

## Chapter 1—Safeguarding values, policy and roles within the Church

We have put in place the following recommended structures, roles and responsibilities to ensure the Church can deliver on its responsibilities and duties in relation to Safeguarding.

### Safeguarding values and policy

Values are the things that we hold dear or believe to be right and which govern our actions.

#### OUR VALUES

##### GRACE

Acting with humility in all our endeavours.

##### INTEGRITY

Acting with honesty, responsibility and accountability.

##### RESPECT

Valuing others, ensuring inclusiveness and equality.

##### PROFESSIONALISM

Demonstrating commitment and striving for excellence.

##### COLLABORATION

Working together to connect and communicate in an open and transparent environment.

##### INNOVATION

Thinking creatively about building for the future and embracing change.

In addition to embracing the shared values listed above, the Safeguarding Service will also work to embed our practice to reflect that:

**The love of Christ** compels us to care and protect those who are vulnerable in the Church and society.

**Our priority** is Safeguarding children and adults at risk of harm known to the Church and those who have experienced historic or non-recent abuse.

**Acting in the best interest of the person** affected by harm or abuse is paramount.

**There is zero tolerance** for any type or level of harm to people known to the Church or using Church services.

**We have a duty to protect people** as well as a duty of care.

**Immediate reporting** is essential if you suspect or witness harm or it is reported to you. This should be reported to your Safeguarding Coordinator and/or your line manager.

**Safeguarding is a multi-agency activity.** The Church of Scotland will ensure that the social work department, police, health and third sector organisations are involved, as appropriate, when harm is witnessed, suspected or reported.

**Communication and information sharing** are essential within the Church of Scotland and with other agencies to promote joint decision making.

The duty to protect takes precedence over individual confidentiality if they or others are at risk of harm or have been harmed. **Information sharing will be proportionate and shared only with those that need to know.** The person will be advised before information is shared unless to do so will place others at risk of harm.

**For adults at risk of harm – balancing risks and rights.** We recognise the balance between the duty to protect and the right of the adult who has capacity to make decisions to choose to live in a situation that puts them at risk of harm. We will work with them to ensure that such risks are understood and minimised. Risk taking, with appropriate support, can be positive and life-enhancing.

Any Safeguarding intervention must be the **minimum necessary and proportionate** to the risk of abuse or harm.

## The Church of Scotland Safeguarding Policy Statement

*Ensuring a safe Church for all*

*The Church of Scotland has a deep concern for the wholeness and wellbeing of each individual.*

*Through its Congregations, working together with the Safeguarding Service and statutory agencies, the Church seeks to safeguarding the welfare of all people who come into contact with the Church and its services.*

*The Gospel proclaims that it's the responsibility of everyone within the fellowship of the Church to prevent harm, be it physical, sexual or emotional, and we will always seek to reduce risk.*

*The Church's commitment to safeguarding reminds us that God cares passionately about the welfare and wellbeing of all people.*

The Church of Scotland policy statement must be displayed in the church.

[A printable PDF version is available for download.](#)

## Preventing harm and abuse

The Safeguarding Service aims to prevent harm or abuse by ensuring that there is good recognition and reporting.

The Safeguarding Service provides the following:

**Safeguarding enquiries and advice:** Support and guidance with everyday safeguarding matters where there is not an incident of suspected or reported harm or abuse.

**Advice and support for the safe recruitment and selection of all paid staff and volunteers:** The process of checking a person's suitability to work with children or protected adults via membership of the [Protection of Vulnerable Groups \(Scotland\) Act, 2007](#) – known as the PVG Scheme – or the [Disclosure and Barring Service](#) (DBS) in England.

Safe recruitment is about ensuring that only people suitable to work with children and adults at risk become part of the workforce.

**A Recruitment Sub-Committee (RSC):** The remit of the RSC is to risk assess potential volunteers and paid staff who have convictions on their PVG Scheme Record. This process demonstrates safe recruitment practice and it ensures that those with criminal offences that do not affect their suitability for the particular post can be safely employed.

**Safeguarding training programmes:** the training programmes meet the particular learning needs of different groups of people in the Church e.g., volunteers, paid workers, Trustees, Safeguarding Coordinators, Ministries Council staff and CrossReach employees.

## Responding to disclosures of harm or abuse, or risk of abuse

The Safeguarding Service responds to disclosures in the following ways:

### Managing safeguarding referrals

The service provides verbal and written guidance in situations where harm or abuse is witnessed, suspected or reported to members of the Church and CrossReach Social Care Council services.

The Safeguarding Service also provide this expertise and guidance to the United Reformed Church in Scotland as well as the Boys' Brigade and Girls' Brigade in Scotland.

