

Diocese of Chester

Bishop's Council – 6 December 2010

Safeguarding Vulnerable Adults Policy

1. The Purpose of this document

This document states the policy of the Diocese of Chester, with regard to working with vulnerable adults. We will develop and deliver procedures and guidelines to promote good practice by reducing the risk of someone harming an adult in the course of their work within the Church.

This document is based on The House of Bishops Vulnerable Adults Policy, 'Promoting a Safe Church (House of Bishops 2006) and the government documents 'No Secrets' 2000¹ and The Safeguarding Vulnerable Groups Act 2006.² It should be used in conjunction with, 'Protecting All God's Children' (House of Bishops 2004) and 'Responding to Domestic Abuse – guidance for those with pastoral responsibilities' (2006).

The message is that all people have the right to respect. Safeguarding adults within the Church is based on sound pastoral care and good practice. It is subtly different from Safeguarding Children in so far as it is important to remember that safeguarding adults must be built upon empowerment or listening to the victim's voice. Without doing this, safeguarding may be 'experienced as safety at the expense of other qualities of life such as self determination and the right to family life.'³

¹ No secrets: guidance on developing and implementing multi-agency policies and procedures to protect vulnerable adults from abuse. Department of Health and Home Office 2000

² Safeguarding Vulnerable Groups Act 2006. Available at http://www.opsi.gov.uk/acts/acts2006/ukpga_20060047_en_1

³ Safeguarding Adults – report on the consultation on the review of 'No Secrets' Criminal Justice System and Home Office 2009

2. Summary of the Policy

- We are committed to respectful pastoral ministry to all adults within our church community.
- We are committed, within our church community, to the safeguarding and protection of vulnerable people.
- We will carefully select and train all those with any pastoral responsibility within the church, including the use of Criminal Records Bureau disclosures where legal or appropriate.
- We will respond without delay to any complaint made that an adult for whom we were responsible has been harmed, cooperating with police and the local authority in any investigation.
- We will seek to offer informed pastoral care to anyone who has suffered abuse, developing with them an appropriate healing ministry.
- We will challenge any abuse of power by anyone in a position of trust.
- We will care for and supervise any member of our church community known to have offended against a vulnerable person.

(‘Promoting a Safe Church’ House of Bishops 2006)

3. What does the term Vulnerable Adult mean?

In October 2009, in line with the ‘Safeguarding Vulnerable Groups Act 2006’ the Independent Safeguarding Authority (ISA) provided the following definition of a vulnerable adult:

Vulnerable adult - a person who is aged over 18 AND:

- **is receiving any form of health care (e.g. a day care or a home care package)**
- **is receiving a service or participating in an activity which is specifically targeted at people with age-related needs, disabilities or prescribed physical or mental health conditions or expectant or nursing mothers living in residential care**
- **has age-related needs including needs associated with frailty, illness, disability or mental capacity**

Further definitions:

Mistreatment is defined in the government report ‘No secrets’ (Department of Health and Home Office 2000) as a ‘violation of an individual’s human and civil rights by any other person or persons’

In the church, this could be any misuse of a pastoral or managerial relationship, from the most serious to the less severe behaviour which lies at its root.

The term mistreatment covers **abuse, bullying and harassment** (For detailed definitions see ‘Promoting a Safe Church’ House of Bishops 2006 pages 38-43)

Harm is what results from abuse.

The people, who are *most likely* to be the subject of mistreatment, are those people who:

- Are very frail
- Are older people
- Have a mental illness including dementia
- Have a physical or sensory disability
- Have a learning disability
- Have a serious physical illness
- Have already experienced childhood abuse
- Have experienced major trauma

The Church recognises that there is a wide and diverse set of circumstances that lead to a person becoming vulnerable. The Church also recognises that vulnerability may be permanent or short lived. The Church is aware that vulnerability may not be immediately obvious.

4. The theological basis for the Policy

From beginning (in the cry of a baby) to end (in the cry from the cross), the life and death of Jesus Christ illustrates the willingness of God to be vulnerable in order to share to the full our world of pain, poverty, suffering and death. In his earthly ministry, Jesus constantly showed himself to be compassionately on the side of the outcast, the marginalized and the stranger, reaching across social barriers with the inclusive love of God. This was wholly in line with the Hebrew Bible's priority concern for orphans and widows, its obligation to provide a voice for the voiceless, and its prophetic call for justice to 'roll down like waters, and righteousness like an ever flowing stream' (Amos 5.24).

The risen Christ's commission to his followers ('As the Father has sent me, so I send you' [John 20.21]) requires the Christian Church to exercise that same concern for those whom some in society treat as the outsider and the stranger, to reach across barriers of exclusion and demonstrate a love which shows itself in compassionate pastoral care and in the quest for justice in all our relationships. The heart of Christian pastoral care is this: love for God and love for our neighbour, the social expression of which is justice in all human affairs.

Everyone needs the sustaining reassurance that they are treated with the respect that is due to all human beings made in the image of God and precious to God. Those who have challenging personal situations must receive the resources they need to live independent lives with dignity. Everyone needs to know that they can live safely in a non-threatening environment.

