



# Chapter two

## Safer culture

Building a safer culture helps to reduce the likelihood of harm occurring and provides the basis for more effective responses when problems do occur.

### **Key practice points**

- Clear safeguarding policies and procedures are needed at all levels within the Church
- No-one within the URC should be in a paid or voluntary position without having undergone some form of safer recruitment or safer election process
- Disclosure and Barring Checks are a necessary part of the safer recruitment process but are not sufficient on their own
- Safeguarding training helps ensure that staff and volunteers have the knowledge and skills appropriate for their roles
- Good safeguarding practice is underpinned by compliance with other relevant policies and procedures eg data protection and confidentiality.

### **Key responsibilities**

Local church:

- Appoint a Church Safeguarding Coordinator (and deputy where appropriate) and ensure contact details are publicly available for anyone to report a concern
- Have a safeguarding policy which is reviewed annually and updated when necessary
- Practice safer recruitment/election procedures for paid and volunteer roles
- Ensure those working with children or adults at risk are given copies of the *Codes of Conduct*
- Follow the requirements of the training framework
- Comply with legal requirements in respect of data protection
- Complete the Annual Church Safeguarding Return
- Ensure safeguarding is a regular agenda item for Church and Elders' Meetings.

Synod:

- Appoint a Synod Safeguarding Officer
- Have a safeguarding policy which is reviewed annually and updated when necessary
- Oversee implementation of the training framework
- Advise local churches on safer recruitment processes
- Collate information and provide an annual report to the Designated Safeguarding Lead
- Report to synod meetings matters of a safeguarding nature.

DSL / Denomination:

- Have a safeguarding policy which is reviewed annually and updated when necessary
- Lead on the development and review of Safer Culture processes
- Manage the process for blemished disclosures
- Provide an annual safeguarding report to General Assembly
- Report to the URC Trust matters of a safeguarding nature.

## 2.1 Promoting awareness of safeguarding

Creating a safer culture includes raising awareness across the denomination that:

- Both children and adults can be at risk of harm, abuse or neglect
- Safeguarding covers responding to abuse, but also other concerns about vulnerabilities (eg due to ageing) and issues of self-harm and suicide risks
- Concerns will be responded to in a caring way, maintaining confidentiality as far as possible
- Any allegations will be taken seriously, and will be referred to and investigated by the appropriate agencies.

People may feel uncomfortable talking about painful experiences or vulnerabilities. They may at times be unaware that they have been a victim (eg of financial abuse). Examples of ways to raise awareness and make it easier for people to talk about concerns could include:

- Provide information in the church or synod buildings (eg leaflets, Feel Safe poster *Resource D3*)
- Acknowledge the impact of abuse in public prayers (in general terms, not individual experiences)
- Talk about issues of mental health and different types of vulnerabilities
- Speak out against abuse in preaching and teaching
- Build relationships with local specialist services and pray for their work (eg local charities providing support for those experiencing domestic abuse or dealing with addictions).



# Safeguarding roles, policies and reporting

## 2.2 Roles with specific safeguarding responsibilities

Within the URC there are specific roles which carry particular responsibility for promoting good safeguarding practice.

### Trustees

Trustees have oversight of all aspects of safeguarding and this applies at local church, Synod and URC Trust level. They are accountable to the relevant regulatory bodies for safeguarding in any local church and body of the URC, even if certain aspects of the work are delegated to other staff.

### Church Safeguarding Coordinator (CSC) and Deputy CSC

Each church must have a Safeguarding Coordinator. A deputy should also be appointed, if possible. See *Resource S1: The Role of a Church Safeguarding Coordinator* for a role description. It may not be possible to find one person willing and able to perform both the safeguarding children and safeguarding adult roles. In this case, separate Safeguarding Coordinators should be

## Even if a church currently has no children attending, Safeguarding Coordinators should still be appointed.

appointed for children and adults at risk. Ministers / CRCWs are not allowed to take up the role of Safeguarding Coordinators because of their overall pastoral responsibilities. It is also not advisable for their spouses or close family members to take on the role within the same church community, to prevent any conflict of interest. Churches may consider appointing one coordinator for a group of churches.

Churches must display information detailing who to contact and a list of helpful phone numbers. See *Resources D1: Model church safeguarding poster* and *D2: Suggested safeguarding wording for websites*. Churches also need to notify the Synod Safeguarding Officer of the name and contact details of their Safeguarding Coordinator(s) and deputy Safeguarding Coordinator(s), whose information will be stored on the URC database. It is advisable to have a specific email address for the CSC (eg **churchnamesafeguarding@gmail.com**) to avoid using personal accounts for safeguarding correspondence and to ensure that information is not lost when someone new takes on the role. Where a CSC has other roles in the church and may not wish to use multiple email addresses, a church email address should still be used for safeguarding correspondence, not a personal one.

Even if a church currently has no children attending, Safeguarding Coordinators should still be appointed. This is because all churches can have adults at risk in attendance, especially considering that some vulnerabilities can be hidden. Children or adults at risk could attend and / or access services of the church at any time, and good safeguarding practice needs to be in place already.

### Synod Safeguarding Officer (SSO)

Each synod should appoint a Synod Safeguarding Officer to be responsible for leading safeguarding matters in the synod, as well as advising and supporting local churches on safeguarding. They will also disseminate good safeguarding practice information and share lessons to be learnt from statutory and faith sector reviews.

