

# SAFETY PLANS: TERMS OF REFERENCE

## SUPERVISION OF OFFENDERS & INDIVIDUALS WHO MAY POSE RISK

---

### CONTENT

#### 2 Introduction

- Overview
- Scope

#### 4 Risk Assessments

- Assessing risk for those known to have sexually abused children
- Assessing risk for those who pose risk but are not sexual offenders
- Risk pertaining to Sex Offenders

#### 8 Safety Plan Management

- Purpose
- Who is involved
- Ministry to the person posing risk
- The House of Bishops' practice guidance
- Boundaries of involvement
- Monitoring and review
- Confidentiality
- Enforcement

#### 12 Appendix

- A note from Church of England national safeguarding team

## INTRODUCTION

A Safety Plan is the new term for and will replace any existing Worship or Safeguarding Agreements. When information is received/known relating to an individual who may pose a potential risk to others, the use of a **Safety Plan** is a crucial measure to ensure the safety and well-being of everyone within our church communities. The introduction or renewal of a Safety Plan is a critical time within the life of the parish, and a time for us to review governance arrangements.

Respondents of allegations/concerns or those convicted of offences will be treated with dignity, respect, and courtesy, and will be supported, however the Church's approach will prioritise the needs of victims and survivors of abuse, those connected with the specific person or situation, and those affected in the wider sense, above that of the perpetrator. The approach we take will be Trauma-Informed, we will seek to act in a way that does not traumatise or re-traumatise and recognises the sensitivity of the issues. It will embody safety, trust, choice, collaboration, empowerment, and cultural considerations for all those involved. A Safety Plan is developed and agreed between the Church of England, the Diocese of Truro and the Subject.

## Overview

### What is a Safety Plan?

- The Church's duty to minister to all, imposes a responsibility to ensure that everyone attending the Church is safe.
- A Safety Plan is an approved process designed to facilitate worship for individuals (Subjects) who may pose a potential risk to others, including children, vulnerable adults, or any other members of the congregation or church community.
- It is a customised document tailored to the Subject's individual needs and circumstances.
- A Reference group is formed which include church members who have a leadership or safeguarding role within the parish. Their role is to be the 'eyes and ears', to ensure the Safety Plan is monitored and adhered to, and to be trusted individuals who can provide support to the Subject if required. They are collectively responsible for ensuring that any concerns relating to the Subject or changes to circumstances of the Safety Plan are reported to the diocesan safeguarding team.
- The guidance for Safety Plans is specific to the Church of England and has been drawn up by the House of Bishops.

### When & Why Do We Need Safety Plans?

- To comply with legal requirements and safeguard all individuals within our church communities.
- Individuals may seek inclusion or involvement in a church after journeying through the criminal justice system i.e. having been convicted by a court or upon leaving prison, and some may have specific conditions and restrictions.
-

- A Safety Plan may also be put in place for an individual who is subject of an allegation while awaiting the outcome of an investigation.
- To ensure the individual can practice their faith safely and in accordance with their legal obligations, the breaching of which could result in a person being recalled to prison or requiring legal justification for non-compliance.

## Scope

A Safety Plan sets out the expectations, actions and arrangements that will be delivered by named members of the church community and the Subject of the plan to ensure the safety and wellbeing of both the church community and the person named in the plan. It is developed collaboratively between the church body and the Subject of the plan. And will explore “what’s working well?”, and “what can be done?” to support safe worship and inclusion within the church context.

The Subject of the plan is required to evidence their commitments by ensuring they sign the plan and agree to engage in reviews. A lack of commitment on the part of the Subject might infer a greater risk and/or mean that their inclusion at a specific church cannot be supported. Safety Plans will be reviewed at three, six, or 12 months by the Diocesan Safeguarding Officer (DSO) / Deputy Diocesan Safeguarding Officer (DDSO) with the Reference Group, unless further information comes to light which requires immediate action.

