreatment

Many ministers and lay people will visit vulnerable people. If they suspect that someone is being mistreated in some way, they should always take responsibility for doing something about their concerns. Some vulnerable people will find it difficult to disclose abuse and may need help to tell their story to someone they trust. An independent interpreter should be used if there is any kind of communication challenge. Careful listening is most important, without 'leading' someone with suggestions or 'closed' questions that may confuse the story. If someone discloses abuse it is important to receive the information without making a judgement or making a comment that may lead the individual to believe his or her word is doubted.

Talking to a minister, social responsibility adviser, senior member of a voluntary organization or the social or health care services may help to clarify the issues. A referral to the local authority may be necessary. Under no circumstances should anything be done that might be construed as an investigation of the allegation, as action of this nature may contaminate evidence should a formal investigation by either the police or local authority be instigated. Many vulnerable people rely on their carers for support, shelter and care and therefore the reporting of mistreatment needs to be undertaken with sensitivity.

The government guidance No Secrets places on local authorities the responsibility to provide a structure for the investigation of harm to vulnerable people. It is therefore important that serious concerns are referred to the designated person in the Adult Services Department (or similar) of the local authority.

P2.1 What degree of abuse justifies referral to the local authority?

When deciding whether a referral is necessary it is helpful to consider the concept of 'significant harm' introduced in the Children Act 1989, which provides the threshold for the state to intervene to investigate possible abuse. The Act states that harm should be taken to include not only ill treatment (including sexual abuse and forms of ill treatment which are not physical), but also the impairment of, or an avoidable deterioration in, physical, intellectual, emotional, social or behavioural development.

In assessing the seriousness of abuse the following factors need to be considered:

- The vulnerability of the individual.
- The nature and extent of the abuse.
- The intent of the alleged offender.
- The length of time it has been occurring.
- The impact on the individual.
- The risk of repeated or increasingly serious acts involving this or other vulnerable adults.

P2.2 Allegations against church workers

Church workers themselves may be suspected of mistreatment of an adult or another worker. Workers may not be following a code of conduct for church workers. (If the alleged abuse or mistreatment is of a child under the age of 18 years the procedures set out in Protecting all God's children must be followed.) If the abuse of adult appears to be a criminal offence the police must be informed and a referral must be made to the local authority. Consideration should be given to

whether the worker should be suspended during any investigation.

With less serious matters such as inappropriate behaviour or attitude not amounting to abuse, the worker's immediate superior should approach the worker and discuss the concern with them with the aim of identifying ways of improving the situation. The worker should be informed that disciplinary proceedings might be brought if there is no improvement. People suffering from mistreatment may wish to make a complaint. A complaints procedure is provided in Procedure 4.

Record keeping - It is recognized that people may not make a complaint about abuse until many years after the event. It is therefore important in all circumstances where it has been considered that abuse might have taken place to make careful, factual records. It is recommended that records containing issues of child or adult abuse should be held for a minimum of 50 years. The people involved in such records should be informed that a record is being kept and if possible all parties should agree the record.

Duty of care and insurance advice - All church legal bodies have a duty of care towards those to whom they minister. BU and HEBA good practice guidelines and the procedures in this document should be followed to ensure that insurance cover is maintained. The insurers should be contacted as soon as it is clear that a claim may be made against the church.

P2.3 Matters to consider following an investigation

An investigation into harm of an adult may result in a criminal conviction, disciplinary penalties, dismissal or resignation from a voluntary or paid position. Support of all concerned will need to be continued throughout the incident. Sometimes in less serious cases the person concerned will need appropriate training and extra supervision in order to be able to continue in their position.

Any abuse within the Church also creates second-order victims, those who experience a betrayal of the trust they have placed in those holding office of any kind. Members of congregations can, for example, feel let down and hurt when one of their leaders offends. Special care is required when a congregation is recovering from the effects of disclosure of abuse.

Great care will need to be taken if a person convicted of any relevant offence wishes to be employed or redeployed in a position working with vulnerable adults. HEBA procedures to deal with blemished DBS disclosures should be used to assess any relevance or risk.