### Designated Safeguarding Lead (DSL)

The Church appoints an Assembly-level Designated Safeguarding Lead (DSL) to oversee and advise on matters of safeguarding across the denomination. As part of their role, the DSL provides support to Assembly and synod staff in helping local churches with serious safeguarding situations, as well as helping them comply with Good Practice.

## 2.3 Safeguarding policies and reporting

### Local church

#### Safeguarding policies

Each church should adopt the URC's safeguarding policy, practices and procedures for safeguarding children and adults at risk. *Resource P1: Model Church safeguarding policy* provides an example safeguarding policy for local churches.

- This should be made readily available to anyone who wishes to see it
- Each policy should be reviewed and updated on an annual basis, adopted by the Church Meeting, and compliance monitored by the Elders' Meeting
- A safeguarding policy statement should be prominently displayed in the Church (and on a

Church's website), summarising the principles and intent of the policy. *Resource P2* provides examples of template policy statements which can be adapted as required.

The exceptions to this are:

- i) Churches in a Local Ecumenical Partnership (LEP)  
Under the sharing of Church Buildings Act 1969, an LEP can opt to use the safeguarding policies of any member denomination involved in the LEP. However, LEPs should avoid switching arbitrarily between denominational safeguarding policies and systems, and are not permitted to create their own policy or make a hybrid policy – it must be the policy of one of the denominations. They should also be aware that policies can interact with each other eg the Methodist Safeguarding Policy is linked with the Methodist data privacy policy. LEPs should also inform Church House and their Synod Safeguarding Officer, via the church return forms or the URC Church Update portal, which denominational policy and procedures they have decided to follow in operating all relevant business, including reporting safeguarding incidents, safer recruitment, training, and so on. See *Resource G1: Guidance on Safeguarding for Local Ecumenical Partnerships* for more information.
- ii) Churches in Scotland  
The National Synod of Scotland follows Church of Scotland policies and procedures.

### **Local church annual safeguarding returns (ASR)**

A review of safeguarding policy, practice and procedures at the church is required once a year, perhaps around the same time as the church AGM.<sup>9</sup> The Safeguarding Coordinator of each local URC should report annually to the Eldership or Church Council and the Synod Safeguarding Officer as part of the annual returns process. This report will assist the Synod Safeguarding Officer in providing appropriate support and guidance to local churches. However, the annual returns should not be the first time the Synod Safeguarding Officer finds out about any incidents or concerns. The report should include a summary of any safeguarding concerns that have arisen in the period (minus any identifying details), the action taken in each situation, any lessons learned, referrals made to statutory authorities and regulators, and any implications for the review of safeguarding policy and procedures. The annual safeguarding return can be completed online via the URC Church Update Portal or by paper copy – see *Resource F4: Annual safeguarding returns form*.

## **Synods**

### **Safeguarding policy**

Each synod should adopt policy, processes and procedures for safeguarding children and adults at risk during synod activities. These should be reviewed, updated and approved annually by the synod trustees, in accordance with *Good Practice 6*.

### **Synod annual safeguarding report**

An annual safeguarding report should be provided by the Synod Safeguarding Officer to the synod trustees summarising any safeguarding concerns which have arisen from within the synod (minus any identifying details), any actions taken in individual cases, lessons learned, and any implications for the review of safeguarding policy and procedures. In synods where a safeguarding reference group has been set up by the synod and its trustees to take primary responsibility for safeguarding, the annual report should be received by this group, with a summary going to

<sup>9</sup> LEPs following another denomination's safeguarding policy are currently still expected to complete an ASR. Guidance will be updated if this changes at some point (for example, if it becomes possible for information to be shared between denominations so that only one return is needed).

the trustees. In addition, the annual safeguarding report should give a summary of the annual safeguarding return information provided by local churches, and details of the safeguarding training and support provided by the synod.

A copy of this Annual Synod Safeguarding Report should be given to the URC Designated Safeguarding Lead. This will allow the Church as a whole to review its commitment to safeguarding children and adults at risk, and provide suitable support and guidance to synods and local churches.

## General Assembly

The 2021 General Assembly issued a safeguarding policy statement which will be reviewed and updated as needed (see [www.bit.ly/urcbor2021](http://www.bit.ly/urcbor2021)). All Synod Safeguarding Officers meet regularly to review existing safeguarding practices of the Church. The URC Designated Safeguarding Lead collates all synod safeguarding annual reports, and then reports to the Safeguarding Committee and the URC trustees.



# Safer recruitment

## 2.4 What is safer recruitment?

Safer recruitment is a framework for designing your recruitment process to deter unsuitable applicants from applying for roles with vulnerable groups, and to identify and reject them if they do. Operating a safer recruitment policy sends a powerful message to all those involved in church life, including those intent on causing harm, that safeguarding is taken seriously by the URC. Failing to carry out a safer recruitment process can put people at risk and could also invalidate insurance policies if a serious safeguarding incident occurs.

### Key stages of safer recruitment

The key principles of safer recruitment apply in all cases, but the process should be proportionate to the role eg it will be more detailed for a paid employee than for a volunteer.



