

The United Reformed Church

A guide for staff facing safeguarding allegations



The aim of this guide is to explain the processes involved, and the support and guidance available, if it is alleged that you have:

- harmed a child/young person/adult or may have harmed a child, young person or adult
- committed a criminal offence against or related to a child or adult
- behaved in a way which indicates that a risk of harm may be posed to a child/children or an adult/adults.

Further detail on the procedures described here can be found in chapter five of *Good Practice 6*.

Initial action

When the allegation relates to a child or a young person, your manager should consult the Local Authority Designated Officer (LADO) – in some parts of the country the role is referred to simply as Designated Officer (DO) – to consider the next steps, taking advice from children’s services and the police as needed. The police may advise that you are not told about the allegation immediately. The Synod Safeguarding Officer should also be informed and will be on hand to offer advice and support.

When the allegation relates to an adult, your manager should consult the Church Safeguarding Coordinator, and if not available the Synod Safeguarding Officer. The Synod Safeguarding Officer should be informed to offer advice and support. In Wales, the LADO should be informed as they also deal with allegations about those working with adults.

Your manager’s decision, in consultation with the statutory services and the Synod Safeguarding Officer, will include one, or a combination, of the following:

- a) immediate referral to children’s or adult’s services (required if the child/young person/adult at risk is alleged to have suffered, or is likely to suffer, harm, abuse or neglect)
- b) referral to the police (required if a criminal offence is alleged)
- c) disciplinary and/or capability procedures, including referral, if appropriate, to any professional body to which you may belong (if the allegation represents poor or inappropriate behaviour)
- d) no further action (if the allegation is clearly and demonstrably without foundation).

If the conclusion of the initial discussions is (a) or (b), the local authority children’s or adult’s services or the police will direct the process. A strategy discussion may take place involving the police, social care, your manager, and, where possible, a HR representative.

The Synod Safeguarding Officer will attend the strategy meeting if convened, to share information and inform the meeting’s decision. You will not be asked to attend such a discussion.

The discussion will focus on the needs of the person who may be at risk, with the priority being to keep them safe from any harm. It will determine what action should be taken regarding further investigation, but it is not part of any disciplinary procedure.

If the initial discussions conclude that the situation is as outlined in (c), the Synod Safeguarding Officer will refer the matter to relevant persons of the Church for an investigation under the disciplinary and/or capability procedures.

If the conclusion is as outlined in (d), you should be told orally, and in writing, that the allegation is without foundation and that no further action will be taken.

Types of possible investigation

- Child safeguarding enquiries carried out by local Children's Services
- Adult safeguarding enquiries carried out by the local adult Social Care Services
- Criminal investigation by the police
- Disciplinary/capability investigation.

A disciplinary investigation will usually need to wait until external statutory investigations are complete, unless prior agreement is reached with the relevant statutory authorities. Whilst these investigations should be conducted as speedily as possible, they should also be balanced against the need to be thorough and fair. Statements taken in external investigations could be used in subsequent disciplinary proceedings.

Suspension

Suspension of a worker, pending the outcome of an investigation, should be carried out in consultation with the statutory authorities where they are involved and the Synod Safeguarding Officer needs to be involved in any decision regarding suspension.

Suspension should only occur when the known facts relating to the allegation indicate:

- a child/young person/adult may be at risk
- the allegations are so serious that dismissal for gross misconduct is possible
- suspension is necessary to allow the conduct of the investigation to proceed unimpeded.

Alternatives, such as leave of absence, transfer of duties or additional supervision should be considered.

Where suspension is being considered, an interview will normally be arranged. You have the right to be accompanied by a trade union representative, colleague or friend. You are advised to seek the assistance of a union representative, if you have one. If you are considered for suspension, one of their roles will be to promote your interests in the interview and raise issues that may be of concern to you. The interview is not an examination of the evidence but is an opportunity to make representations concerning possible suspension.

You will be asked if you undertake any other roles, either paid or voluntary, where you have contact with children or adults at risk. Where this is the case, those employers will also be informed, usually by the DO or Children's Services. Depending on the nature of the allegation, Children's Services may also initiate an assessment with your own children, if you have any.

Other people, including your colleagues, should only be told about the allegation on a proportionate and necessary basis. You will be told who will be informed. Notification may be delayed if the police think this could prejudice an investigation.

Those likely to be told of the allegation and likely course of action may include yourself, your manager, the Synod Safeguarding Officer, the Church Safeguarding Co-ordinator, the Moderator, your minister, the person concerned, their parent/carer where appropriate, the person making the allegation, and the investigating agencies as above.

If you are suspended, the persons appointed to a disciplinary panel, if convened, will also be given the necessary information.

Every measure should be taken to ensure that confidentiality is maintained throughout the process, however it may be necessary to issue a brief press statement, which will be agreed by the agencies concerned. If this is considered necessary, you will be informed of what will be said and when this will happen.

Resignation

If you decide to tender your resignation during an investigation, or before one is commenced against them, the investigation will continue regardless. If you apply for another position, then the fact of a disciplinary investigation will be mentioned in any future references that are provided for you. This is unless the allegation was proved to be unfounded.

Referral to the Disclosure and Barring Service/Disclosure Scotland

The law places duties on organisations to refer individuals to the Disclosure and Barring Service (DBS) or Disclosure Scotland in order to protect vulnerable people from harm in certain situations. These organisations maintain registers of people who are barred from working with children or adults, and there are situations where churches have a duty to make a referral to them. The Synod Safeguarding Officer will provide guidance on this matter and advise on whether you are being referred. Further detail on referrals can be found on pages 77-78 of *Good Practice 6*.

Irrespective of whether a referral has been made to DBS, it remains the duty of the employer to decide whether an individual should be allowed to continue working. The Synod Safeguarding Officer will contact you if they think it is necessary to carry out a risk assessment in relation to the allegations or concerns about your conduct.

Return to work

If you have been suspended and it is decided that you are able to return to work, your union representative, colleague or friend can assist in negotiating and planning this return.