Christian pastoral care takes place in the context of the present world, which in gospel terms is provisional. We live in the time' between God's living Word to us in Jesus Christ, and the coming of God's kingdom in its fullness, when there will be no more pain, no more tears, no more social exclusion, and no more death. In this world the Holy Spirit sustains our ministry — enabling us to do what we can within the constraints of fallenness and sin, and yet holding out the living hope that the day will come when God will be all and in all.

(‘Promoting a Safe Church’ House of Bishops 2006)

5. The principles underlying the Policy

Christian communities should be places where all people feel welcomed, respected and safe from abuse. The Church is particularly called by God to support those at the margins, those less powerful and those without a voice in our society. The Church can work towards creating a safe and non-discriminatory environment by being aware of some of the particular situations that create vulnerability. Issues which need to be considered include both the physical environment and the attitudes of workers. A person who might be considered vulnerable has the right to:

- be treated with respect and dignity;
- have their privacy respected;
- be able to lead as independent a life as possible;
- should be appropriately supported so that they are able to choose how to lead their life;
- have the protection of the law;
- have their rights upheld regardless of their ethnicity, gender, sexuality, impairment or disability, age, religion or cultural background;
- be able to use their chosen language or method of communication;
- be heard.

(‘Promoting a Safe Church’ House of Bishops 2006)

6. The Policy of the Diocese of Chester (CDBF)

In the Diocese of Chester we are committed to encouraging an environment where all people and especially those who may be vulnerable for any reason are able to worship and pursue their faith journey with encouragement and in safety.

All workers (ordained, lay, paid or voluntary) will be recruited with care including the use of the Criminal Records Bureau disclosure service or Vetting by the Independent Safeguarding Authority, when legally required or deemed appropriate. We will develop and deliver training and continuing support for workers.

Any allegations of mistreatment, abuse, harassment or bullying will be responded to without delay. There will be cooperation with the police and local authority in any investigation.

Sensitive and informed pastoral care will be offered to anyone who has suffered abuse, including support to make a complaint if so desired: help to find appropriate specialist care either from the church or secular agencies will be offered.

Congregations may include people who have offended and are a continuing risk to vulnerable people. The risks will be managed sensitively with the protection of others in mind.

Monitoring and review: This policy will be reviewed regularly by Bishop’s Council.

Implementation: Chester DBF will produce procedures and practices for the implementation of this policy by July 2011.

Vulnerable Adults and Regulated Activity

Who exactly does the Safeguarding Vulnerable Adults Act 2006 define as Vulnerable?

Vulnerable adult - a person who is aged over 18 AND:

SVG 2006 section 59

A person is a vulnerable adult if he has attained the age of 18 and—

- s/he is in residential accommodation (related to care needs or is or has been at a residential school)
- s/he is in sheltered housing
- s/he receives domiciliary care (e.g. a short term or long term home care package)
- s/he receives any form of health care which includes treatment, therapy or palliative care of any sort
- s/he is detained in lawful custody or comes under the remit of the criminal justice act
- he has particular needs because of his age
- s/ he has any form of disability
- s/ he has a physical or mental problem of such description as is prescribed
- she is an expectant or nursing mother in receipt of residential accommodation
- s/he receives a welfare service of a prescribed description which includes services which provide support, assistance, advice or counseling to individuals with particular needs
- s/he requires assistance with the conduct of her/his affairs (meaning that a power of attorney is in existence or a mental capacity advocate is or is being applied for)

What does the Safeguarding Vulnerable Groups Act define as regulated activity?

The SVG Act 2006 speaks of two types of activity, **regulated** and **controlled** activity. It is unlikely that any parish will be engaged in any kind of **controlled** activity. It is possible that some parishes will be engaged in **regulated** activity particularly in relation to matters such as sick communion, some home visiting, lunch clubs or holiday clubs aimed at Vulnerable Adults (see above) or ministry in care homes .

Regulated activity includes:

- any form of training, teaching or instruction provided wholly or mainly for vulnerable adults;
- any form of care for or supervision of vulnerable adults;

- any form of assistance, advice or guidance provided wholly or mainly for vulnerable adults;
- any form of treatment or therapy provided for a vulnerable adult;
- driving a vehicle which is being used only for the purpose of conveying vulnerable adults
- The activity occurs:
 - * Regularly e.g. once per month,
 - * more than three times in any one month,
 - * in a specified place where it is possible to come into face to face contact with Vulnerable Adults,
 - * it occurs between 2 am and 6am

Regulated Activity relating to Care Homes

An activity carried out in a care home which is exclusively or mainly for vulnerable adults is a regulated activity relating to vulnerable adults if—

- (a) it is carried out at the establishment frequently by the same person or it is once per month, 3 times in one month or overnight between 2am and 6am)
- (b) it is carried out by a person while engaging in any form of work (whether or not for gain),
- (c) it is carried out for or in connection with the purposes of the establishment, and
- (d) it gives that person the opportunity, in consequence of anything he is permitted or required to do in connection with the activity, to have contact with vulnerable adults.