All these different elements are important as information may be missed if just relying on one part of the process. For example, an individual might not have any convictions but a reference might reveal inappropriate conduct which indicates that they would be unsuitable for a particular role.

All checks and references must be received before an individual takes up their role. This will reduce the risk of exposing people to potential harm, as well as the embarrassment of having to remove someone from a role if they prove unsuitable. It also reduces the risk of committing an offence by inadvertently placing someone into a role they are prohibited from doing (see section 2.5 below).

The Resources page has a range of materials to help with the safer recruitment process, including: *SR1 volunteer application form*; *SR2 volunteer reference request*; *SR3 sample questions for interviews and discussions*; and *SR4 sample role descriptions* (for Children’s Church, youth club etc).

## Safer recruitment of volunteers

Churches will need to use their own judgement in applying these procedures, and it may vary for different roles, but key steps typically include:

Stage	Typical activities
Preparation	<ul style="list-style-type: none"> <li>• Provide a role description</li> <li>• Specify what level of disclosure and barring check will be required</li> <li>• Decide where and how to advertise the role.</li> </ul>
Application process	<ul style="list-style-type: none"> <li>• Application form</li> <li>• For certain roles, a self-declaration form will be needed.</li> </ul>
Interview or discussion	<ul style="list-style-type: none"> <li>• Safeguarding issues taken into consideration eg reasons for taking on role, relevant experience, any problems in previous roles.</li> </ul>
References and checks	<ul style="list-style-type: none"> <li>• Appropriate level of DBS / Disclosure Scotland check</li> <li>• References, ideally at least one from someone who knows of their work with children or adults at risk.</li> </ul>
Induction, training and support	<ul style="list-style-type: none"> <li>• Ensure volunteers have copy of church safeguarding policy and relevant <i>Codes of Conduct</i></li> <li>• Require attendance at relevant level of safeguarding training</li> <li>• Volunteer knows who to contact with any queries or concerns</li> <li>• Set expectations of how work will be supervised.</li> </ul>

## Safer recruitment of employees

For employees, each stage of the process will be more detailed, for example:

Stage	Typical activities
Preparation	<ul style="list-style-type: none"> <li>• There is a written job description and person specification</li> <li>• Specify what level of criminal records check will be required</li> <li>• The job description makes clear the duties expected of regarding contact with, and responsibility for, children or adults at risk, and what level of supervision will be provided for these duties</li> <li>• The position is advertised.</li> </ul>
Application process	<ul style="list-style-type: none"> <li>• Application form</li> <li>• Self-declaration form.</li> </ul>
Interview or discussion	<ul style="list-style-type: none"> <li>• Interviewed by a panel (not just one person)</li> <li>• Safeguarding has been discussed at interview.</li> </ul>
References and checks	<ul style="list-style-type: none"> <li>• Written references have been obtained and followed up</li> <li>• Qualifications have been verified</li> <li>• Appropriate level of DBS/Disclosure Scotland check completed</li> <li>• An applicant's UK residency status and/or right to work in the UK will be checked when recruiting for a paid role.</li> </ul>
Induction, training and support	<ul style="list-style-type: none"> <li>• A suitable induction training programme is provided</li> <li>• The applicant has been given a copy of the church / organisation safeguarding policy and knows how to report concerns</li> <li>• Copies of relevant <i>Codes of Conduct</i> have been provided</li> <li>• A probationary period has been agreed</li> <li>• Supervision expectations are set</li> <li>• Safeguarding training has been attended.</li> </ul>

## Safer election of Elders

Elders are called into ministry by the Church Meeting. However, the URC acknowledges that those who are in positions of responsibility should be properly equipped for the ministry to which they are called.

The key provisions in relation to safeguarding are that a newly elected Elder shall:

- a) undertake a suitable induction training programme
- b) be given a copy of:
  - *URC Guidelines for the Conduct and Behaviour of Elders*  
(see [www.bit.ly/3RSNGml](http://www.bit.ly/3RSNGml))



- the church's safeguarding policy with knowledge of how to report concerns
- c) apply for a relevant DBS / Disclosure Scotland check
- d) attend safeguarding training within six months of ordination and / or induction.

For further details see [www.urc.org.uk/urc-ministries/safer-election-of-elders/](http://www.urc.org.uk/urc-ministries/safer-election-of-elders/).

## 2.5 Disclosure and barring checks

Checks are carried out with the Disclosure and Barring Service (DBS) in England, Wales, the Channel Islands and the Isle of Man, and with Disclosure Scotland. The different schemes all recognise each other's decisions so, for example, an applicant who is barred from working with children or adults at risk in one part of the country is barred across the whole of the British Isles.

### Types of checks

- **Basic:** This checks for unspent criminal convictions and conditional cautions only
- **Standard:** This checks for spent and unspent convictions, cautions, reprimands and final warnings
- **Enhanced:** This includes the same as the standard check, plus additional information held by local police that is reasonably considered relevant to the role for which the person has applied
- **Enhanced with barred list checks:** This is similar to the enhanced check, but also includes a check of the DBS barred lists. This is equivalent to the Protecting Vulnerable Groups (PVG) Scheme in Scotland.

