

K. PUBLIC PROTECTION – SCOTLAND

Public protection in Scotland encompasses child protection and adult support and protection. Its aim is to reduce the harm to children and adults at risk within our communities. It is recognised that there are links between child protection and adult and public protection in terms of the joint and separate actions that need to be taken. We have a shared responsibility in recognising and responding to concerns of abuse and its impact on our church family.

1. Recognising Abuse and Neglect

Concerns about a child's or adult's safety may present themselves in a number of ways:

- hearing a child or adult saying that they are being abused or describing a situation you recognise as abusive;
- recognising signs or indicators of abuse, neglect or exploitation;
- observing behaviours in a child or adult that give cause for concern;
- being told by someone about the abuse of another person or their concerns for that person.

Full definitions and possible indicators can be found under Appendix 15 and Appendix 16.

2. How to Respond to Concerns of Possible Abuse

Concerns should always be shared without delay with your Responsible Person and Designated Safeguarding Lead. Where a child or adult is felt to be in immediate danger workers should report this directly to the police. Similarly, where a child is thought to require immediate medical assistance, this should be sought as a matter of urgency from the relevant health services. See Appendix 17: How to Respond to Concerns of Possible Abuse.

Always remember that the welfare of the child or adult must be your paramount concern. Adults may need support to take actions to protect themselves and others from abusive situations. Individuals should not make decisions about a vulnerable person's needs without feeling confident that they have the necessary information to do so.

In all situations:

- Do not delay.
- Contact your Responsible Person or Designated Safeguarding Lead (in their absence contact your local pastor).
- A rapid preliminary evaluation and clarification of the situation must be undertaken with circumspection by the Designated Safeguarding Lead.
- If this evaluation supports the concerns, immediately pass these onto the statutory services and follow their advice; this decision should be made within 48 hours of a concern being raised.
- Record all that has been said and done (see Appendix 13: Responding to Abuse – Recording Sheet).

Where there is a concern about a child or adult, contact your local Social Work Service. Advice can also be taken from the Thirtyone:eight helpline 0303 003 111 and Children 1st Helpline 08000 28 22 33 www.children1st.org.uk.

'NB: Disclosures of abuse are sometimes made a long time after the abuse occurred. Where this is over 12 months, it is considered non-recent abuse. However, they must be treated in the same manner as current concerns. The alleged perpetrator may still be in contact with children or adults at risk.'

How should I respond if a child or adult starts to tell me about their abuse?

- Accept what the child or adult tells you. Remain calm and give them your undivided attention.
- Explain that you will need to tell someone else. Do not promise them confidentiality.
- Never blame them, even if they have broken a rule. Remember they might have been threatened or manipulated.

- Remember you are not conducting an investigation. Never push for more information. Go at their speed.
- Reassure the child or adult that they were right to tell you and that you take what they have said seriously.
- Explain what you are going to do next and what is going to happen.
- Record all you have heard and done (i.e. time, date, people involved; see Appendix 13).

NOTE: is the child or adult safe? Take immediate action and contact the police if the child or adult would be at immediate risk.

Are you worried about an adult who may be at risk of harm?

Visit the [Act against harm](#) website which is a public site with details of who to contact when you think you know someone who is at risk of harm. The website has lots of information, including how to recognise when an adult may be at risk of harm and examples of the type of support that can be provided once a concern has been reported.

3. Confidentiality and Information Sharing

Suspicions must not be discussed with anyone other than those nominated above. A written record of the concerns should be made in accordance with these procedures and kept in a secure place.

In the interim a plan of action must be put in place to protect children and adults at risk. This may involve removing the accused person from office, suspending them from duties, or placing employees on leave of absence pending the outcome of the investigation by the statutory agencies.

Even where criminal charges are not made, there remains an obligation on the church to review the pastoral consequences and action plan in such a situation. A person known to be a danger to children or young people should not continue to have access to them through holding a position in the church.

