

## **RECOGNISING AND RESPONDING TO ALLEGATIONS/ CONCERNS OF CHILDREN/YOUNG PEOPLE/ADULTS AT RISK ABUSE**

*The Church recognises the dignity and rights of everyone and when a disclosure of harm arises the safety and welfare of the person concerned is the paramount consideration. A prompt and, when necessary, immediate response is made when such matters are made known to the Church in every Diocese.*

### **1. INTRODUCTION**

- 1.1 Children, young people and adults at risk, have an equal right to worship, undertake activities and participate fully in Church life and be free from all forms of abuse and exploitation and harm.
- 1.2 Abuse can be perpetrated on any children, young people and adults at risk regardless of gender, age, understanding, stage of development, social class, religion, race or cultural background.
- 1.3 Abuse has far reaching and long term effects. Abuse in childhood may prevent a person from realising their potential in life.
- 1.4 Perpetrators of abuse are usually known to the victim. Abusers can be male or female, adults or young people.
- 1.5 **When an allegation or a concern arises the Church must act to ensure that children, young people and adults at risk are not put at continued risk.**

### **2. THE PURPOSE OF THESE PROCEDURES**

- 2.1 These National procedures must be followed in the event of an allegation or concern of abuse made known to the Church.

### **3. KEY PRINCIPLES OF AN EFFECTIVE SAFEGUARDING RESPONSE**

- 3.1 The Catholic Church in Scotland promotes the welfare of everyone and has a responsibility to respond when it appears a child, young person or adult at risk needs to be made safe from harm whether the abuse is sexual, physical, emotional or neglect.
- 3.2 These procedures assume the right of everyone to live in an environment where they are protected from exploitation, abuse and harm.
- 3.3 When this right is abused by an individual associated with the Catholic Church, the Church will co-operate in an open and transparent way in partnership with the Statutory Agencies.
- 3.4 An individual who informs the Church of allegations or concerns of abuse will be taken seriously and every effort made to provide a consistent and sensitive response.
- 3.5 No single individual can protect children, young people or adults at risk by acting alone.

### **4. WHAT IS CHILD ABUSE?**

- 4.1 Child abuse is a criminal offence.
- 4.2 DEFINITION OF "CHILD"

*In the context of work with children in the Catholic Church a "child" is defined as anyone under eighteen years of age at the time when an offence or alleged offence took place. As per the Protection of Vulnerable Groups (Scotland) Act 2007 children with additional needs or children subject to supervision requirements, the upper age limit for protecting from abuse may be extended.*

## 4.3 DEFINITIONS OF ABUSE\*

### 4.3.1 Physical Injury

#### 4.3.1.1 Defined as:

*"actual or attempted physical injury to a child, including the administration of toxic substances, where there is knowledge, or reasonable suspicion, that the injury was inflicted or knowingly not prevented."*

- 4.3.1.2 Physical injury may include a serious incident or a series of minor incidents involving bruising, fractures, scratches, burns or scalds; deliberate poisoning, burning or scalding; attempted drowning, suffocating or otherwise causing physical harm to a child. Physical harm may also be caused when a parent or carer feigns the symptoms of or deliberately causes ill-health to a child whom they are looking after.

### 4.3.2 Sexual Abuse

#### 4.3.2.1 Defined as:

*"any child may be deemed to have been sexually abused when any person(s), by design or neglect, exploits the child, directly or indirectly, in any activity intended to lead to the sexual arousal or other forms of gratification of that person or any other person(s) including organised networks. This definition holds whether or not there has been genital contact and whether or not the child is said to have initiated, or consented to, the behaviour."*

- 4.3.2.2 Sexual abuse may include activities such as incest, rape, sodomy or intercourse with children, taking and/or downloading abusive imagery of children, encouraging children to take part in sexual activities they do not fully comprehend and to which they are unable to give informed consent.

*\*These definitions are those used in the Scottish Executive's Guidance – A Shared Responsibility 1998*

### **4.3.3 Emotional Abuse**

#### 4.3.3.1 Defined as:

*" failure to provide for the child's basic emotional needs such as to have a severe effect on the behaviour and development of the child."*

4.3.3.2 Emotional abuse may include situations where as a result of the persistent emotional ill-treatment of a child the child feels worthless or unloved, inadequate or valued only insofar as they meet the needs of another person. It may feature age or developmentally inappropriate expectations being imposed on children. It may involve causing children frequently to feel frightened or in danger, or the exploitation or corruption of children.

4.3.3.3 Some level of emotional abuse is involved in all types of ill-treatment of a child, though it may occur alone.

### **4.3.4 Physical Neglect**

#### 4.3.4.1 Defined as:

*"physical neglect occurs when a child's essential needs are not met and this is likely to cause impairment to physical health and development. Such needs include food, clothing, cleanliness, shelter and warmth. A lack of appropriate care, including deprivation of access to health care, may result in persistent or severe exposure, through negligence, to circumstances which endanger the child."*

4.3.4.2 Physical neglect also includes failure to secure appropriate medical treatment for the child, or when an adult carer persistently pursues or allows the child to follow a lifestyle inappropriate to the child's developmental needs or which jeopardises the child's health.