### Which church roles and positions require a check?

A full list of the types of checks currently required within the URC for different roles is provided in *Resource S3*. The government also provides an online tool to check the eligibility of roles for a Disclosure and Barring Service (DBS) check in England and Wales.<sup>10</sup>

### Roles involving Regulated Activity

The Protection of Freedoms Act 2012 updated the definition of regulated activity originally given in the Safeguarding Vulnerable Groups Act 2006. Whether or not a particular role involves Regulated Activity depends on:

- the type of work
- the frequency and period of time over which the work will be done
- if and how the work will be supervised.

An Enhanced with barred list / PVG check must be carried out for all roles involving Regulated Activity.

*Please note: Regulated Activity excludes any activity carried out in the course of family relationships or private arrangements made outside of a church role, for example between friends.*

### Regulated activity in relation to children

This comprises:

- i) Unsupervised activities: teach, train, care for or supervise children, or provide advice / guidance on wellbeing, or drive a vehicle only for children;
- ii) Work for certain establishments eg schools, children's homes, childcare premises.

<sup>10</sup> [www.gov.uk/find-out-dbs-check](http://www.gov.uk/find-out-dbs-check)

Work under (i) and (ii) is Regulated Activity only if done regularly ie once a week or more often, or on four or more days in a 30 day period, or overnight.<sup>11</sup>

In local churches, roles involving Regulated Activity would include:

- any role which involves teaching, supervising or providing advice and guidance to children on a frequent (weekly) basis, such as leaders of weekly children's and youth groups
- any role which involves teaching, supervising or providing advice and guidance to children intensively (at least four days in a 30-day period), such as leaders at a children's holiday club lasting four days or more
- any role which involves the supervision of children overnight, irrespective of how many nights or how often, for example leaders staying overnight at a residential event
- any role which includes personal care of children on account of their illness, disability or age, irrespective of how often this takes place, such as leaders helping children with eating, drinking, toileting, washing, bathing or dressing
- those who drive children as part of their church role weekly, four or more days in a 30-day period, or overnight, for example someone who has been asked by the church to transport children to and from a church activity
- any role on church premises used for Ofsted (Care Inspectorate in Wales) registered childcare, which gives opportunity for unsupervised contact with children during childcare, such as a church office worker or caretaker in a building where toilets are shared with the children
- any role which includes the management or supervision of the above Regulated Activity.

### **Activities in which parents / carers are present**

The definition of Regulated Activity applies regardless of whether or not parents/carers are present. Any roles which involve regular teaching, supervision or personal care of children would still require an Enhanced with barred list / PVG check even when parents and carers are present eg toddler groups or Messy Church. ('Regular' here is as defined above in terms of once a week or four or more days within a 30-day period.)

### **Regulated Activity in relation to adults at risk**

An individual is carrying out Regulated Activity relating to adults<sup>12</sup> only when engaging in one of these six types of activity:

- Providing health care: the provision of healthcare by any healthcare professional or under the direction or supervision of a healthcare professional
- Providing personal care: the provision of physical assistance with eating or drinking, going to the toilet, washing or bathing, dressing, oral care or care of the skin, hair or nails because of the adult's age, illness or disability. It includes prompting and supervising an adult with any of these tasks or teaching them to do any of these task

11 Regulated activity with children: [www.bit.ly/45k7zX1](http://www.bit.ly/45k7zX1) (England); [www.bit.ly/3Q7pxI2](http://www.bit.ly/3Q7pxI2) (Wales)

12 Regulated activity with adults: [www.bit.ly/46uZCiK](http://www.bit.ly/46uZCiK) (England); [www.bit.ly/46kgKb9](http://www.bit.ly/46kgKb9) (Wales)

- Providing social work: the activities of regulated social workers in relation to adults who are clients or potential clients
- Assistance with general household matters: provision of day-to-day assistance to an adult because of their age, illness or disability, where that assistance includes at least one of
  - i) managing the person's cash;
  - ii) paying the person's bills; or
  - iii) shopping on their behalf
- Assistance in the conduct of a person's own affairs: assisting in the conduct of an adult's own affairs under a formal appointment eg power of attorney, independent advocacy services, receiving benefit payments on the person's behalf
- Conveying: drivers (and any assistants) who transport an adult because of their age, illness or disability to or from places where they receive healthcare, personal care or social work.

Even if people only engage in these activities once, it is still considered Regulated Activity.

An individual whose role includes day-to-day management or supervision of any person who is engaging in Regulated Activity is also considered to be working in Regulated Activity.

Within a church setting, Regulated Activity with adults is likely to be limited to a small number of church roles where the person is involved, as part of their church role, in:

- helping with washing, dressing, eating, drinking, toileting or teaching someone to do one of these tasks
- helping with a person's financial transactions, bills or shopping on account of their age, illness or disability. (Posting letters for a housebound person is not Regulated Activity, but taking money from them to pay for postage is Regulated Activity)
- driving someone on account of their age, illness or disability to / from places in order to receive health, personal or social care.

## Roles not involving Regulated Activity

It is not appropriate to carry out a barred list / PVG check for roles which do not involve Regulated Activity, but another type of disclosure check should still be made for roles involving other work with children and adults at risk.

### Working with children

Where an individual is not in Regulated Activity but is still working with children, they are eligible for an Enhanced without barred list check (this applies regardless of whether or not parents / carers are present). This includes situations where the individual is engaged in activities such as teaching, caring for or driving children but does not do this often enough for it to qualify as Regulated Activity.<sup>13</sup> An example would be someone who helps out with a crèche or youth group on fewer than four days in a 30 day period.

