

Safeguarding Plans: Management of Risk and Support within the Church

1. Policy Statement

The Catholic Church aims to respect the human dignity and value of all, as we are all created in God's image.

Pastoral support is a right for all members of the Catholic Church in England and Wales¹ and will be extended to any individual who is suspected of causing harm or who has caused harm to a child or adult at risk. Pastoral support will be provided in a way that enables an individual to participate in the life of the Church, whilst keeping others safe through the management of risks. In doing so, the Church seeks to ensure that whilst addressing abusive behaviour and prioritising the safety of others, there is a place for every person within the Church.

Strategies to manage risk broadly rely on:

- External controls which are aimed at reducing triggers to and opportunities for harmful behaviour, for example by restricting access to venues (like Church) or access to potential victims; and
- Internal controls which are strategies that focus more on developing the offender's own ability to avoid and manage risk situations.

Causing harm to those who are vulnerable cannot occur unless the opportunity to do so presents itself or unless the person engineers the circumstances where harm can be caused. Preventative actions, such as the drawing up of a Safeguarding Plan regarding Church attendance, can restrict and block factors that raise risk whilst at the same time enabling somebody to attend Church safely and with support. However, whilst this may be useful in a defined circumstance such as attending Mass, the effectiveness of relying solely on external management to reduce risk cannot be guaranteed.

In addition to imposing restrictions, by supporting people to develop internal strengths and abilities and build a positive identity, individuals can be encouraged and supported in developing protective factors²] that might help them desist³from causing further harm.

Desistance from crime or abusive behaviour is a complex process which in many ways is unique to the individual, in that different people desist for different reasons. However, research into offenders indicates that supporting people to develop and use their internal strengths and abilities (human capital) as well as having access to links with social groups and structures that provide emotional and physical resources (social capital) can support desistance (see Farmer et al (2015)⁴ for further information about desistance).

¹ This includes certain areas outside of England and Wales which are the responsibility of dioceses within England and Wales e.g. the Channel Islands and Isle of Man.

² Protective factors are resources, skills and strengths that help people deal more effectively with situations.

³ Generally defined as permanent or episodic cessation of offending or other antisocial behaviour.

⁴ Understanding Desistance from Sexual Offending: A Thematic Review of Research Findings Farmer, M., McAlinden, A-M., & Maruna, S. (2015). *Probation Journal*, 62(4), 320-35.

Participation in a 'Pro-Social Network'⁵ is one of several strategies identified by experts as developing protective factors and is a measure which is of relevance when considering participation in Church by a person who has engaged in harmful behaviour.

A pro-social network is composed of people who encourage and facilitate pro-social activity. It includes those people with whom the individual has significant contact, who (s)he values and respects, and who will provide him or her with social or practical support without being paid to do so. Obvious examples of this are family members, friends, and acquaintances that (s)he regularly spends time with, but a social network might also be provided by work, or a formal organisation such as a Church or other community organisation. It has been further found that the protective nature is more pronounced if the social group demonstrates a belief in the individual, i.e. that (s)he can turn things around.

Whilst to date there is no research indicating that connections to religion or religious institutions have a direct impact on deterring harmful behaviour, this policy and procedure has been developed from the premise that participation in the life of the Church can support individuals to develop internal strengths and abilities and provide access to a more pro-social environment, which in turn, can contribute to desistance from committing further harm.

2. Application of the Policy and Procedure

When a member of the Clergy or Religious, or a lay person wanting to attend Mass or take part in Church related activities, has had allegations made against them and after investigation concerns remain; where they have been convicted of an offence against a child or adult or where there is no conviction but concerns remain about their conduct towards children or adults, they will be supported to participate in the Church using a Safeguarding Plan.

Where the allegation is shown to have been false, malicious or unsubstantiated and innocence has been clearly established, there should be no requirement to implement a Safeguarding Plan.

The purpose of the Safeguarding Plan is to:

- Minimise potential risks to and protect the interests of alleged victims and their families;
- Ensure that any potential risks to the person concerned or others which are identified by statutory agencies or other processes, are managed;
- Reduce the potential for further concerns or allegations to arise;
- Support and enable a clear and transparent investigation process that cannot be unduly influenced by the person concerned;
- If relevant and necessary, determine what aspects of ministry, office or role the person concerned will be required to withdraw from;
- Identify practical and emotional support for the person concerned including for Clergy and Religious, a suitable place to reside or a suitable community to belong to;
- Identify and agree the roles and responsibilities of identified personnel from within Church and other involved external agencies.

It is recognised that not all the above will apply in every situation.