Failure to comply with the agreed Safety Plan by the Subject should be recorded by a member of the Reference Group and reported to the DSO/DDSO within 72 hours. This may result in the Subject’s permission to attend church being withdrawn. In cases where there is an immediate risk of significant harm a referral to police/Social Care/MARU should be made immediately.

The ultimate risk and responsibility for all Safety Plans agreed within the Diocese of Truro lies with the DSO or DDSO and may not be varied without prior consultation and agreement.

Any changes to the Safety Plan which may impact risk must be reported to the diocesan safeguarding team within 72 hours. This may include but is not limited to:

- Changes to the circumstances or members of the church/Reference Group
- Changes to the circumstances/behaviour of the Subject including any attitude of resistance or resistance to the Safety Plan.
- New or further concerns/allegations/convictions.
- Changes to ongoing investigations.
- Any involvement with Statutory Agencies relevant to safeguarding.

## **RISK ASSESSMENTS**

Section 7 of the Practice Guidance: Responding to, Assessing and Managing Safeguarding Concerns or Allegations against Church Officers includes detailed guidance on the risk assessment and management of those who may pose a known risk to children, young people or vulnerable adults within the congregation or community.

The introduction states: “The Church of England, based on the message of the gospel, opens its doors to all. This means that there are likely to be those with criminal convictions for sexual and/or violent offences and other forms of abuse, as well as others who may pose a risk, attending a church or as members of worshipping communities. Some of these individuals will pose an ongoing or potential risk of harm to other individuals who attend the church.

“The Church has a duty to minister to all, which imposes a particular responsibility to ensure that everyone who attends the church is safe. This includes not only victims/survivors of abuse offences but all individuals who come to church. This means that it will include those people who have convictions. All must be considered equally to ensure everyone is safe, no matter what their background.

“Where a known sexual/violent offender is not only monitored but befriended, helped and supported by a group of volunteers to lead a fulfilled life without direct contact with children, young people or vulnerable adults, the chances of re-offending are diminished. Indeed, there is no doubt that the church has an important role contributing to the prevention of future abuse.

“Where people have convictions which give rise to a safeguarding concern, their position in a congregation or community may need to be carefully and sensitively considered and assessed to decide whether they pose a risk to others and to put in place arrangements to ensure that these risks are mitigated. This may include people convicted of violent or sexual offences against children, young people and/or vulnerable adults. It may also include those convicted of offences linked to domestic violence/abuse and people involved in drug or alcohol addiction. In addition, there may be those who do not have convictions or cautions but where there are sound reasons for considering that they still might present a risk to others.”

**In all circumstances where you are concerned that an adult or a child may pose a risk to children or adults who may be vulnerable, please contact the Diocesan Safeguarding Officer (DSO) at the earliest possible stage and in any case within 24 hours, in order that an appropriate risk assessment can be carried out.**

## Assessing risk for those known to have sexually abused children

Section 8 of the Practise Guidance: Supervision of offenders and those who pose risk. Anyone who has been found guilty of sexual offences against children since the Sex Offenders Act 1997 will be or will have been on the Sex Offenders' Register, and therefore known to the police.

If you are informed by a Statutory Agency - this may be your local Police Public Protection Unit (Jigsaw Teams within the Metropolitan Police Service) or Probation Service - that a known sexual offender or any person who may present a potential known risk to children, young people or vulnerable adults wishes to join your church, or is already a member of your church, you must then contact the diocesan safeguarding team as soon as possible, in any case within 24 hours, and before you take any action.

This information may not come to you directly from a Statutory Agency, it may come from the person themselves or from someone who knows them.

In all these cases there needs to be a risk assessment and a plan to manage the risk.