### Establishing Covenants of Responsibilities

The service advises and works alongside Safeguarding Panels working with those who pose a risk to ensure their safe inclusion in worship.

The Church has a rigorous system of support and monitoring in place based on the use of Covenants of Responsibilities, which are written and regularly reviewed agreements between those who pose a risk and the congregation.

Often, this involves joint working with Criminal Justice Social Work services and/or the police.

For details of how to contact the Safeguarding Service, please see the Contacting the Safeguarding Service section of the handbook introduction.

## The role and responsibility of all workers

Section 16 of the [Church of Scotland Safeguarding Act 2018](#) (As amended) is specific about the responsibilities of all workers when Safeguarding concerns arise i.e.:

16. (1) Every Charge must have a Safeguarding Panel.

(2) If any Safeguarding Concerns arise regarding Workers, such Safeguarding Concerns shall be reported without delay by the Safeguarding Coordinator to the Safeguarding Panel and to the Safeguarding Service. The Safeguarding Service shall, where appropriate, report the matter to Disclosure Scotland.

(3) All Fora, Councils, Committees, Presbyteries and Safeguarding Coordinators have a general responsibility promptly to report any Safeguarding Concerns to the Safeguarding Service.

(4) Advice given by the Safeguarding Service, when framed as an instruction, must be followed by all Employing Agencies and by all Presbyteries, Kirk Sessions, Safeguarding Coordinators, office-holders, staff and volunteers involved in work with Vulnerable Groups.

(5) Fora, Councils, Committees, Presbyteries and Safeguarding Coordinators must report promptly to the Safeguarding Service on action taken after advice from the Service has been given in relation to reports of Safeguarding Concerns.

### **Advice given as an Instruction Section 16 (4)**

After the General Assembly 2022 the Safeguarding Act was amended to include Section 16 (4). This was done in light of the recommendations of the [Investigation Report on Safeguarding in the Church of England and the Church in Wales](#), published by the Independent Inquiry into Child Sexual Abuse in October 2020.

This followed on from an Investigation Report into Case Studies published in May 2019.

Both Reports concluded that the Church of England had not resolved the need for safeguarding to function at a diocesan level with the requirement for sufficient accountability to and oversight from the national safeguarding team to ensure consistency of decision-making; and that it was essential that operational decisions about safeguarding were made by safeguarding professionals, who were best placed to decide what action should be taken to keep children safe.

Noting that clergy had an important role to play in ensuring that safeguarding was a priority which was intrinsic to the beliefs of the Church, it was nevertheless recommended that they should not hold operational responsibility for safeguarding, and that professional safeguarding staff should have the authority to make decisions in respect of key safeguarding tasks, including risk assessments and associated plans.

It was explicitly recommended that “it should be enshrined in policy that those who are volunteers and who do not follow the directions of diocesan Safeguarding officers should be removed from responsibility of working with children”.

The report’s recommendations were welcomed and have been implemented by the Church of England, with policy documents being amended to make compliance with guidance on safeguarding matters compulsory, rather than voluntary.

In light of these authoritative developments in best practice, the Safeguarding Act now provides that, where advice given by the Safeguarding Service in relation to safeguarding concerns is framed as an instruction, this must be followed.

In practice, congregations and CrossReach Services will receive written Confirmation of Safeguarding Advice which will reflect the amendment to the Act.

## **The role and responsibilities of the Presbytery**

The Presbytery is responsible for ensuring that Kirk Sessions adhere to the [Safeguarding Act 2018](#) and implement the Church’s [Safeguarding Policy](#).

The Presbytery is also responsible for ensuring Kirk Sessions adhere to good safeguarding practice through the submission of the [SG11 Safeguarding Audit Checklist](#) and [SG07 Safeguarding Congregational Register](#) via the Annual Attestation of Records.

The Presbytery also has a responsibility to ensure effective communications about Safeguarding matters. Safeguarding should appear as a standing item on one of the Presbytery Committees.

Additionally, Presbyteries are responsible for appointing Safeguarding Trainers and a Safeguarding Presbytery Contact to coordinate safeguarding training. Details of these responsibilities can be found in Chapter 4 of this handbook.

## The role and responsibilities of the Trustees of the Kirk Session

Kirk Sessions are responsible for implementing the instructions of the Church's General Assembly and ensuring that their congregations adhere to them. The detail of these duties and General Assembly Deliverances can be found in the [Safeguarding Act 2018](#), which was accepted by the General Assembly in May 2018.

The Safeguarding Act clarifies what is required of Congregations, Councils and others to ensure that Safeguarding standards are achieved, monitored and reviewed.

The Safeguarding Service also has [written guidance](#) to sit alongside the Act.