Procedure 3 Ministering to known offenders

Recent research has shown that a disproportionately large number of convicted offenders against children and vulnerable people attend churches. The figures range from 25 per cent upwards. It is therefore possible for many congregations to have offenders amongst their worshippers, some of whom will be known. Not all will have committed sexual offences; some will have been guilty of neglect, physical or emotional abuse. The Church's duty to minister to all imposes a particular responsibility to such people. This must not however compromise the safety of children and those adults who may be vulnerable.

Where an offender is known, befriended and helped by a group of volunteers to lead a fulfilled life without direct contact with children or vulnerable adults the chances of re-offending are diminished and the Church has thus an important role in preventing abuse. When it is known that a member of the congregation has been accused or convicted of abusing children, young or vulnerable people the HEBA person designated to give advice on vulnerable people must be consulted, so that a safe course of action can be agreed.

Because of the compulsive nature of sexual abuse it is expected that an agreement will be entered into with the offender. A frank discussion should be held with the offender, explaining that a small group from the congregation will need to know the facts in order to create a safe place for him or her. If possible the membership of the group should be agreed. Those needing to know are likely to include the minister, child protection or vulnerable person's coordinator and any befriending volunteers. Anybody coordinating activities for vulnerable groups will need to be informed so that they do not inadvertently ask the person to volunteer.

Consider whether, with the offender's agreement, the congregation should be told. It must be made clear that no one else should be informed of the facts without the offender's knowledge. The highest levels of confidentiality should be maintained. The group should offer support and friendship as well as supervision. They should endeavour to keep channels of communication open. It will be necessary to establish clear boundaries for both the protection of the vulnerable people and to lessen the possibility of the adult being wrongly accused of abuse.

- Prepare an agreement which includes:
 - attending designated meetings only.
 - sitting apart from children or vulnerable people.
 - staying away from areas of the building where vulnerable groups meet.
 - attending a house group where there are no children or vulnerable people.
 - declining hospitality where there are children or vulnerable people.
 - never being alone with or working with children or vulnerable people.
- Ask the offender to sign the agreement.
- Enforce the agreement – do not allow manipulation.
- Provide close support and pastoral care.
- Review the agreement at regular intervals.

Ban the offender from church if the agreement is broken and inform other churches. In some cases offences only come to light after many years. In such situations great sensitivity will be required. However, it must be remembered that there may still be a risk to children or vulnerable people.

Procedure 4 Handling complaints against church workers

The cost to someone of making a complaint may be very high. It is important, therefore, that the church takes complaints very seriously. Complaints should be dealt with promptly and transparently. Careful records should be kept.

P4.1 Informal mediation

Experience has shown that many concerns can be resolved informally and locally. Such a situation might involve the person making the allegations discussing their concerns with a line manager, a minister or someone else in a position of authority, for example a deacon. The informal route should always be tried first.

At this early stage it will be important for someone to listen carefully to the complainant to determine how he or she wishes to proceed. It will also be important to try to ascertain whether a criminal offence has been committed. If an offence is suspected the complainant should be given the opportunity to make a statement to the police. If it appears that a criminal offence might have been committed the alleged offender should not be spoken to without police agreement.

P4.2 Employees

Since 1 October 2004, employers have been required by law to comply with minimum dismissal and disciplinary procedures, which in most cases will involve a three-stage process:

1. The employer notifies the employee in writing of the alleged disciplinary matter and invites the employee to attend a meeting. The employee must be told the basis of the complaint and given a reasonable time to respond, and no action (except suspension) may be taken until the meeting has been held.
2. The employee must take all reasonable steps to attend the meeting, at which he or she is entitled to be accompanied. The employer must notify the employee of the decision taken and of the right to appeal.
3. If the employee notifies the employer that he or she wishes to appeal, a further meeting must be held, but any disciplinary action does not have to be postponed in the meantime. The employee must take all reasonable steps to attend the appeal meeting and is, again, entitled to be accompanied. The employer must notify the employee of the decision made.

It is essential that these procedures be followed, as failure to do so will automatically render any dismissal unfair if a claim is brought in an employment tribunal. HEBA should be consulted.