⁵ At network of people which is positive, helpful, and intended to promote social acceptance and friendship.

By signing and adhering to the Safeguarding Plan, there is not a presumption of guilt on the part of the Archdiocese, Diocese or Religious Congregation.

The Safeguarding Plan must be informed by a process of identifying risks or potential risks. This can be done using the Risk Information Framework⁶ (**Appendix 1: Risk Information Framework**) or, at the discretion of the Safeguarding Coordinator and Safeguarding Commission, using a different method that clearly identifies the areas of risk to others and the subject of the Safeguarding Plan.

The purpose of the Risk Information Framework is to consider holistically, those areas within the person's life that potentially give rise to risk to others and risk to themselves. Identifying these areas should facilitate identification of the actions that need to be taken to both protect others and to support the person concerned to participate in the life of the Church. Where it is considered that the individual requires specialist support or intervention (e.g. mental health, drug and alcohol usage), consideration will be given to the role of external agencies and how to engage them.

The views of the accused person and, where appropriate, the views of the person who has been harmed, made the allegations or raised the concern will be sought and included in the Safeguarding Plan.

3. Procedure - Circumstances for identifying risks and developing a Safeguarding Plan

In each of the circumstances set out below, if a member of the Clergy or Religious, or a lay person intends worshipping within or being an active member of any Church community or setting, a risk identification exercise must be undertaken using the Risk Information Framework or other locally decided method. Where risks or potential risks are identified, a Safeguarding Plan must be developed.

This is not an exhaustive list and other circumstances might arise where it is appropriate to use this process.

Members of the Clergy or Religious:

- When there are significant concerns or allegations which indicate a possible risk of harm to others;
- Where the person concerned is subject to any current investigation (internal or by statutory authorities) or assessment of risk for a safeguarding matter;
- Where the person concerned has been temporarily withdrawn from ministry or their apostolate, pending the conclusion of enquiries into allegations;
- Where post investigation or assessment, no further action is taken by statutory agencies and concerns remain but not such that the person concerned should be dispensed from the obligations of the clerical state or dispensed from vows;
- Where the person concerned is charged with an offence which is not pursued but concerns remain;
- Where the person concerned has been prosecuted but not convicted but concerns remain;

⁶ This is not a comprehensive specialist risk assessment in respect of current or future risk of reoffending or the behaviour reoccurring.

- Where the person concerned has been convicted for offences involving children or adults at risk;
- Where the person concerned has been dispensed from the obligations of the clerical state or dispensed from vows because of safeguarding concerns but wishes to continue to attend Mass, where others might be at risk.

When a member of the Clergy or Religious has returned to the lay state, the policy and procedure for lay persons should be followed.

Lay persons who wish to attend Church/Church related activities:

- If there are significant concerns or allegations which indicate a possible risk of harm to others;
- Where an individual is subject to a current investigation or assessment of risk for a safeguarding matter;
- Where post investigation or assessment, concerns remain;
- Where an individual is charged with an offence which is not pursued but concerns remain;
- Where an individual has been prosecuted but not convicted and concerns remain;
- Where an individual has been convicted of a sexual or violent offence, is released from custody and is planning to worship within a parish or at an identified Church.

4. Risk Information

Risk information must be identified to inform a Safeguarding Plan. The Risk Information Framework is the nationally agreed tool and is intended to be completed by the Safeguarding Coordinator⁷ using information gathered from the person concerned and other available information e.g. specialist assessments, reports, minutes and interviews where it is lawful for the information to be shared and included.

It is recognised that it might not be necessary or appropriate to complete the Risk Information Framework in every case. On a case by case basis, the Safeguarding Coordinator can exercise professional judgement, in consultation with the Commission if necessary, as to whether there is a more appropriate way of recording the risk areas to be addressed in a Safeguarding Plan. If the Risk Information Framework is not used, risks must still be clearly identifiable on case records so that they can be linked to any restrictions or supports identified in the Safeguarding Plan.

Where there are current specialist assessments in existence e.g. those by statutory agencies or other professionals, these should be used to inform the risk identification process and development of the Safeguarding Plan. The appropriateness of inclusion of information from other agencies or individuals should be confirmed with them first.

Using the Risk Information Framework

In circumstances where it is not possible or appropriate to complete the Risk Information Framework with the person concerned, it must include their views and information gathered directly

⁷ Throughout 'Safeguarding Coordinator' refers to those fulfilling this role in both the Religious and diocesan context

from them to the extent to which this is possible. The source of the information recorded is to be noted throughout.