In the terms of secular law, the Elders comprising the Kirk Session are Trustees, with all the duties and responsibilities of that role. In other words, they are responsible, amongst other things, for appointing, managing, resourcing, and supporting sufficient numbers of suitable personnel to run the services they wish to provide.

The Kirk Session is, therefore, responsible for any decisions made on its behalf. For example, decisions of the Safeguarding Panel or Safeguarding Coordinator. It is therefore important that the session is aware of their responsibilities in relation to safeguarding and appoint these important roles with care and diligence.

## The role and responsibilities of the Safeguarding Coordinator

All Kirk Sessions must appoint a Safeguarding Coordinator and this must always be formally minuted by the Kirk Session.

Kirk Sessions may wish to recruit and appoint more than one Safeguarding Coordinator. This allows the workload to be shared and also helps to maintain continuity if one of them retires or leaves.

The Safeguarding Coordinator is formally recruited and appointed to act on behalf of (not instead of) their Kirk Session, to help ensure that the Safeguarding Act (that is, the instructions, recommendations and legislation relating to safeguarding practice in the Church) is implemented. See Chapter 3 of this handbook for guidance on the recruitment process.

Kirk Sessions should ensure that the congregation knows who their Safeguarding Coordinator is and what their role is.

The Safeguarding Coordinator should report regularly to the Kirk Session.

Safeguarding should be a standing item on the Kirk Session's agenda.

You will find the full job description for the Safeguarding Coordinator in Appendix 3 of this handbook.

## The role and responsibilities of the Safeguarding Panel

A Safeguarding Panel is a group of at least three people appointed by the Kirk Session to manage Safeguarding matters on its behalf.

The appointment of the Safeguarding Panel should also be minuted and every congregation must have one. The suggested membership of a Panel is:

- The Safeguarding Coordinator
- The minister
- One or two other church members with relevant experience

There should be at least three Safeguarding Panel members but there can be more to include key relevant people.

Occasionally, the minister decides not to be involved in the Safeguarding Panel because it may compromise their pastoral care role.

Many congregations include their Session Clerk as a member of the Safeguarding Panel too.

In practice, Safeguarding Panels meet as and when required. They must be able to meet at short notice when there is a Safeguarding incident.

Safeguarding Panel members require to apply for a Basic Disclosure check and must attend Safeguarding training to equip them with the knowledge and skills for their role. More information on appropriate training can be found in Chapter 3.

The Safeguarding Panel will:

- Assist the Safeguarding Coordinator with managing a safeguarding situation in the congregation. Often this will include taking forward actions recommended by the Safeguarding Service.
- Support the Safeguarding Coordinator with the safe recruitment of volunteers to work with children or adults at risk in congregations
- Consider how to manage a situation where an applicant is not suitable to work with children or protected adults
- Ensure that the congregation complies with Safeguarding policies and the implementation of the [Safeguarding Act 2018](#)
- 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
- Ensure safe arrangements for managing those who pose a risk who wish to attend worship in the congregation. It is recognised that not all individual members of a Safeguarding Panel may feel comfortable with this particular task - it is up to the individual. For more details on the policy and procedures for working with those that pose a risk see Chapter 6 of this handbook.

It is very important that Safeguarding Panels keep a written/electronic record of their decisions, the reasons for those decisions, fact-finding reports and notes of actions taken. These records must be kept in accordance with the [Church of Scotland Data Retention Policy](#).

Records should always be stored in a secure and confidential place. If records are stored electronically then care should be taken to ensure the network is secure and the records are password protected.

In the event of a disclosure or suspicion of abuse, the Safeguarding Panel members must keep the information confidential. This also means that confidential details about concerns of abuse/harm will not be discussed at Kirk Session meetings.

The Safeguarding Service will advise the Safeguarding Coordinator and Safeguarding Panel in relation to information which can/should be shared.

## **The role and responsibilities of the minister**

The Church requires that ministers must:

- Be aware of the Church's Safeguarding policy and procedure and encourage the implementation of it
- Attend an in-service Safeguarding Training Day as a candidate
- Become a member of the PVG Scheme

The minister's role is to help the Kirk Session and Safeguarding Coordinator fulfil their Safeguarding remit and to establish good pastoral practice for the care and support of Church members whose lives are (or have been) affected by harm and/or abuse.

Ministers may also be members of Safeguarding Panels. The decision as to whether an individual minister wants to be a member of a Safeguarding Panel is entirely at their own discretion. However, please consider whether this may present a conflict of interest if the minister is also identified to provide pastoral support to a victim or perpetrator of abuse.

Ministers who have to manage disclosures of abuse (both current and historical) should initially discuss them with their Safeguarding Coordinator and Safeguarding Panel for support and advice.

Similarly, the Safeguarding Service must be contacted.