P4.3 Volunteers

When an allegation is made against a volunteer it may be possible to resolve the concern informally, if it is not of a serious nature. For complaints of more substance, it is essential to follow the procedure for employees set out above. However, if a complaint is referred to the local authority or the police, the volunteer shall be suspended from duty until the outcome of those investigations is known. If the investigations are inconclusive or if concerns remain, the minister and deacons will need to decide whether the suspension should be lifted, and, if so, on what conditions. HEBA should be consulted.

Appendix 1 Confidentiality and information sharing

A1.1 General duty of confidentiality

Both the law and sound morals impose a general duty not to pass on information which has been received in the clear expectation that it will be treated as confidential. That duty is not absolute, however, and the courts will not intervene to restrain disclosure where (a) the information relates to a crime or other serious misconduct and (b) disclosure is in the public interest. Thus, where a vulnerable person is judged to be at risk of significant harm or an adult is likely to harm themselves or others, usually it will be legally possible, appropriate and highly desirable to disclose relevant information to the public authorities for the sake of protecting that vulnerable person.

If such information has been received in confidence, the person giving the information should in the first instance be encouraged to disclose it to the authorities him or herself. Alternatively, the person receiving the disclosure should ask permission to pass the information on. If this request is denied it might still be possible to pass the information to a statutory body. Government guidance relating to child protection issued in 2003 gives helpful advice, which is also relevant in the context of the protection of vulnerable adults. The law recognises that disclosure of confidential information without consent or a court order may be justified in the public interest to prevent harm to others.

The key factor in deciding whether to disclose confidential information is proportionality: is the proposed disclosure a proportionate response to the need to protect the welfare of the vulnerable adult? The amount of confidential information disclosed, and the number of people to whom it is disclosed, should be no more than is strictly necessary to meet the public interest in protecting the health and well-being of a vulnerable adult. The more sensitive the information is, the greater the focus need must be to justify disclosure and the greater the need to ensure that only those professionals who have to be informed receive the material.

A1.2 Relevant legislation

Legislation designed to safeguard the private lives of individuals has been framed to take account of the overriding need to protect the wider community against crime and serious misconduct. Nevertheless, it is important to be aware of the legal obligations which apply to those who hold sensitive information about others.

A1.3 Data protection

Information which relates to an individual's physical or mental health, sexual life or to the commission or alleged commission of an offence is treated as sensitive personal data for the purposes of the Data Protection Act 1998. The Act restricts the use of such information, including its disclosure to third parties, without the explicit consent of the individual concerned. This presents particular difficulties where a vulnerable person is unable to give such consent by reason of mental or physical impairment. However, there is a useful provision which permits the processing of sensitive personal data where the individual cannot give consent, providing that the processing is necessary for the provision of confidential counselling, advice, support or any other service. There is also an exemption that permits disclosure of personal information to the police where that disclosure is made for the purposes of preventing or detecting crime.

Appendix 2 What is mistreatment, abuse or harm?

Mistreatment is defined in No Secrets as ‘a violation of an individual’s human and civil rights by any other person or persons’. It is any misuse of a pastoral or managerial relationship, from the most serious to less severe behaviour, which lies at its root. Mistreatment covers abuse, bullying and harassment. These categories are not watertight and can merge into one another. Harm is what results from mistreatment or abuse.

Abuse may be perpetrated by an individual or a group. It may be accepted or exacerbated by the culture of an institution, in which case it is described as institutional abuse. Abuse concerns the misuse of power where control and/or authority can manifest as a criminal offence. Harassment, bullying and exploitation, discrimination and oppression are other types of behaviour which are not acceptable within church ministry. Abuse can take place in the person’s home, day centre, family home, community setting and in public places (including churches and ancillary buildings).

Domestic abuse is widespread in our society and the Church needs to respond supportively to those experiencing such abuse. A carer might be being physically or emotionally harmed by the person they are looking after.

All those who work in regular, face-to-face contact or have responsibilities for adults or are in positions of trust should be aware of the potential for the misuse and abuse of power. Training in good practice and awareness of adult abuse and the proper recruitment of those who work in any recognized ministry on behalf of the Church is therefore essential.