If an individual teaching or caring for children is supervised (ie is in sight of the supervisor at all times) by someone with a current barred list check, they would also be eligible for an Enhanced (without barred list) check.

### Working with adults at risk

Those involved in activities such as providing pastoral care to adults at risk or driving them to church are eligible for an Enhanced (without barred list) check. This relates to activity organised by and carried out on behalf of the church (eg being on a rota for lifts that is managed by the church would be included, but an arrangement between friends wouldn't be).

13 [www.bit.ly/3rNNDxX](http://www.bit.ly/3rNNDxX)

Further details and updates will be available from:  
[www.urc.org.uk/safeguarding/safer-recruitment/](http://www.urc.org.uk/safeguarding/safer-recruitment/).

## **Practicalities of carrying out disclosure and barring checks**

Due Diligence Checking Ltd (DDC) carries out all checks on behalf of the URC. More detailed guidance about the process is available on the URC pages on the DDC's website.<sup>14</sup>

### **Who can be the verifier in a local church?**

Currently, the Church Secretary is automatically on the list of approved verifiers.<sup>15</sup> The church can ask for additional people to be added as verifiers via the URC Church Update portal or by completing the 99SG form, which is available via the safeguarding section of the URC's website. Family members cannot act as verifiers for each other so another approved verifier would need to confirm identity documents in such situations.

### **Consent from applicants**

It is essential that criminal offence data obtained are obtained lawfully, fairly and transparently. Any application for a check should, therefore, be initiated with the consent of the applicant to ensure protection of the rights of people who apply to work or volunteer for the URC. Where a local church or synod has a Privacy Notice, this should be provided to applicants before a check is made so that they can understand what will be done with their data, and why they are providing it. A model Privacy Notice can be found on the URC website.<sup>16</sup>

### **How does a church check the suitability of people who have spent time abroad?**

DDC can carry out international criminal record checks at the request of the Synod Safeguarding Officer and Church House Safeguarding Administrator. Seek advice from your Synod Safeguarding Officer if you become aware that someone lived abroad more than five years ago (the DBS application asks for addresses over the last five years so would not necessarily pick up details from before then). This information could come from an employment history (for paid roles) or from an application form for volunteer roles (see *Resource SR1*) for example.

If checks from other countries cannot be obtained or are not available, extra care should be taken when obtaining references or checking any previous employment record. In such cases, it would be advisable to seek additional references, as well as actually speaking to referees by phone or video call. It is acknowledged that if someone has been travelling abroad, eg on a gap year where a number of countries might be visited, it will not be possible to obtain the information in this format. Therefore, it is even more important that other steps in the safer recruitment process are followed and that the references, and any previous employment or volunteer experience, are verified.

### **How often should DBS / Disclosure Scotland checks be renewed?**

Checks for all roles and positions must be renewed every five years.

The URC does not currently accept certificates from other organisations where church members may have had DBS checks as part of their employment or other voluntary activity, so any roles taken up will require a check by the URC. Use of the DBS update service is currently under discussion, however, and guidance will be issued as and when a decision is made about whether and how this might be used.

14 [www.ddc.uk.net/urc/](http://www.ddc.uk.net/urc/)

15 This may change to be the Church Safeguarding Coordinator, churches will be notified when this takes effect.

16 [www.urc.org.uk/gdpr](http://www.urc.org.uk/gdpr)

## Recruitment of ex-offenders

Both the DBS code of practice<sup>17</sup> and Disclosure Scotland code of practice<sup>18</sup> state that all registered bodies must treat applicants who have a criminal record fairly and not discriminate automatically because of a conviction or other information revealed. The codes oblige all churches registered with DBS / Disclosure Scotland to have a written policy on the recruitment of ex-offenders, a copy of which can be given to DBS applicants at the outset of the recruitment process. *Resource P4* provides a model policy statement on the recruitment of ex-offenders. The URC is committed to equality of opportunity and, while not being complacent about risk, understands that people are capable of reform. We will consider all offences on an individual basis and many offences will not prohibit people who are otherwise suitable to work with children or adults at risk from doing so.

Under GDPR, extra protection is given to ‘personal data relating to criminal convictions or offences’ (known as criminal offence data). Data processing should be lawful, fair, transparent and in line with all the principles and requirements of GDPR.<sup>19</sup>

## Blemished disclosures

Disclosure information, including whether a disclosure has content (known as a blemished disclosure), is only made known to those who need to know. Local church verifiers are not required to see or request to see blemished disclosures as the URC Safeguarding Team at Church House is responsible for handling these.<sup>20</sup> In cases relating to ministers of Word and Sacraments, Church Related Community Workers, Assembly Accredited Lay Preachers and Assembly Accredited Lay Pioneers, the process is managed by the Secretary for Ministries, in consultation with the Designated Safeguarding Lead. DDC will contact the applicant directly if their disclosure is blemished to gather further information from them and arrange for the disclosure to be sent to their offices to be passed on to the Safeguarding Team at Church House.

