

Safeguarding Service Speech – General Assembly 2020

Moderator, it gives me great pleasure to address the Assembly regarding the work of the Safeguarding Service. I do not wish to take up any more time than necessary to present our report this year, but I do believe that it is imperative to take this opportunity to pause and remember just how vital the work of the Safeguarding Service is to ensure a safe church for all.

At a time when a great deal of the normal working of the church has paused for the pandemic, the need for a rigorous Safeguarding service still remains. In a world of much change since March of this year, the need for the Safeguarding Service has remained a constant throughout.

In March we reduced our workload to its critical functions, and that largely mirrored the work of Disclosure Scotland until they stopped processing applications. At the beginning of the summer, as Disclosure Scotland returned to business as usual, so, too, did we.

The staff have risen to the challenge of working through the obstacles of working from home and maintaining a cohesion that ensured a continually robust service, responding to the speed with which other partner organisations such as Disclosure Scotland were functioning. I am exceptionally grateful to the whole team of the Safeguarding Service who have worked tirelessly through the restrictions, and we are now at a position where much of what we did pre-pandemic has returned.

Training has presented a significant challenge. At the end of January, Noelle Maye went on maternity leave and Roy Mulvaney was appointed to oversee training. It's always a challenge starting a new job, picking up the way things are done and forging ahead with the work and Roy has to be recognised for the work he has done. At the start, Roy returned to Crossreach to offer his support there but when we returned to normal business, the biggest challenge had to be, "How do we ensure training continues with current restrictions when much of our training is face-to-face, in-person training?" The Training sub-committee is convened by my Vice Convener, Caroline Deerin and Caroline, with Roy and the rest of the Committee, have been actively considering returning to training for congregations and doing so online. It is taking time to adapt, but we are now in a position to take this forward, so please be patient, and watch this space. Roy will be in touch very soon.

For the purposes of the Assembly, we only wish to bring some amendments to the Safeguarding Act, Act 16 of 2018. While they may seem minor, they highlight some of the

issues that have arisen since the Act was passed two years ago. I wish to touch briefly on a couple of areas of these changes.

First, Overseas Mission/Work

The Charity Regulator (OSCR) is very clear about the expectations of charities working overseas, in Scotland or elsewhere in the UK:

“Charities that work with partner organisations both in Scotland, elsewhere in the UK or overseas should make sure that:

- *Those organisations have appropriate safeguarding policies in place for the nature of the work and the area they operate in*
- *That these policies are properly implemented in practice and regularly reviewed*

“Where a charity registered in Scotland supports, or works closely with overseas partners, we will hold the charity to account over the suitability and management of that relationship, including its supervision of safeguarding risks” (OSCR May 2018)

This, for the avoidance of doubt would include working with churches overseas and mission partners.

Safe Recruitment-Overseas work

When the Church sends staff or volunteers to provide care and education, for example, to people in countries outside the UK it should ensure that individuals have a PVG check when that work, if done in Scotland, would be considered to be regulated work.

Similarly, when workers are recruited from abroad to undertake regulated work in Scotland a PVG check is required as are the appropriate police checks from the country where that person has been living. If suitable police checks are not available from countries abroad, consideration should be given to bolstering the recruitment process with appropriate references and other checks. Safe recruitment practices at home and abroad are covered in the Safeguarding Act guidance, which is available on the Church’s public website.

The Oxfam scandal of 2018 highlighted the ability of people who posed a risk to children and young women to move freely without appropriate checks being carried out, and even when concerns were raised about an individual little was done to prevent them from

presenting for work with other agencies. We have a responsibility to play our part in tightening up these processes. The message is clear, when we, or other organisations fall short in measures for safeguarding, and the prevention of abuse, we must humbly learn, change and adapt, to protect those most vulnerable, here in Scotland, and wherever our work and responsibility takes us in this world. That's the bottom line.

Host families/Twinning-individuals and small groups/congregations, Guild etc.

Congregations and agencies of The Church of Scotland develop contacts and run projects and activities that involve children and young people staying with host families.

Some may be known to the Church but others and members of their household might not. Host parents require to be fully recruited, have a job description and have PVG Scheme Membership to work with children through the Church of Scotland. It is mandatory for those doing regulated work to attend safeguarding training. An applicant must not be put in to post until they have been fully recruited and PVG clearance from the Safeguarding Service has been received by the Safeguarding Coordinator. Those over the age of 16 in the household will be required to complete an Enhanced Disclosure application form. Training can be attended but it is not mandatory.

Managing those that pose a risk

To date, risk management in the Church of Scotland has largely focussed on individuals who have been convicted of sexual offences against children and/or vulnerable adults via covenants of responsibility. Robust measures are in place to manage those individuals. However, experience and research tells us that a number of individuals who haven't been convicted of sexual offences but on the 'balance of probability' have demonstrated behaviour that may pose a risk in the church community are more difficult to manage as they do not necessarily fall within the scope of the Safeguarding Act, e.g. when information is known but an investigation has not been undertaken by police due to lack of cooperation from witnesses or lack of credible witnesses.

This is also true of individuals who may pose a risk for reasons other than sexual, e.g. serious acts of violence or longstanding offending history, enduring serious mental health issues, substance misuse issues etc., or any other reason that has been assessed by a Safeguarding professional to be a high-risk situation which requires a risk management plan.

These instances are likely to be the exception rather than the norm, but the amendment to the act will strengthen the Church's capability to effectively manage these situations where a real risk either to the volunteer themselves or the people with whom they work is present.

Another example of where the Safeguarding Act needs some tightening up is where an individual has been struck off a regulatory/professional body register. Currently, we can only manage the risk if the individual is convicted. We wish to extend that to allow risk management at the point where a regulatory body has deemed a person unfit for work due to conduct.

And finally, a plea. Attention to detail is vitally important for a robust Safeguarding Service. Over the years we have been updating our records using SG7 and 11 forms. It is imperative that the responsibility is taken to audit these forms. They are essential to ensure that there is a check and balance in place to understand who in the Church is undertaking regulated work at any given time and that they have been trained appropriately for the role.

At the present time the safeguarding service has a number of business processes in place to ensure that this information is as accurate as it can be. Beyond safeguarding congregation registers, the only central place with a record of who has PVG clearance is the safeguarding service. It is important that congregations check with the service to make sure that both records are accurate prior to submitting their register to Presbytery for attestation of records. The Safeguarding Service is conducting a nationwide audit in preparation for the new Disclosure Bill. We need to endeavor to eliminate inaccuracies in the registers and we need congregations to play their part in preventing any significant inaccuracies in local registers.

The Safeguarding service is committed to ensuring a safe church for all. We all have a part to play in ensuring that this is the case, and I would like to thank all of you for your contribution in making sure that our service remains a robust safeguard against harm. Thank you.

Moderator, I submit the report and I move the deliverance.