

Temporary removal from active ministry

The decision by the Bishop or Congregation Leader about you and the role you are in may lead to:

- Temporary removal from post - this does not imply guilt
- A temporary stand down if you are a volunteer
- Suspension, if you are an employee in line with Disciplinary procedures
- A temporary withdrawal from active Ministry if you are a member of the Clergy or Religious
- You may be required to observe specified restrictions in your activities and attendance at your place of ministry
- In some cases this may involve a temporary removal from your normal place of residence to a place approved by the Bishop or Congregation Leader away from direct contact with children or vulnerable adults.

All such decisions will be communicated in writing and in person by the Bishop or Congregation Leader or their delegate.

A Support Facilitator will be appointed to you in line with a Covenant of Care agreement.

A Bishop or Congregation Leader will be managed in the same way but by the Safeguarding Coordinator of another appropriate Diocese or Religious Congregation in liaison with the Catholic Safeguarding Advisory Service.

Notifications will be made to the relevant Province, Bishop's Conference, Congregation Leader and the Holy See.

The Catholic Safeguarding Advisory Service (CSAS) must be kept informed of all cases and actions.

Outcomes of investigations and enquiries

The outcome of the investigations and enquiries may be one, or more of the following:-

- No further action by any party to the enquiries as they are found to be unfounded or malicious
- Child or Vulnerable Adult Protection Action - to be followed up by the relevant Social Care Service and the Police
- Criminal Court Action – follow up by the Police, Crown Prosecution Service and the LADO
- Consideration by the Church of disciplinary action.

In all but the first of these outcomes a referral will be made to the Disclosure and Barring Service (DBS) as there is a legal duty to refer any individual who has harmed a child or vulnerable adult or posed a risk of harm.

Key Procedures

(See CSAS National Procedures and Information Sheets attached for details).

The Preliminary Enquiry Protocol applies when:-

- The allegations have been investigated by the Police, but no charges have been pressed; or
- You have been acquitted of criminal charges; or
- The allegations are not such as to necessitate a Police investigation.

But in the view of the Safeguarding Commission there remain concerns regarding your conduct which require an internal consideration of risk.

In these circumstances an Independent Person will be commissioned to pursue enquiries, gather information and produce a report for the Safeguarding Commission to consider.

This must be concluded within 6 months. The Safeguarding Coordinator will inform the insurers and in appropriate circumstances, the Charity Commission.

The relevant Safeguarding Commission will make recommendations based on the Independent Report before a decision is made by the Bishop/Congregation Leader.

The National Review Protocol provides that:-

A Review of the Safeguarding Commission's recommendations can be sought by the Bishop/Congregation Leader or the accused within 10 working days of receipt.

The complainant can request a Review similarly through the Bishop/Congregation Leader.

A Review Panel of 3 members will be organised in consultation with CSAS within 10 working days. CSAS will administer the Review Panel, which will reach a conclusion within 4 months for recommendation to the Bishop/Congregation Leader to make a decision within 28 days.

(A summary of this protocol is available with this leaflet.)

Independent Risk Assessments

There are several situations in which the Church may require an assessment of the future risk posed to children and vulnerable adults through an independent risk assessment.

They are: -

- Convicted offenders
- Those acquitted of a charge of abuse where concerns about risk remain
- Someone charged with an offence where charges are not pursued
- Someone investigated by statutory authorities but subsequently not pursued.

Unfounded or Malicious Allegations

If an allegation is determined to be unfounded or malicious, consideration should still be given to whether the child or vulnerable adult has pastoral needs. In the same event that an allegation is deliberately invented or malicious the Police may be asked to consider whether action should be taken against the person responsible.

Contacts



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Or the Safeguarding Coordinator from the relevant Safeguarding Office

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Where
Allegations
have been
made
against a
person
in a position of
trust

Introduction

As you have recently been the subject of concerns or allegations this will be a difficult time for you. This leaflet and information pack has been produced to help you to understand the process of how the enquiries and investigations will be managed in response to the allegations and concerns.

It applies where concerns have been expressed or allegations have been made about any person working within the Church stating that they have:

- Behaved in a way which has harmed, or may have harmed, a child or vulnerable adult
- Possibly committed a criminal offence against or related to a child or vulnerable adult
- Behaved in a way which indicates that they are unsuitable to work with a child or vulnerable adult
- and the allegations relate to the person's behaviour in the Church, at home or in another setting.