Each completed Risk Information Framework should identify the specific areas of concern and risks, supported by the available evidence, source of the information and a risk rating (as per that set out in the Risk Information Framework). The purpose of rating the identified areas of risk is to highlight the risk areas that cause most concern so that these can be considered in terms of the actions required within the Safeguarding Plan. It also enables changes in level of risk to be measured when Safeguarding Plans are reviewed.

For Clergy and Religious, where there is a need for a specialist assessment of the risk of serious harm, the risk of reoffending or the risk of reconviction, a specialist risk assessment should be commissioned unless such an assessment is the responsibility of multi-agency public protection arrangements (MAPPA).

The identified risks will be used to inform the Safeguarding Plan, in terms of what actions need to be taken to manage risk and provide support to the person concerned.

5. Preparing for the Safeguarding Plan Meeting

It is the responsibility of the Safeguarding Co-ordinator to initiate and oversee the writing of the Safeguarding Plan. To facilitate this, a meeting involving the person concerned and key individuals should be convened by the Safeguarding Co-ordinator. If desired, the person concerned can bring somebody along for support if they choose to do so and should be informed of this, prior to the meeting⁸.

The Safeguarding Coordinator should identify all individuals and agencies that have information relevant to understanding and managing the risks posed by the person and those who are able to identify and address the support needs of the individual. This might include Police, Prison and Probation Services, the Prison Chaplain, MAPPA representatives, the Safeguarding Representative, Religious Safeguarding Representative, Parish Priest, Religious Superior and family members or friends (this list is not exhaustive). Where specific information cannot be obtained, this should be recorded as not available or not provided.

In addition to identifying who needs to attend the meeting and where it should be held, consideration must be given to whether it is appropriate and, if so, how the views of the victim/survivor are included in the formulation of the Safeguarding Plan.

Prior to convening the meeting, the Safeguarding Coordinator must consider what preparation individuals, including the person concerned, will need to undertake. This can include sending the Information Sheet (**Information Sheet – Safeguarding Plans**) or communicating using a means appropriate to the person.

The Safeguarding Coordinator should ensure that participants understand the purpose of the meeting and that they will be expected to contribute relevant information and offer services or resources in terms of contributing to the management of risk and provision of support to the person

⁸ For Clergy and Religious, it can be appropriate but not necessary to have a canon lawyer present for support. If a canon lawyer is to represent the person concerned in a formal capacity, they must be formally appointed as an advocate by the Bishop or Religious Superior of the person concerned.

concerned. In advance of the meeting the Safeguarding Coordinator should identify what Church resources might be available to assist with both monitoring and supporting the individual.

Preparation for the meeting must include consideration of what information can be shared and with whom, to ensure that sensitive information is shared only with those who need to know and confidentiality is maintained.

6. Creating the Safeguarding Plan

There are different Safeguarding Plan templates for different circumstances:

- Safeguarding Plan for Clergy following allegations and pending the outcomes of external or internal safeguarding investigations;
- Safeguarding Plan for Religious following allegations and pending the outcomes of external or internal safeguarding investigations;
- Safeguarding Plan for Clergy following completion of investigations, where concerns remain;
- Safeguarding Plan for Religious following completion of investigations, where concerns remain;
- Safeguarding Plan for Clergy following criminal conviction;
- Safeguarding Plan for Religious following criminal conviction;
- Safeguarding Plan for Lay persons.

The Safeguarding Plan will usually be drafted in advance and adapted during the meeting, taking account of the information shared. The template should be used as the nationally recognised Safeguarding Plan, which is portable across Church boundaries within England and Wales in the same format. Not all parts of the template will need completing in each case and it may be necessary for the Safeguarding Coordinator to add/remove parts according to the specific circumstances of the person concerned.

The Safeguarding Coordinator will usually chair the meeting, unless it is appropriate to delegate it to somebody else. At the outset, the chair will clarify those aspects of the Safeguarding Plan that can be negotiated and those that cannot.

The Safeguarding Plan must specify what the Church expects from the individual in respect of conduct and what the individual can expect from the Church in respect of restrictions and arrangements for monitoring and support.

This might include details about what a person can and cannot attend and the restrictions that might be imposed on their attendance such as when, where, with whom, at what time and how they must conduct themselves. It might include other expectations or requirements imposed by statutory authorities or Bishops/Religious Congregation Leaders. Each restriction should relate to specific risk(s), so that over time the Safeguarding Plan can be reviewed and altered when risks or potential risks are removed, decrease, increase or new risks are identified.

Where needs are identified, the Safeguarding Plan should also detail the support that the person concerned will receive from within the Catholic community. This might include providing for spiritual, theological and sacramental needs, and supporting participation in the life of the Church.