Once notified, the DSO or Deputy DSO will have a discussion with the relevant agency to ensure that any proposed Safety Plan is safe, proportionate, and necessary as well as in keeping with any legal orders or requirements in place. Where possible the DSO/DDSO should liaise with the Statutory Agency to ascertain their assessment of risk and use this to draft the Safety Plan, in order to manage the risk, the Subject's attendance at church presents. Where this is not possible, a standard risk assessment should be completed by the DSO/DDSO to assist in the drawing up of the Safety Plan.

There should be consultation with Subject, to explain the outcome of the risk assessment; what the recommendations are; the purpose of the Safety Plan; and who will be involved at a local level to monitor and support the person concerned.

## Assessing risk for those who pose risk but are not child sexual offenders

You may be concerned that someone who is not a convicted sex offender against children nevertheless may pose a risk, in circumstances such as the following: They have a history of violent or sexual offences against adults (this includes Domestic Abuse).

- An allegation of abuse against a child or adult has been investigated but the matter has not proceeded to court, or the person has been found not guilty - sometimes this can be due to a lack of available evidence.
- A person has demonstrated erratic behaviour which is actually or potentially violent or a risk to children or adults who may be vulnerable; this may be due to substance misuse, mental ill health or a disability.
- A complaint or grievance has been received and upheld alleging inappropriate behaviour, which is not criminal.

In such circumstances, consult with the DSO, who may arrange for a risk assessment to be undertaken, and dependent upon the result of the risk assessment there may then need to be a Safety Plan implemented.

Where the matter involves a church officer or member of clergy, the assessment of risk of is the responsibility of the diocese, working in consultation with the parish. The DSO will set up the procedures for this, which are detailed in Responding 17. This will include the commissioning of a risk assessment by an assessor who in some circumstances may be independent from the diocese.

## Risk pertaining to those who sexually abuse

It may be a common perception that once someone has been convicted of sex offences, serves time in prison and is released, often after lengthy periods of custody, that they no longer pose a risk. What is known, however is that individuals who sexually abuse others can be manipulative and predatory in behaviour, and highly motivated to seek out opportunities to offend by gaining access to victims. The church is a welcoming environment that includes many children and vulnerable people and therefore is potentially a target for those seeking to target vulnerable groups, both inside and outside the church environment. Sex offenders will often display ‘grooming’ style behaviour whether that be online or in person and this may be done over weeks, months, and years. They are very skilled at hiding in plain sight, and often appear helpful and charming. They may attempt to orchestrate themselves into positions of trust in order to gain access to victims or can do so by befriending families with children.

Convicted sex offenders are released from prison every day in the UK and are reintegrated back into society. This is done under the supervision of Statutory Agencies and following a period of rehabilitation. Some will be motivated to change, and some will not. Whilst convicted sex offenders clearly present a risk, there is also arguably a greater risk in those abusers that have not yet come to light, which is why safeguarding policies and practices are so important and why all volunteers should be safely recruited.

It is particularly important that we **RECOGNISE** **RESPOND** **RECORD** **REPORT** any concerns relating to the safeguarding of others.

## **Below is a short guide as to what legal/statutory restrictions can/may be placed on an individual**

### **Sex Offenders Register**

This follows a conviction or a police caution for certain sexual offences (including the possession of indecent images of children), it can be anything between two years and life in length. Individuals on the sex offender register are subject to various notification requirements, and must inform the police where they live, in some cases, who they spend time with, and are normally visited by a MOSOVO officer from the Police Public Protection Unit (PPU) at least once a year, depending on risk level.

### **‘Being on Licence / Probation’**

An adult on licence will be managed by the Probation Service. This normally follows being released from prison before the end of the sentence and being managed within the community. The licence will often have conditions restricting activities. A breach of licence can result in a ‘recall’ to prison for the remainder of the sentence to be served.