Where a blemish relates to a conviction, the Safeguarding Team at Church House will identify whether this is spent or unspent, and then notify the relevant Synod Safeguarding Officer who will carry out a risk assessment. If the outcome of the risk assessment is that the individual can take up their role, and the conviction is unspent, the Safeguarding Team at Church House will contact the URC insurers, copying in the SSO, to seek agreement for them to cover the risk of someone with an unspent conviction having that position within the church.

If an applicant is cleared to work in a role, the local church or URC office will receive a standard email notification confirming the certificate’s issue number and date. If an applicant is deemed unsuitable to work in a role, or should work within particular conditions, they will receive a specific notification containing the relevant information. No applicant should start working in their role before local churches receive such notification. In the Synod of Scotland, the risk assessment process for staff and volunteers is conducted jointly between the synod and the Recruitment Sub Committee of the Church of Scotland because of the different safeguarding arrangements.

In particularly complex cases, a review panel will be convened to consider the risk assessment and decide on suitability for a role. This will comprise the Designated Safeguarding Lead, Synod Safeguarding Officer, Synod Moderator, Church Safeguarding Coordinator and a member of the Safeguarding Committee with relevant expertise.

17 [www.gov.uk/government/publications/dbs-code-of-practice](http://www.gov.uk/government/publications/dbs-code-of-practice)

18 [www.mygov.scot/disclosure-code-of-practice](http://www.mygov.scot/disclosure-code-of-practice)

19 [www.bit.ly/3rMhUxb](http://www.bit.ly/3rMhUxb)

20 **The URC Safeguarding Team at Church House consists of the Secretary for Ministries and the Designated Safeguarding Lead**

### **Individuals who are barred from Regulated Activity**

This opportunity to potentially make an appointment, subject to a risk assessment and or certain conditions, does not apply to roles involving regulated activity where an individual has been barred from working with children and / or adults at risk. An individual who is barred and seeks to work (either paid or unpaid) in Regulated Activity is committing a criminal offence. An organisation which knowingly seeks to appoint an individual who is barred from working in Regulated Activity from which they have been barred is also committing a criminal offence. Both offences are punishable by a £5,000 fine and / or five years' imprisonment. A church therefore **must not** allow anyone who is on either of the barred lists to work or volunteer in any role involving Regulated Activity from which they have been barred.

### **Suitability for other positions of responsibility**

The URC may decide that an individual with certain convictions, or who is on a barred list, is unable to hold a position of responsibility within the church (even if the role does not involve Regulated Activity). This will be decided on a case-by-case basis, following a risk assessment, and discussion with the DSL, SSO and, if necessary, a complex cases review panel.

### **Storage, handling, use, retention and disposal of disclosure information and certificates**

The DBS / Disclosure Scotland codes of practice require that all registered bodies must have a written policy on the correct handling and safekeeping of certificate information. It also obliges those registered bodies to ensure that any body or individual on whose behalf they are countersigning applications has a written policy in place. A model policy can be found on the DBS website.<sup>21</sup>



# **Training and codes of conduct**

## **2.6 Training**

The United Reformed Church recognises that it is everyone's responsibility to safeguard others and thus it needs to ensure that people holding specific roles and responsibilities are specifically equipped to protect vulnerable groups.

### **Safeguarding training framework**

General Assembly adopted the Safeguarding Training Framework for use across the URC in 2021. This sets out a four-tier structure of training:

- **Foundation:** aimed at those who may come into contact with children or adults at risk during the course of their role

21 [www.bit.ly/48RvNuz](http://www.bit.ly/48RvNuz)



- **Intermediate:** for those whose role involves working or volunteering with children or adults at risk
- **Advanced:** to support those who have safeguarding leadership roles in which they manage and oversee safeguarding arrangements and practice
- Specialist training for those in particular roles or covering specific topics.

The table in *Resource S2* shows the mandatory levels of training required for different roles (based on General Assembly paper T5). Training should be renewed every three years.

For Wales: training will be delivered in line with the National Safeguarding Training, Learning and Development Standards, incorporating the Memorable Principles for different groups.

[www.bit.ly/walesocialcare](http://www.bit.ly/walesocialcare)

Synod Safeguarding Officers will<sup>22</sup>:

- oversee the implementation of the training framework in their synod
- provide regular training opportunities for church members
- keep records of who has completed the online Foundation training and who has attended Intermediate or Advanced training in their synod.

Church Safeguarding Coordinators are responsible for:

- ensuring all relevant church members undertake URC safeguarding training at the level required for their role(s)
- reminding church members to renew relevant training every three years.

The Church House Safeguarding Administrator will:

- Record details of who has completed training delivered by the central team on the URC database.

### **Specialist URC safeguarding training**

Further training is available for people in particular roles including:

- DBS Verifier training
- Safer recruitment
- Elders as Trustees training
- Church Safeguarding Coordinators
- Safeguarding for ministers supporting survivors.

Training on specific topics is also available including:

- Awareness of domestic abuse
- Adult safeguarding
- Substance misuse
- Suicide awareness
- Working with refugees and asylum seekers
- Modern slavery.

Other training courses are being developed and will be added to the resources available.

See [www.urc.org.uk/safeguarding/](http://www.urc.org.uk/safeguarding/) for up-to-date details and training dates.

### **Training modules for specific roles**

Synod Safeguarding Officers, the DSL and some others may need to undertake further specialist training as part of their professional development.