Those responsible for fulfilling certain parts of the Safeguarding Plan will be clearly identified along with their role. The Plan must specify who is responsible for ensuring that the person concerned is adhering to the conditions of the Safeguarding Plan and what will happen if the conditions are not adhered to.

For individuals seeking to participate in parish based worship/activities, in every case the Parish Priest must be made aware of the risks posed by the person concerned so that he can fulfil his responsibilities for the welfare of the parish.

In other faith related activities, it might be necessary to identify an appropriate person who will need to be made aware of any potential risks posed by the person so that they can safeguard others participating in the activity.

Signatories to the Safeguarding Plan are usually the person concerned, the Bishop/Religious Congregation Leader, the Parish Priest, the Safeguarding Coordinator and in some instances the Safeguarding Representative and/or other individuals identified to have a specific role in monitoring or support. If other agencies are involved in the Plan, they can also be signatories.

7. Provision of Support for Clergy and Religious

It is the responsibility of the Bishop or Religious Congregation Leader to identify key individuals who will support the accused person with managing the range of issues that they might need to address. These might include ministry, accommodation, financial matters and access to canonical and civil legal advice.

8. Provision of Support for Lay Persons

The Church community can play a positive part in supporting implementation of the Safeguarding Plan. Where the need is identified, named support should be recruited from the parish or Religious Congregation based on their skills and qualities and be supported in their role by the Safeguarding Co-ordinator. The functions of this role might include:

- Supporting the work of the Parish Priest/named person;
- Monitoring and reporting back on behaviour;
- Supporting the work of statutory agencies;
- Developing trusting relationships;
- Modelling appropriate behaviour;
- Contributing to reducing isolation and loneliness and demonstrating humanity and care.

In some circumstances, it might be necessary to appoint people who contribute to the monitoring of the Safeguarding Plan, for example by attending the same mass and reporting back on how well the Safeguarding Plan is being put into practice. The person concerned should be notified that this arrangement is being put in place and reassured that not everybody is aware of their circumstances and is observing them. Such an arrangement might be necessary at the start of implementation of a Safeguarding Plan or if there are concerns about compliance with the terms of the Safeguarding Plan.

9. Status of the Safeguarding Plan

The Safeguarding Plan is not a legally binding document but seeks to encourage the individual to make a commitment to behave in a safe manner within the Church. If an individual refuses to sign or abide by the contents of the Safeguarding Plan, then the Safeguarding Coordinator will refer the matter to the Safeguarding Commission and advice may be sought from other relevant professionals, canon lawyers and civil lawyers, in respect of the steps to be taken to ensure that others are safe within the Church environment. For employees, refusal to sign or abide by the Safeguarding Plan should be referred to the employer. For clergy and religious, refusal to sign or abide by the Safeguarding Plan should be referred to the Bishop or Congregation Leader.

In the UK, Multi-agency public protection (MAPPA) arrangements are in place to ensure the successful management of violent and sexual offenders. Under MAPPA arrangements, all relevant professional institutions are mandated to work together in the supervision and support of registered sexual and/or violent offenders who may be liable to management under MAPPA because of their caution or conviction and sentence; their impending release into the community or the commencement of a community order or suspended sentence.

Once offenders have been identified as MAPPA offenders, the risk of reconviction; the risk of reoffending or the risk of serious harm will be assessed and MAPPA agencies will manage that risk via the preparation of a detailed and robust Risk Management Plan.

Where appropriate, the lead professional (probation/police offender manager) or other relevant statutory agencies must be involved in developing the Safeguarding Plan and account must be taken of the views and risk assessments of other relevant organisations to ensure that the Safeguarding Plan is comprehensive and that its content does not in any way contradict any conditions the person is expected to comply with to satisfy statutory agencies.

The MAPPA Coordinator should be informed of all Safeguarding Plans in place for individuals who have been convicted of sexual or violent offences. Where adherence to a Safeguarding Plan is a condition of any licence conditions and the Safeguarding Plan is breached, the breach will be advised to the statutory bodies with responsibility for overall management of the person concerned.

10. Review of the Safeguarding Plan

For Clergy and Religious, the review is a formal requirement that takes place face to face and involves their superiors or delegate.

For Lay persons, usually the review of the Safeguarding Plan will involve the person concerned, key professionals and key individuals with a monitoring or support role.