You may be acting in a paid capacity or be a lay person or volunteer; or you may be involved in any type of settings where the Church has some role to play, including of course a priest or other holder of an official office.

The Catholic Safeguarding Advisory Service maintains National Procedures, which can be accessed on their website www.csasprocedures.uk.net at any time for full details.

All Church settings have a Local Safeguarding Representative supported by a Safeguarding Coordinator, either of whom can be contacted for advice and information.

Information sheets containing some further details about Key procedures are attached to this pack.

HELP

Involvement of other agencies

A concern or allegation may first be made to the Church Safeguarding staff or to a local agency such as the Police or a local Children's/Adults Social Care Services department.

Whichever route the allegations/concerns have followed, the outcome will be a referral to the local Children's/Adults Social Care Services department and the Police. The same route applies whether the concerns/allegations are in relation to a child or a vulnerable adult.

A strategy meeting will take place which determines whether enquiries should follow and if so, by whom: -

- A police investigation of a possible criminal offence
- Enquiries and assessment by children/adult social care about whether a child or vulnerable adult is in need of protection or other services
- Consideration by an "employer" of disciplinary action.

The participants in the strategy meeting will be the local statutory agencies such as; police, social care agencies, health agencies and schools involved in working with either children or vulnerable adults.

The Safeguarding Coordinator from the relevant Church setting will be invited to attend the strategy meeting and will be kept informed of the progress of any enquiries and investigations.

A Safeguarding Case File will have been opened and all actions and decisions will be recorded by the Safeguarding Coordinator from the Church. The Safeguarding Case File is confidential and will be kept securely.

The Safeguarding Coordinator will inform the Safeguarding Commission in the relevant area and will keep the Safeguarding Commission up to date with the progress of the case.

The Police, Social Care services and the Local Authority Designated Officer (LADO) will provide advice to the Safeguarding Coordinator about the employment and risk management aspects of the case in relation to children.

Information sharing and records

The Safeguarding Coordinator will continue to participate and liaise with the Children's Social Care Services/Adult Social Care Services and the Police until such time that their enquiries and investigations have been concluded.

In all instances the statutory agencies will advise the Safeguarding Coordinator of when and what information can be provided to you. There must be no communication with you about the circumstances unless agreed with the statutory agencies at any time.

In some cases where the criteria are not met for a police investigation or a Children's Services enquiry/Vulnerable Adult investigation, there will still be concerns that your behaviour was inappropriate or indicated you may pose a risk to others. There may also be disciplinary issues from the Church's perspective. In these circumstances the Church will undertake its own enquiries under the Preliminary Enquiry Protocol. The details of these procedures can be found at www.csasprocedures.uk.net, the National Safeguarding Procedures of the Catholic Church in England and Wales. A summary of this protocol is available with this leaflet.

All matters relating to the case will be recorded in the Safeguarding Case File. Clarification will be provided to you about access to the information held on the file and the timescale for destruction of the information, once the circumstances of the case have been concluded.

Where the case file is in respect of you as an "adult in a position of trust" and the investigations have concluded the records will be kept for 75 years.

The outcome of any investigation may be that a referral is made to the Disclosure and Barring Service (DBS) for inclusion on the Barred list for working with vulnerable groups.

Reporting and Decision making

The Safeguarding Coordinator for the relevant Church setting will liaise with the local statutory agencies as the investigation/enquiries progress. Their role requires them to report to their Safeguarding Commission regularly.

At all stages of the process it is their role to assess and review the risks based on up to date information and to make recommendations to the Safeguarding Commission for a plan of action.

The Safeguarding Commission will evaluate the risks and make recommendations to the relevant Bishop/Congregation Leader, who will make the decisions.

The result of the evaluation of risk by the Safeguarding Commission and the Bishop's/Congregation Leader's decision will normally be communicated to you in a face to face meeting. The report, which contains the recommendations and decisions, will be shared with you in order to communicate the rationale behind the decisions taken.

Communications about an adult, who is subject to an assessment of risk and, where a referral has been made, will take place within and between all settings in the national Catholic Church as:-

- Safeguarding Coordinators in all different settings have to communicate with one another;
- Information has to be shared across the Church about an adult, who is subject to an assessment of risk.

The best interests of the child or vulnerable adult must remain the focus at all times.