### 4.3.5 Adults At Risk Abuse

4.3.5.1 All adults may be at risk from time to time.

4.3.5.2 An individual who may be at risk:

- *is elderly and frail;*
- *has a mental health problem including dementia or a personality disorder;*
- *has a physical or sensory disability;*
- *has a severe physical illness;*
- *is a substance misuser;*
- *is an unpaid carer;*
- *is homeless, displaced or exploited;*
- *has a learning disability.*

## 5. RESPONDING TO CONCERNS/ALLEGATIONS OF ABUSE

### 5.1 KEY PRINCIPLES

5.1.1 A person who reasonably suspects that a child, young person or adult at risk is being, has been or is likely to be abused **must** take action.

5.1.2 The nature of this action is important as it may dictate the effectiveness or otherwise of an enquiry.

5.1.3 The guiding principles are to:

**LISTEN**  
**RECORD**  
**REFER**

5.1.4 Under no circumstances should the alleged abuser be alerted at this stage, whether directly or indirectly.

5.1.5 All information is to be treated with appropriate **confidentiality** i.e. it is only to be shared on a 'need to know' basis.

## 5.2 CONCERN OR ALLEGATION?

### 5.2.1 Concerns

- 5.2.1.1 Concern is an anxiety about an issue of abuse.
- 5.2.1.2 Grounds for concern can arise from a wide range of circumstances, e.g.
  - ***a child, young person or adult at risk states that abuse has taken place or he/she feels unsafe;***
  - ***information is received anonymously or by a third party;***
  - ***grooming of a child, young person or adult at risk;***
  - ***a child's, young person or adult at risk appearance and/or behaviour causes concern.***
- 5.2.1.3 Even if doubt exists about a concern the Church's referral system should be followed.
- 5.2.1.4 Do not alert the person about whom concern has been raised.

## 5.3 Allegations

- 5.3.1 An allegation is an accusation of abuse based on available information e.g.:-
  - 5.3.1.1 Where a person states that they have been abused.
  - 5.3.1.2 Where a person states that they have been informed of, or witnessed, abuse.
- 5.3.2 They may or may not be able to name the alleged perpetrator.
- 5.3.3 They may be unable or unwilling to name the alleged perpetrator.
- 5.3.4 The alleged abuser must not be alerted, either directly or indirectly.

## **5.4 Responding To Concerns/Allegations Of Abuse In Emergency Situations**

- 5.4.1 When a child, young person or adult at risk is at risk of immediate harm, contact the Police and/or Social Work Services giving full information and follow advice given. Statutory Agencies are staffed 24 hours a day every day of the year.
- 5.4.2 Seek medical help where necessary, giving medical staff relevant information about the allegation/concern.
- 5.4.3 Following these steps ensures immediate avoidance of further abuse, immediate pursuit of an alleged abuser, avoidance or destruction of evidence.

## 5.5 LISTENING

### 5.5.1 **When a person is disclosing details of abuse it is important that personnel know how to respond.**

***If a child, young person or adult at risk wants to talk about abuse:-***

- Listen with care and let the child, young person or adult at risk talk;
- Take what is said by the child, young person or adult at risk seriously;
- Re-assure that he or she is right to tell;
- Affirm the feelings as expressed by the child, young person or adult at risk;
- Do not give a guarantee of confidentiality or secrecy;
- Do not ask leading questions and/or push for information;
- Ask open ended questions which seek to clarify information;
- Do not prejudge, dismiss, minimise or express opinion;
- Remain neutral;
- Avoid displaying emotions as this may hinder the child, young person or adult at risk from giving further information;
- Do not introduce personal or third party experiences of abuse;
- Let the child, young person or adult at risk know what you are going to do next, and that you need to tell someone else;
- Explain that you will only tell people whose job it is to keep children, young people and adults at risk safe.

***Additional points if an adult provides information about abuse:-***

- Support and encourage them to share their information with the Statutory Authorities. If unsuccessful, explain and give reasons as to why you have an obligation to take the matter further in accordance with the Church's referral system.
- Explain and reassure that confidentiality will be maintained strictly on a need to know basis. Anonymous information will be taken seriously; however, it may hinder an investigation.



- 5.5.2 The above applies also to an adult who admits abuse. However, while it is your duty to share this information with the Police, it may not be appropriate to advise the individual of this if it could put either a child, young person, adult at risk or you at risk.
- 5.5.3 If a child or young person admits abusing another child this should be taken very seriously and referred to the Statutory Agencies for further investigation.