**The United Reformed Church recognises that it is everyone's responsibility to safeguard others**

22 National Synod of Scotland has an agreement for the Church of Scotland to provide safeguarding training.

## Recognising other training providers

Those who hold a role in the URC requiring completion of the Intermediate or Advanced level of training should complete this with the URC regardless of previous experience or other training undertaken because the content relates directly to URC processes and procedures for safeguarding.

## 2.7 Codes of conduct

The Church Safeguarding Coordinators or Church Secretary need to provide copies of the relevant *Codes of Conduct* to anyone in a role working with children or adults at risk at local church level. For synod or Assembly events, organisers should ensure staff / volunteers have copies of the *Codes of Conduct*, in addition to any specific guidance or ground rules for that particular event. Relevant resources are *C1: Code of Conduct for Working with Children (Under 18s)* and *C2: Code of Conduct for Working with Adult (Over 18s)*.



# Data protection

## 2.8 Data protection and information sharing

When dealing with any data relating to safeguarding concerns or allegations, it is necessary to understand **both**:

- i) individuals' rights concerning their own data; and
- ii) when and how information can be shared for the purpose of preventing harm.

### Privacy and individuals' rights

It is important that workers are aware the Data Protection Act 2018 and the General Data Protection Regulations (GDPR) place duties on organisations and individuals to process personal information fairly and lawfully, and to keep the information they hold safe and secure. Under GDPR, individuals have eight rights in relation to their personal data. The most relevant ones for safeguarding purposes are:

- Right to be informed about collection and use of personal data
- Right to access data held about them by a data controller
- Right to rectification of inaccurate information
- Right to erasure
- Right to object to processing of personal data in certain circumstances.

It is therefore important to ensure that all data is as accurate and fair as possible, recognising that records (including emails) can be seen by individuals if they request it.

### Sharing information for safeguarding purposes

Nothing in the Data Protection legislation seeks to limit the appropriate disclosure of information in order to protect an individual who is, or may be, at risk of harm. The Data Protection Act 2018 contains "safeguarding of children and individuals at risk" as a processing condition that allows



practitioners to share information. What matters is that the process of information sharing is carried out appropriately.

Workers must, therefore, decide whether sharing information is a necessary and proportionate response to the need to protect an individual. The decision-making process must weigh up what might happen if the information is shared against what might happen if it is not shared. If in doubt, always seek advice from the Synod Safeguarding Officer.

### **Consent for sharing information**

Consent from individuals should be sought to share information whenever possible. However, sharing confidential information without consent can be justified in the public interest when:

- there is evidence or reasonable cause to believe that a child or an adult is suffering, or is at risk of suffering, significant harm
- it could prevent significant harm to a child or serious harm to an adult
- to seek consent would prejudice the prevention, detection or prosecution of a serious crime
- to seek consent would lead to an unjustified delay in making enquiries about allegations of significant harm to a child or serious harm to an adult.

**NB: If you are concerned that there is an immediate risk of harm to a child or adult at risk, information should be passed on to the relevant person without delay, regardless of whether or not consent can be obtained.**

### **Recording decisions about information sharing**

When information is shared, a record should be made of when it was shared, with whom, in what form, for what purpose, and whether it was disclosed with or consent. Similarly, any decision not to share information, and the reasons why, should also be recorded.

### **Sharing information on a 'need to know' basis**

It is important to maintain confidentiality, sharing sensitive and personal information only on a 'need to know' basis. This means that it should only be shared with individuals and agencies who have a responsibility for the reporting of, or decision making about, a particular safeguarding situation.

For a local church, such people would normally include:

- the Church Safeguarding Coordinator
- the church minister, leader, CRCW or Interim Moderator
- the Synod Safeguarding Officer
- the statutory agencies to whom a safeguarding referral is being made. Churches should share all relevant information in their possession, and follow multi-agency decisions.

For a synod or Assembly event, this would ordinarily include:

- the person appointed to act as Safeguarding Officer for the event
- the synod or Assembly Safeguarding Officer
- the Synod Moderator or the URC General Secretary
- the statutory agencies to whom a safeguarding referral is being made. Synods or Church House should share all relevant information in their possession, and follow multi-agency decisions.

Decisions about whether others need to be informed, such as the parents or carers of children or adults at risk, would be made by those managing the case, and would be on a strictly 'need to know' basis. There may well be situations where they should not be told.

The whole Eldership of a local URC, or the trustees of a synod or Assembly, might be informed that a safeguarding case is being dealt with, and the actions that are being taken, without divulging confidential details of the case. These details might include the people and churches involved, or the precise nature of the issue. Synod Moderators should always be informed when the general wellbeing of a church is affected by a serious safeguarding incident, or when the whole Eldership of a local church are failing to take appropriate steps to protect a child or an adult at risk.

### Top tips

GDPR and the Data Protection Act are not barriers to sharing information. They provide a framework to ensure that personal information about living persons is shared appropriately

- Be open and honest with the person (and their family or those supporting them where appropriate) about why, what, how and with whom information will, or could, be shared
- Seek advice if in any doubt, without disclosing the identity of the person where possible
- Share with consent where appropriate. Do not seek consent if doing so would increase risk
- Ensure that the information you share is necessary for the purpose for which you are sharing it, is shared only with those people who need to have it, is accurate and up to date, is shared in a timely fashion, and is shared securely
- Keep a record of your decision and the reasons for it, whether it is decided to share information or not. If you decide to share, then record what you have shared, with whom and for what purpose. If you decide not to share, then record why. Records should demonstrate how the process has been managed. Keeping a chronology of events can be useful in this respect.