### **Sexual Harm Prevention Order (SHPO)**

These are measures imposed by a court at sentence for offences of a sexual nature, including physical sexual abuse as well as internet grooming and downloading indecent image offences. A SHPO can be anything in length from five years to indefinitely. They place conditions and restrictions on the life of a convicted person, such as ‘not to have any contact with children under 16 years’, ‘not to have internet access that cannot be seen by Police’. Social Services are likely to be made aware of any family that someone subject to a SHPO would have contact with. The court must be satisfied that when the Police or Crown Prosecution Service apply for a SHPO its conditions are proportionate and relevant to the offence. The conditions placed are intended to protect children and vulnerable persons and the general public who may not know of a person’s history. A SHPO can only be varied or cancelled at court or expires on its ‘end date’. Breach of a SHPO is a separate offence which can carry a custodial sentence.

### **‘Bail’ and ‘Bail Conditions’**

Bail is a legal measure used by the police and/or courts, usually whilst a decision is being made regarding disposal (Charge to Court, Caution, etc), or when a matter is awaiting going to court or between court appearances. It places a legal requirement for an individual who is suspected of committing an offence to attend a police station or court as directed. It is a criminal offence to fail to respond to bail as directed. Very often bail will have conditions attached, these are usually to safeguard victims, witnesses, and the public, and to prevent the commission of further offences. The breaching of any bail conditions can sometimes lead to arrest, and in any event should be reported to police.

### **‘Released under Investigation’**

Similar circumstances to ‘Bail’ but not as structured, normally when police have extended enquiries, or a prosecution decision may be delayed. However, a person will still be under investigation and safeguarding will still need to be considered accordingly.



## **SAFETY PLAN MANAGEMENT**

### **Purpose**

When it has been assessed that any person who wishes to become or remain a member of the congregation or church community may present a risk to a child, young person or vulnerable adult then there must be an appropriate plan to manage the identified risk using a Safety Plan. It will also consider the needs and views of the Victim/Survivor if they are a member of the same congregation and indeed the wider implications for that church and impact on that community.

Safety Plans are written by the DSO/DDSO in consultation with the Subject and their supporter or link person, Incumbent, Churchwarden(s), Parish Safeguarding Officer (PSO) and other relevant parties such as Statutory Agencies (if involved). This is normally done through a meeting (online or in person) and co-ordinated by the DSO/DDSO, with the relevant people present. The Safety Plan will make it clear how the Subject can receive ministry and support.

A Safety Plan is made primarily to mitigate risk to children and vulnerable adults. The Safety Plan also aims to create a safe environment for the Subject, by protecting them from false allegations and reduce the risk of re-offending, supporting them pastorally and enabling them to receive appropriate ministry within explicit bounds of confidentiality. The plan should be necessary and proportionate and based upon the assessment of risk involved in each case. The aim is not to exclude individuals who wish to worship and join a church community, but to ensure that their participation is safe and in accordance with good practice.

The purpose of a Safety Plan is not to address ‘poor behaviour’ or where there is no safeguarding concern leading to potential risk of harm. In those instances, a Code of Conduct, Volunteer Agreement, or Acceptable Behaviour Contract, may be more appropriate and/or necessary.

### **Who is involved**

The DSO/DDSO will provide support and guidance and take responsibility for managing the risk relating to the Subject of the Safety Plan.

A Reference Group will be set up in the church, whose purpose will be to provide support to the Subject as well as monitor the implementation of Safety Plan (be the ‘eyes and ears’) and ensure that it is complied with. This will normally include the Incumbent, the PSO, one or two of the Churchwardens and others depending on the circumstances. Members of the Reference Group will all be up-to-date with the highest level of safeguarding training. There should be a sufficient number of individuals involved in the Reference Group to be able to robustly monitor and ensure compliance with the Safety Plan, but this needs to be balanced with the need for confidentiality and a “need-to-know” principle.