A timetable for review of the Safeguarding Plan must be established with, where possible, dates set in advance and recorded in the Plan. As a minimum, the Safeguarding Plan should be reviewed at the following milestones:

- When initial enquiries are completed;
- When investigation by statutory authorities commences or concludes;
- When a decision is taken that there is to be no further action by the Police;
- Where somebody reoffends or additional concerns/allegations are raised;

- Where somebody moves to a different Diocese or Religious Congregation (the matter must be notified to the Safeguarding Coordinator for the receiving Diocese/Religious Congregation);
- When new or contradictory information comes to light;
- When a concerned party to the Safeguarding Plan wants to change some of the arrangements that were initially agreed;
- Annually;
- Where a key party to the Safeguarding Plan changes.

Additionally, for Clergy and Religious:

- When a decision is taken to stand somebody down from or return them to ministry or their apostolate;
- Where members of the Clergy or Religious have been dispensed from the obligations of the clerical state or dispensed from vows.

In most instances, a face to face review will be required. Where it is not considered necessary, the Safeguarding Coordinator must consult with the relevant Commissions before deciding to proceed with a desktop review only. Any decision not to proceed with a face to face review must be clearly recorded and placed on file.

Decisions to change restrictions, monitoring or support must be justifiable by an analysis of the current available information about risks. Where appropriate, the views of offender managers, relevant professionals, victims/survivors and relevant others must be sought and they must be updated on changes where it is appropriate to do so.

11. Ownership and Transfer of Safeguarding Plans

Clergy and Religious

It is important to be clear about who is the responsible authority for the management of Safeguarding Plans when the person concerned does not live and/or work in their Diocese or within their Religious Congregation.

In every situation, regardless of where ministry is taking place or where the member of Clergy/Religious is living, the Bishop or Religious Congregation Leader where the member of Clergy is incardinated or which is responsible for the member of Clergy/Religious must be informed of the need for a Safeguarding Plan.

Once the responsibilities have been determined in accordance with the principles below, the responsible Diocese or Religious Congregation must set out in writing to each relevant party (e.g. Bishop/Religious Congregation Leader/Delegate, Safeguarding Coordinators) how its responsibilities have been assigned.

Unless formally agreed (and recorded) otherwise, it is the Diocese in which the priest is incardinated or the Religious Congregation to which the Religious belongs, which is the responsible authority for drawing up and managing a Safeguarding Plan.

If ministering and/or living elsewhere, the responsible Safeguarding Coordinator will liaise with the Safeguarding Coordinator(s) in the Dioceses or Religious Congregations that the person is ministering and/or living in. The Safeguarding Plan will be led by the responsible Diocese/Religious Congregation but developed collaboratively with the Safeguarding Coordinator(s) for the Dioceses or Religious Congregations in which the member of the Clergy or Religious member is ministering and/or living in.

The Safeguarding Plan meeting must agree which Diocese or Religious Congregation will assume day to day responsibility for implementation and oversight of the Safeguarding Plan, or who will be responsible for aspects of the Safeguarding Plan. This means that the operational management of the Safeguarding Plan might transfer to the Diocese or Religious Congregation where the person concerned is ministering and/or living.

A copy of the Risk Information Framework and Safeguarding Plan must be provided to the Safeguarding Coordinators participating in the process.

When a member of the Clergy/Religious has a Safeguarding Plan that is under the operational management of a different Diocese/Religious Congregation to that which is responsible for him/her, the Safeguarding Plan will be reviewed jointly by both the responsible and managing Dioceses/Religious Congregations. It is the responsibility of the Safeguarding Coordinator who has operational management of the Safeguarding Plan to arrange Reviews of the Safeguarding Plan.

If the member of the Clergy or the Religious member who are the subject of a Safeguarding Plan are moved to a different area, it is the responsibility of the Diocese/Religious Congregation who have ultimate responsibility for them to notify the receiving Diocese/Religious Congregation of the existence of the Safeguarding Plan and arrange for a review to be held, involving all relevant parties, in the receiving Diocese/Religious Congregation. The managing Diocese/Religious Congregation will then formally transfer management of the Safeguarding Plan to the receiving Diocese/Religious Congregation, which will then assume responsibility for the management and oversight of the Safeguarding Plan.

If differences in opinion between Safeguarding Coordinators about responsibilities and roles cannot be resolved, these differences should be directed to the respective Commission Chairs, who will correspond and seek to resolve the matter. If Commission Chairs cannot agree, the matter must be referred to the respective Bishops/Religious Congregation Leaders or their delegates, who will seek to agree on how to proceed. If matters cannot be resolved by Bishops/Religious Congregation Leaders or their delegates, the matter should be referred to CSAS who will liaise with the Chair of the NCSC in respect of giving additional advice to the respective parties.