The possibility of vulnerable people being harmed is not confined to their lives outside of the Church. Church workers need to be vigilant to protect vulnerable people from harm whilst they are attending worship or other meetings or activities or being visited by someone from the congregation. There is a specific range of issues that need to be addressed about church buildings, to ensure they are safe and accessible. In addition the Church has a responsibility and duty of care to ensure that all those who are closely involved with vulnerable people are behaving in safe and appropriate ways. Of course many people will be good friends of people who have impairments – it is not appropriate to try to ‘legislate’ their friendship, only their responsibilities when acting on behalf of the Church. All church workers have a responsibility to treat all those they minister to with respect.

A2.1 Why does mistreatment or abuse happen?

Abuse occurs for many reasons and the causes are not fully understood. The following risk factors have been identified as being associated with physical and psychological abuse (one or more may be present in any abusive situation):

- Social isolation – as those who are abused usually have fewer social contacts than those who are not abused.
- There is a history of a poor-quality long-term relationship between the abused and the abuser.
- A pattern of family violence exists. The person who abuses may have been abused when younger.
- The person who abuses is dependent upon the person they abuse for accommodation, financial or emotional support.
- The person who abuses has a history of mental health problems or a personality disorder or a

substance addiction.

- In care settings abuse may be a symptom of a poorly run establishment. It appears that it is most likely to occur when staff are inadequately trained, poorly supervised, have little support from management or work in isolation.

A2.2 Different forms of abuse

A2.2.1 Spiritual aspects of abuse

Churches need to be sensitive so that they do not, in their pastoral care, attempt to ‘force’ religious values or ideas onto people, particularly those who may be vulnerable to such practices. Within faith communities harm can be caused by the inappropriate use of religious belief or practice; this can include the misuse of the authority of leadership or penitential discipline, oppressive teaching, or intrusive healing and deliverance ministries, which may result in vulnerable people experiencing physical, emotional or sexual harm. If such inappropriate behaviour becomes harmful it should be referred for investigation in the usual way. Careful supervision and mentoring of those entrusted with the pastoral care of adults should help to prevent harm occurring in this way. Other forms of spiritual abuse include the denial to vulnerable people of the right to faith or the opportunity to grow in the knowledge and love of God.

A2.2.2 Physical abuse

The ill-treatment of an adult, which may or may not cause physical injury, is regarded as physical abuse. Instances might include hitting, slapping, pushing, kicking, inappropriate restraint, withholding or misuse of medication, squeezing, biting, suffocating, poisoning, drowning or killing. It could include racially or religiously motivated attacks.

A requirement for someone to work in an unsafe environment can be construed as physical abuse. Possible indicators of physical abuse:

- Cuts, lacerations, puncture wounds, open wounds, bruising, welts, discolouration, black eyes, burns, broken bones and skull fractures; untreated injuries in various stages of healing or not properly treated.
- Poor skin condition or poor skin hygiene.
- Dehydration and/or malnourishment without an illness-related cause, loss of weight, soiled clothing or bedding.
- Broken eyeglasses or frames, physical signs of being subjected to punishment, or signs of being restrained.
- Inappropriate use of medication, overdosing or under dosing.
- The adult telling you they have been hit, slapped or mistreated.

A2.2.3 Emotional or psychological abuse

The use of threats or fear or the power of the carer’s or other adult’s position to negate the vulnerable person’s independent wishes. Such behaviour can create very real emotional stress. Bullying, sexual and racial harassment would also come into this category if physical harm were not used. It includes lack of privacy or choice, denial of dignity, deprivation of social contact or deliberate isolation, making someone feel worthless, lack of love or affection, threats, verbal abuse, humiliation, blaming, controlling, pressurizing, coercion, fear and ignoring the person.

Other behaviours which may take place within a working relationship include public or unreasonable criticism, insults and shouting, ignoring a person's wishes or point of view, setting unreasonable work targets, removing areas of responsibility, undervaluing a person's efforts. Harassment may include name calling, victimization and ostracism, unwanted sexual attention, stalking, compromising invitations or gifts, the display of images that are racially or sexually offensive, the suggestion that sexual favours might further promotion prospects.

Possible indicators of emotional / psychological abuse:

- Feelings of helplessness.
- Hesitation in talking openly.
- Implausible stories.
- Confusion or disorientation.
- Anger without an apparent cause.
- Sudden changes in behavior.
- The person becoming emotionally upset or agitated.
- Unusual behaviour (sucking, biting or rocking).
- Unexplained fear.
- Denial of a situation.
- The person becoming extremely withdrawn and non-communicative or non-responsive.
- The adult telling you they are being verbally or emotionally abused.