NOTE: When the church is made aware of rumours, gossip or allegations concerning any person related to the church the accused person should not be approached at this stage by anyone with a view to discussing the allegation. These should be forwarded immediately to the Safeguarding Person. This is to safeguard the interests of all involved and enable the unimpeded course of any official processes.

Recording and information sharing

Recording and sharing relevant information are key tenets of protecting children and adults. Privacy and confidentiality is governed by legal provisions that aim to safeguard personal information, particularly the Data Protection Act 1998; and organisational codes of conduct. The same legal provisions also provide for sharing of information for purposes such as public protection, crime prevention and crime detection. Early sharing of information is the key to providing effective early help where there are emerging problems. Information should be held securely and only shared on a 'need to know' basis. A 'golden rule' to remember here is to share information that is necessary, relevant and proportionate.

All interactions should be recorded, succinctly and accurately. The distinction should always be made between facts, hearsay and opinions. Records should include note of:

- dates of contact and with whom;
- the views and emotional well-being of the child or adult;
- actions and decisions taken and the rationale behind them;
- outcomes of actions taken.

Appropriate sharing of relevant information is a vital part of the early intervention approach that is at the heart of *Getting It Right For Every Child*. Sharing appropriate information at the right time improves outcomes for children and their families and can help prevent situations escalating into tragedies¹.

¹<http://www.gov.scot/Topics/People/Young-People/gettingitright/information-sharing>

Record storage and retention

Records of matters relating to the protection of children or adults should be stored securely at all times. This should be in a locked metal cabinet within the local church vestry or with the Safeguarding Person should the church premises not belong to the congregation. Details of the outcome of all matters should be sent to the conference office. Records will be retained for ten (10) years and reviewed prior to destruction.

Child/adult protection conferences

Included in the process may be a child/adult protection conference convened by the Social Services. Church workers/volunteers may be asked to attend, either to give information or to support the child/adult at risk, parent or family. Before attending the conference it is important to clarify in what capacity one has been invited and how one wants to be seen by the family, i.e. as a church employee giving information which could very well be used later in any proceedings, or as a church member providing support to the child/adult at risk, parent or family.

Child Protection Committee procedures for children and adults

In every local authority area, there are procedures for investigating cases where a child or adult at risk has been abused or is 'at risk'. These can be obtained online via your local Child Protection Committee website. Statutory agencies hold the legal responsibility to investigate cases of abuse and exploitation.

4. Allegations Against Staff, Church Members or Volunteers

Allegations against staff, church members or volunteers relate to concerns about abusive or exploitative behaviour between a worker and a child or adult at risk. These allegations must be taken seriously and objectively and dealt with immediately. Local authorities employ a 'Designated Officer' or equivalent who has responsibility for providing oversight and guidance on managing allegations about staff or volunteers within a fair process. An allegation may relate to a person who works with children who has:

- behaved in a way that has caused or may have caused harm to a child;
- possibly committed a criminal offence against a child or related to a child.

The intention is to determine whether an individual is unsuitable to continue to work with children in their present position, or in any capacity. Concerns or a complaint about the quality of care or practice are separate and should be dealt with by the leadership.

Individuals should not attempt to deal with the situation themselves, offer confidentiality or alternative explanations or diminish the seriousness of the behaviour or alleged incidents. They should:

- Report concerns immediately to the Safeguarding Person who will conduct a rapid preliminary evaluation and clarification.
- Notify their pastor or senior manager and report criminal offences to the police.
- Determine what support is to be provided for the alleged and the victim.

All involved should be kept informed on the progress of the matter.

Any paid worker or unpaid volunteer removed from their work (or one who would have been, had he/she not left first) because the person poses a risk of harm to children or an adult at risk must be referred to the Protecting Vulnerable Group (PVG) Scheme²³. It is an offence to fail to make a referral without good reason.

²Protection of Vulnerable Groups (Scotland) Act 2007

³Disclosure Scotland: The PVG scheme: guidance: information for organisations. See 6.1: referral grounds