



Sharing Safeguarding information in the Methodist Church

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This is the first of a three-part document which deals with information sharing on Child Protection and Safeguarding issues within the Methodist Church and between some Christian denominations. It will also give a summary of government guidance concerning the law in this area.

At no point should the protocols or the guidance below prevent anyone talking to Social Services or Police about a serious matter of concern.

CONCERNS OVER KNOWN PEOPLE WHO HAVE OFFENDED AGAINST A CHILD

1. Where there is a known offender and an established contract under SO 690 there will be certain people in the church and circuit who will know about a particular case and there will be continuity about the group and built in reviews of the contract. When the minister moves it will be appropriate to bring the new minister into the group and to review who else is or needs to be involved at that point and regularly as necessary.
2. If it is the offender who is starting to attend events at another church then as part of carrying out the terms of the established contract it must be agreed by the group that these activities will be monitored and the new church/event informed. The varied contract should be in writing and should be dated when the variation is agreed. A compatible contract may then be established in the new venue (even when this is a venue or church of another denomination) or a joint 'Circuit contract' can be created, provided key people in each setting are involved. If the offender ceases to be involved in the original church and the new church is a Methodist Church, a new contract will be required.
3. Notes passed on should include copies of the contract(s) and notes of the original offence(s) and dates of the court appearance plus any other relevant factual information - but not opinions or views.

OTHER INFORMATION¹ INVOLVING OFFENCES AGAINST A CHILD/ HIGH RISK² ACTIVITIES

4. At the time of an incident or high-risk behaviour, notes should be kept for the observer's benefit and the minister or person with pastoral responsibility and pastoral care (including the Superintendent) should also keep notes. These should include dates and times, actions by those involved, accounts of events, arrests and charges. Pejorative or judgemental language should be avoided.

¹ 'Other information' is information such as that received informally from local knowledge from well-founded sources regarding information such as disciplinary hearings, civil court proceedings, family courts, newspapers, the perpetrator him/herself, survivor(s), other churches. It is not hearsay or gossip. It may be treated differently from information gained through a criminal record disclosure, or 'hard information' as described above.

² High risk activities might include persistent or deliberate behaviour which jeopardises or breaks personal boundaries or Safeguarding good practice or which would indicate significant negligence in these areas; or which would indicate criminal behaviour.



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5. In such cases the minister (if not the Superintendent) should inform the Superintendent and the Convenor of the District Safeguarding group/ District Safeguarding co-ordinators/ Taking Care Representative. If the minister is the Superintendent he or she should inform another colleague in the circuit, or a neighbouring Superintendent. Each person should be told who else knows about the matter and the names should be recorded with the notes. This will create a 'need to know' circle of three people. Where necessary more people may be needed, in the circle of three people, where, for example pastoral support needs to be given to different parties and where there are conflicts of interest. Consideration needs to be given to appropriate boundaries and handling of information by all concerned.
6. In considering whether to inform the subsequent minister or a neighbouring minister or circuit about a particular matter, the minister should consult with the others members of the 'need to know' circle, considering factors both of risk and pastoral care (see further guidance below). Where a majority of the group cannot agree, the matter (including all relevant details) should be referred to the remainder of the District Safeguarding group for a decision.
7. The Chair of the District (or the District Safeguarding co-ordinators/ Taking Care representatives on the Chair's behalf) should write to each minister and Superintendent who is leaving, in their, final year to remind them to follow this information protocol. Information should include where the records are kept and how to access them.
8. The expectation is that where someone feels ill equipped to deal with the situation outlined above, issues of adequate supervision and training will be addressed urgently, with help being sought from the District Safeguarding group and or the local authority social services (including local ACPC or multi-disciplinary Safeguarding training).
9. The expectation is that where there is a doubt about someone, arising from the receipt of historic information of a conviction or suspicions based upon observed and noted behaviour, this information *should* be shared.

INFORMATION GAINED THROUGH THE 'RECRUITMENT PROCESS'

10. The recruitment procedures are covered by the Data Protection Act and candidates have supplied information for that purpose. The candidate consents to the supply of this information as part of an open and transparent recruitment policy. The information therefore cannot be shared with any other



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agency except for the purpose of recruitment for the role the candidate has initiated/applied or been nominated for. Refer to the legal background (see part 3) if unsure and ask advice of the Information Commissioner if necessary (see below).