## Storing information

All paper and electronic records should be stored appropriately, in line with legislation and guidance. Paper records should always be stored securely on church or office premises, rather than in private homes. Confidential, sensitive or important records should always be stored in locked filing cabinets or safes, and must be disposed of in a secure manner, such as by shredding. A well-organised filing system should include appropriate procedures for the retention and disposal of records, as detailed in the table below. Emails are also electronic records which need to be managed appropriately, and any filing system used for this type of communication must also have appropriate procedures for retention and disposal, as described in the table below.

### Record retention periods

Records must be kept only if they are required for operational, legal and historical purposes. When records are no longer required for any of these purposes, they should be destroyed in an appropriate manner.

Type of record	How long to keep it
Safeguarding policy documents	Date policy superseded + 25 years
DBS / Disclosure Scotland certificate information	The actual disclosure form must be destroyed after six months. A record can be kept of the date of issue of a Certificate, the name of the subject, the type of Certificate requested, the position for which the Certificate was requested, the unique reference number and the details of the recruitment decision taken. A record of whether a disclosure was clear or blemished must not be kept.

Records relating to safeguarding concerns about children or adults at risk	These should be kept for 75 years following the date when the concern is raised.
Records relating to a safeguarding-related allegation (against a member of staff/volunteer, including where the allegation is unfounded)	These should be kept for 75 years following the date when the concern is raised.
Safeguarding Contract/Agreement with an offender / alleged offender	This should be kept for 75 years following the date when the contract / agreement is signed.

## Subject Access Requests (SARs)

Under GDPR, individuals can request to see data which a church, synod or the DSL holds about them (Subject Access Request). Responses to SARs should normally be provided within 30 days unless there are exceptional circumstances. For advice on responding to SARs, contact Church House, who can provide further guidance and templates to use.

## Requests for data rectification and data erasure

If an individual demonstrates that information held about them is inaccurate, they have a right to data rectification under GDPR and the data controller must correct inaccurate data. The right to data erasure is unlikely to apply in safeguarding cases as documents are required to be retained for 75 years (see table above). Contact Church House for advice on dealing with these types of requests.



# Other relevant policies

## 2.9 Whistleblowing

To fulfil its commitment to safeguarding and promoting the welfare of children and adults at risk, the URC recognises the importance of creating a culture where there is a mechanism in place for workers to be able to raise legitimate concerns about other workers. This is commonly referred to as whistleblowing. The Public Interest Disclosure Act 1998 gives workers legal protection against being dismissed or penalised as a result of publicly disclosing certain serious concerns. While the Act does not provide the same protection for volunteers, churches should endeavour to adopt the same practice for all. All staff, volunteers and members of a congregation should be encouraged to acknowledge and take individual responsibility by bringing matters of unacceptable practice, performance or behaviour to the attention of any of the following:

- Church Safeguarding Coordinator or deputy
- Elders
- Minister or Interim Moderator
- Synod Moderator

- Synod Safeguarding Officer The URC Whistleblowing Policy is available at: [www.bit.ly/papert2](http://www.bit.ly/papert2)

## 2.10 Bullying and harassment

The United Reformed Church acknowledges that bullying and harassment do occur within local churches and the wider councils. It is important that people should know where to find help if they believe themselves to have been bullied, and that those responsible for pastoral care should be vigilant for signs that bullying may be occurring.

There is no legal definition of bullying but it is often characterised as: Offensive, intimidating, malicious or insulting behaviour, or an abuse or misuse of power, intended to cause hurt or pain, or to undermine, humiliate, denigrate or injure the recipient .

Harassment is defined in the Equality Act 2010 as: "Unwanted conduct related to a relevant protected characteristic, which has the purpose or effect of violating an individual's dignity or creating an intimidating, hostile or offensive environment for that individual."

Someone who believes they have been the target of harassment or bullying, or a third party witnessing such behaviour, should not hesitate to seek help. The sooner this is done the better, even if they are not certain that it is bullying, but they feel that someone's conduct displays unwanted behaviour. Dealing with concerns early can often prevent situations escalating into more serious conflict and such requests for help should therefore always be treated seriously. In a local church, the minister, Church Secretary or chair of the local CRCW committee would normally be the first port of call. Where that is inappropriate, the synod moderator may be contacted. An allegation against a Synod Moderator should be directed to the General Secretary.

See also *Resource G5: Guidance on responding to allegations of bullying and harassment*. In some cases, it may be necessary to use the complaints process set out in Section Q of the Manual ([www.urch.org.uk/wp-content/uploads/2023/01/Q\\_Complaints\\_Procedure\\_2022.pdf](http://www.urch.org.uk/wp-content/uploads/2023/01/Q_Complaints_Procedure_2022.pdf)) or the Disciplinary Process ([www.urch.org.uk/wp-content/uploads/2023/07/Section-O-July-23.pdf](http://www.urch.org.uk/wp-content/uploads/2023/07/Section-O-July-23.pdf))