The reference group must inform the diocesan safeguarding team should any issues or concerns arise, for instance a change in the behaviour of the subject, the subject forming



inappropriate friendships or behaving in a way that causes concern. It can often be something small, a ‘gut feeling’ that something is not quite right - Reference Groups are encouraged to adopt the 4 R’s of safeguarding and **RECOGNISE, RESPOND, RECORD** and most importantly **REPORT** it to the diocesan safeguarding team immediately. We also ask that instances where there has been an accidental or inadvertent ‘breach’ of the terms of the agreement are reported to the DSO.

## The House of Bishops’ Practice Guidance

*‘Responding to, Assessing and Managing Safeguarding Concerns or Allegations Against Church Officers’*, October 2017 states:

“The Safety Plan must be dated, and all parties must sign the agreement to acknowledge that they agree to abide by its terms. The parties must also agree the time periods when the safety plan can be reviewed. It must be made clear to the individual and all other parties to the agreement that no one else apart from those identified in the safety plan will be informed of the facts without liaising with the DSO. That said, the individual must be advised that although the highest levels of confidentiality will be maintained, if there is a breach of the safety plan or an individual refuses to comply with safeguarding arrangements, it may be necessary to inform others (such as the police or other statutory agencies and in some cases other members of the congregation) to protect children, young people and/or vulnerable adults. The parties involved are responsible for supporting the individual and monitoring the safety plan and the DSO must be informed immediately if they become aware of any breach of the safety plan by the individual.”

## Monitoring and review

The DSO/DDSO maintains a Case Management System which contains the details all Safety Plans in place within the diocese. As stated in House of Bishops’ Guidance, the Safety Plan must be dated, and all members of the Reference Group and the Subject must sign it to acknowledge that they agree to abide by its terms. Reviews should be conducted every three, six, 12 months as required; or when there is a significant change in circumstances of the Subject which may impact the level of risk, or if there are any changes to members of the Reference Group. Any of the aforementioned changes must be reported to the DSO/DDSO within 24 hours.

## Boundaries of involvement

The Subject should not be offered or accept any official role or office in the church.

The Church is focussed on prioritising the needs of Victims and Survivors so that confidence in the Church and its ability to safeguard the vulnerable can grow. Where a Subject is given any kind of formal role, it may appear to others that they have been put in a position of responsibility (however big or small) and therefore may indicate a higher level of trust or honesty. The risk is that they may then appear to a vulnerable person/child as being a trusted or ‘safe’ person within the Church. This could present unnecessary risk to both children/vulnerable persons and the Subject.

Exceptions to this are subject to a specific risk assessment by the DSO/DDSO, consideration and rationale must be recorded on a case-by-case basis and set out in writing.

The Safety Plan will set clear boundaries on the Subject's involvement in the church community, in order to minimise risk. Depending on the seriousness of the risk, limits may include:

- Which services and/or groups the Subject may attend.
- Whether the Subject should be accompanied, and if so, by whom.
- Where the Subject may sit e.g. apart from children and/or vulnerable adults.
- To never work with, or have unsupervised contact with, children and/or vulnerable adults.
- What activities the Subject may participate in, for example attend a house group only if there are no children, young people and/or vulnerable adults; stay away from areas of the building where children, young people and/or vulnerable adults meet; decline hospitality where children, young people and/or vulnerable adults are present.
- Not to use or have access to any church or diocese owned I.T. equipment (for internet type offences).

This list is not exhaustive, nor will it apply in all cases, the agreement should be relevant and proportionate for the Subject and the risk they may pose.

In circumstances where, for instance, the victim is also part of the church community, or the church is one with a large number of children, the person posing the risk may be introduced to a congregation in another parish.

## Confidentiality

It must be made clear to the Subject and all other parties involved in the Safety Plan that no one else apart from those identified in the Safety Plan will be informed of the sensitive information contained within. That said, the person must be advised that although the highest levels of confidentiality will be maintained, if there is a breach of the Safety Plan or a Subject refuses to comply with safeguarding arrangements a wider disclosure may be considered in order to protect children, young people and/or vulnerable adults, and mitigate risk.