11. The candidate consents to the sharing of information in relation to the recruitment process with churches of other denominations (for example, where an LEP is involved), provided they are part of the same recruitment process for the same role.
12. The candidate may be asked for permission to share the information for his or her own safety/protection, but this information cannot be routinely shared. This includes information obtained through the CRB or a Registered Body handling the Disclosure.
13. Permission should be obtained in writing wherever possible.
14. If it is felt that it is important information showing that there may be actual or potentially serious risk to others with whom the candidate comes into contact, the Church may not act except to inform the police of the nature of the risk and request that they take action to prevent harm to others. This should only be done if it is the police who supplied the information to the Registered Body³ or recruiting body, subject to other legal requirements⁴.
15. There are reciprocal arrangements for sharing information where staff/volunteers are held in common such as CAS denominations with the Boys Brigade or Girls Brigade. This is allowed within the recruitment process.
16. The information revealed on a Disclosure may also require the setting up of a support and monitoring group in the local church where the offences necessitate this, since although they may not hold office or a role they may still be part of the church community. A 'need to know' group/circle will also be agreed with the person concerned.

Information Protocols now operate in local authorities. Please check with your local authority if you need to find out more on this.

³ The Registered body is Churches' Agency for Safeguarding.

The CAS would not normally request such action upon police information unless the recruiting denomination had substantial fears of harm to others. This should be decided and acted upon by the relevant organisation's/ denomination's officers; those who assess CRB information within that recruiting member denomination/ associate member.

⁴ Please also refer to 'Sharing Information' part 3 for the legal background and if in doubt refer to the Information Commissioner in relation to data protection issues.



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'NEED TO KNOW' GROUP

This is a group of people drawn together to support the minister and each other in dealing with a particular crisis concerning child protection issues. It is a group of trustworthy people who will operate a team confidentiality and be bound by this. Decisions to 'share information' beyond this group will be agreed by the group and where possible with those who are affected by the decisions. It may include the group formed under SO 690 in order to support and monitor someone who is accused of or convicted of an offence, but it can be wider than this if necessary. Consideration should be given to informing a range of people representing those who need to know in the churches including a representative of those who work with children, the pastoral group, church and circuit stewards. A safeguarding representative from the Circuit and District should be included. Others who are involved in the life of the church may need to know that someone has had to withdraw from their activities but this does not mean that they need to know everything about the circumstances.

When deciding who needs to know this basis⁵ should be considered: -

The 'Need to Know' basis

Relevant factors:

- ❖ What is the purpose of the disclosure?
- ❖ What are the nature and extent of the information to be disclosed?
- ❖ To whom is the disclosure to be made (and is the recipient under a duty to treat the material as confidential)?
- ❖ Is the proposed disclosure a proportionate response to the need to protect the welfare of the child to whom the confidential information relates?
- ❖ Is the proposed disclosure a proportionate response to the need to protect the welfare of the children in your care?

SCOTLAND – POCSA

In Scotland there is now an obligation to report those involved as respondents in disciplinary matters where there have been allegations concerning harm to children that have not previously been reported to Scottish ministers under the Protection of Children (Scotland) Act 2003 (for the POCSA list). This part of the Act is retrospective. Please refer matters that you are concerned about to the *Scotland Safeguarding Team and/or to the Head of Child Protection*, before deciding to take action under this obligation. They will assist you or let you know if this matter has already been acted upon.

⁵ Adapted from DoH and DoES publication 'What to do if you're worried a child is being abused' also on the web - full report
<http://www.dh.gov.uk/assetRoot/04/06/13/03/04061303.pdf>



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At no point should the protocols or the guidance above prevent anyone talking to Social Services or Police about a serious matter of concern.

Please insert for reference: -

District Safeguarding/ Taking Care contact:

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Details:

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The Methodist Church
Tel: 020 7467 5189
E-mail: Luxonp@methodistchurch.org.uk

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