A2.2.4 Financial or legal abuse

The wilful extortion or manipulation of the vulnerable person's legal or civil rights must be construed as abuse. Such activity may include misappropriation of monies or goods, the misuse of finances, property or possessions, or withholding money, the exploitation of a person's resources or embezzlement. Such abuse may involve the use of a position of authority or friendship to persuade a person to make gifts, to leave legacies or change a will.

Possible indicators of financial abuse:

- Signatures on cheques etc. that do not resemble the adult's signature or which are signed when the adult cannot write.
- Any sudden changes in bank accounts including unexplained withdrawals of large sums of money.
- The inclusion of additional names on an adult's bank account.
- Abrupt changes to or creation of wills.
- The sudden appearance of previously uninvolved relatives claiming their rights to a vulnerable person's affairs or possessions.
- The unexplained sudden transfer of assets to a family member or someone outside the family.
- Numerous unpaid bills, overdue rent, when someone is supposed to be paying the bills for the vulnerable person.
- Unusual concern from someone that an excessive amount of money is being expended on the care of the vulnerable person.
- Lack of amenities, such as TV, personal grooming items, appropriate clothing, that the vulnerable person should be able to afford.
- The unexplained disappearance of funds or valuable possessions such as art, silverware or

jewellery.

- Deliberate isolation of a vulnerable person from friends and family resulting in the caregiver alone having total control.

A2.2.5 Neglect

Neglectful behaviour is any pattern of activity by another person, which seriously impairs an individual. Neglect can include: failure to intervene in situations where there is danger to a vulnerable person or to others, particularly when a person lacks the mental capacity to assess risk, not giving personal care, deliberately withholding visual or hearing aids, withholding food, drink, light and clothing, restricting access to medical services, denying social, religious or cultural contacts, denying contact with family, lack of appropriate supervision.

Possible indicators of neglect:

- Dirt, faecal or urine smell, or other health and safety hazards in the vulnerable person's living environment.
- Rashes, sores, lice on the vulnerable person.
- Inadequate clothing.
- Untreated medical condition.
- Poor personal hygiene.
- Over or under medication.
- Lack of assistance with eating or drinking.
- Unsanitary and unclean conditions.

A2.2.6 Sexual abuse

A sexual act carried out without the informed consent of the other individual is abuse. Such behaviour includes contact and non-contact abuse. The issue of informed consent is a fraught one and would need to be carefully investigated.

No one should enter into a sexual relationship with someone for whom they have pastoral responsibility or have a position of trust. Non-contact abuse may include sexual remarks and suggestions, introduction to indecent material, indecent exposure. Contact abuse may include rape, indecent assault, being forced to touch another person, sexual intercourse or being pressurized into consenting to sexual acts.

Possible indicators of sexual abuse:

- Bruises around the breasts or genital areas.
- Unexplained venereal disease or genital infections.
- Unexplained vaginal or anal bleeding.
- Torn, stained or bloody underclothing.
- The vulnerable person telling you they have been sexually assaulted or raped.

A2.2.7 Other indications that abuse may be occurring:

- The vulnerable person may not be allowed to speak for themselves, or see others, without the caregiver (suspected abuser) being present.

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- Attitudes of indifference or anger towards the vulnerable person.
- Family member or caregiver blames the vulnerable person (e.g. accusation that incontinence is a deliberate act).
- Aggressive behaviour (including threats and insults) by the carer towards the vulnerable adult.
- Previous history of abuse of others on the part of the caregiver.
- Inappropriate display of affection by the caregiver.
- Flirtations, coyness, etc., which might be possible indicators of an inappropriate sexual relationship.
- Social isolation of the family or restriction of activity of the vulnerable person by the caregiver.
- Conflicting accounts of incidents by the family, supporters or the vulnerable person.
- Inappropriate or unwarranted defensiveness by the caregiver.
- Indications of unusual confinement (closed off in a room, tied to furniture, change in routine or activity).
- Obvious absence of assistance or attendance.