It will also be the case that the statutory authorities (if involved) will be kept updated periodically and certainly if there is a breach of the Safety Plan. In addition, if there is any breach, the DSO/DDSO must be consulted in order to decide what further safeguards need to be put in place and whether the person should continue as part of that congregation.

The PCC (Parochial Church Council) as trustees are collectively accountable, and as such are required to know about the existence of the Safety Plan and be reassured that a known risk is being managed. They will NOT be given any of the sensitive or confidential details contained within. The DSO/DDSO will provide the Incumbent with a Briefing Document in order this be achieved.

## Enforcement

The Safety Plan must be enforced and monitored, with no changes made without the prior approval of the DSO/DDSO. It must remain in place for as long as the Subject is a part of the congregation.

It should be remembered that it is not possible to prevent a parishioner from attending divine service, which is open to the public, unless this is a condition included in a court order or in his/her licence conditions upon release from prison.

If the Subject will not voluntarily agree to not attend certain services, it is possible for the Churchwardens to direct a person where to sit, put measures in place to closely supervise them (for example, accompany the individual), and remove that person if they cause a disturbance. These measures to minimise risk can be contained within the Safety Plan.

As stated, any ban from a service of worship which is incorporated in a Safety Plan with a Subject is essentially voluntary if that individual is a parishioner (if the person is not a parishioner, he/she has no legal right to attend a parish church even on Sundays or Holy Days). This position relates to public worship only. Where a Subject parishioner refuses to comply with the terms of his/her Safety Plan, other actions could be imposed, for example banning him/her from choir/bell-ringing practice, midweek activities, after-service coffee, or any other event which is not open to the public in the same way.

There may also be action that can be taken if individuals refuse to enter into or comply with a Safety Plan where the person is subject to supervision by a Statutory Agency. For instance, information in relation to any failure to comply could be shared with the police/probation or an individual's offender manager who will consider whether there has been a breach of any civil/statutory order. This should be made clear to the person, prior to the drafting of the Safety Plan and/or if they refuse to comply.

CREATED ON: 02/07/24

AUTHOR: JP/AE

## APPENDIX

### A note from The Church of England's National Safeguarding Team



#### *Why has there been a shift in language and approach?*

Safeguarding practice within statutory and non-statutory agencies has shifted to ensure collaborative, partnership and solution focused approaches in practice. Our revised approach to risk assessment and the language utilised aligns with these approaches as research and practice informs us that this approach to working with individuals increases engagement alongside ensuring a shared understanding of risk. This in turn results in greater safety for people.

#### *How do these practice changes align with House of Bishops' Guidance?*

Existing House of Bishops' Guidance regarding risk assessments is contained within *Responding to, assessing and managing safeguarding concerns or allegations against church officers*. That Guidance contains details of what should be in a risk assessment and provides templates for interim and ongoing safeguarding agreements.

The guidance for risk assessments and templates for safeguarding agreements in the House of Bishops' Guidance are similar in some respects to those in the new templates for risk assessment and Church Safety Plans, but different in other respects (such as some of the language) to reflect the approach underpinning our risk assessment training.

#### *In the previous safeguarding agreement, we didn't outline the "risk" why are we doing it now?*

In order to support the individual assessed and, most importantly, ensure the safety of the congregation/ community as a whole, it is vital that individuals within the reference group and supporting the Church Safety Plan are aware of the risk. This does not mean making a disclosure of an offence or sharing confidential information from victims, survivors or the individual assessed. Within the Church Safety Plan, however, we need to make people clearly aware of the concern, so they are aware of why and what they need to supervise, and ensure certain expectations are complied with and when escalation or further protective action is required.

#### *When are we expected to use these documents from?*

These revised templates are operational, we do not expect you to move existing risk assessments and "safeguarding agreements" to the new template. The transition to the new templates should occur at the review point for the agreement. This will help to ensure, over time, greater consistency across the Church in respect of risk assessments.