## **5.6 RECORDING**

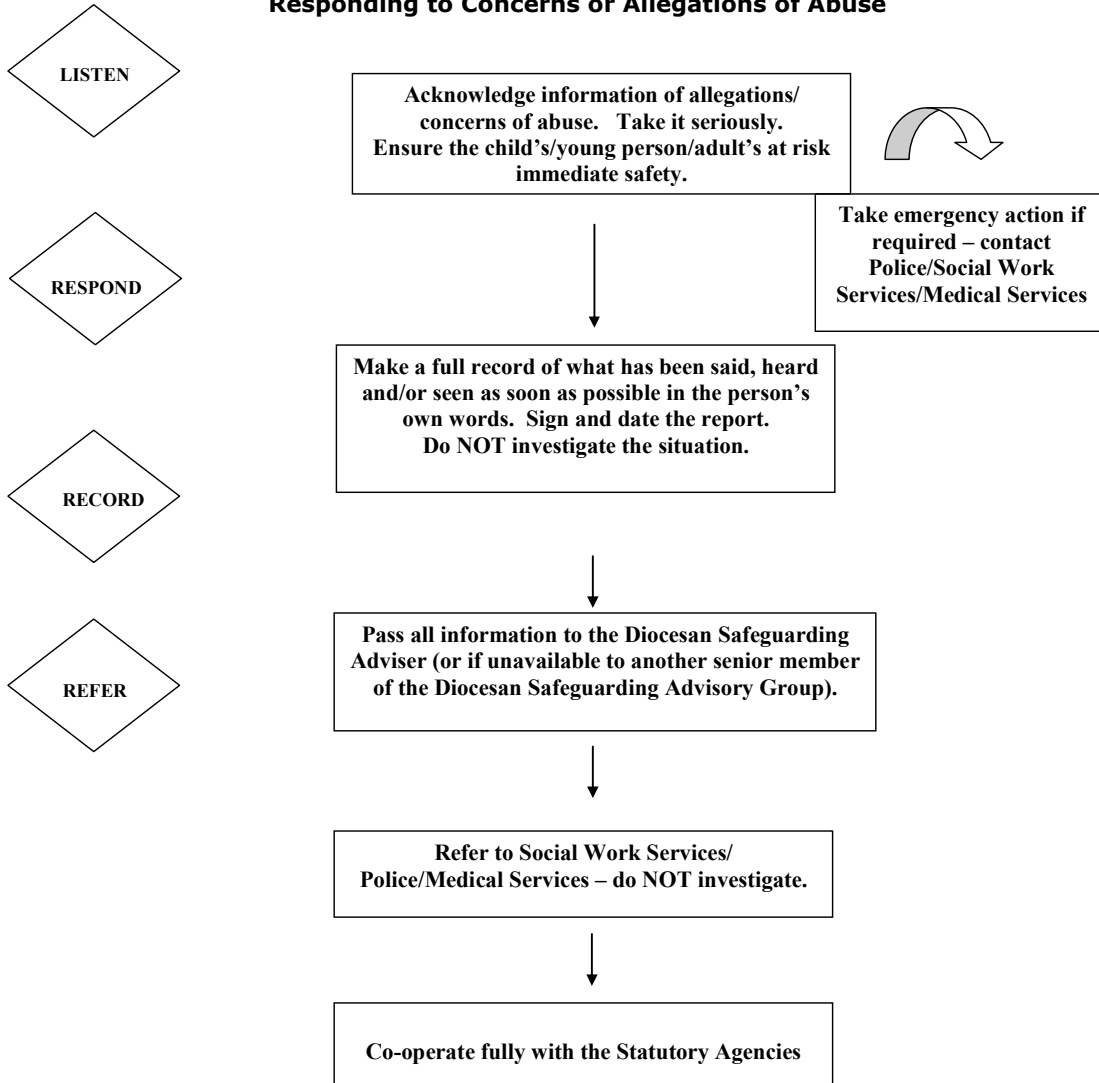
- 5.6.1 **It is not generally appropriate to take exhaustive notes** as this could affect the free flow of narrative. However, whenever possible and practical, note key points. Always ask permission to do this and explain the importance of recording all information.
- 5.6.2 Make a full written record immediately thereafter (See Section 8 for suggested proforma) and forward to the Diocesan Safeguarding Adviser for retention.
- 5.6.3 Record the time, date, location (or e.g. by letter, by telephone) and persons present. The record should be signed and dated by the author.
- 5.6.4 As far as possible the record should include direct speech and actual words spoken. Do not make assumptions about the intended meaning of words used.
- 5.6.5 Include information about the circumstances of the referral and any background information which is considered relevant. Personal observations can be detailed separately and forwarded with the record.
- 5.6.6 Records must be kept secure and confidential and must not be copied unless strictly necessary for safeguarding purposes.
- 5.6.7 **The key features of the record as detailed in the Allegation/Concern Report Form are that it should be: accurate, objective, concise, immediate, dated, signed and confidential.**

## **5.7 REFERRING**

- 5.7.1 When concern arises that a child, young person or adult at risk may have been harmed, or put at risk of being harmed, there is a vital responsibility upon the person becoming aware of this to ensure that it is reported to the statutory authorities (Police, Social Work Services, Medical Services) as soon as possible. It should be borne in mind that a failure to do so leaves the potential for subsequent abuse of others.
- 5.7.2 There is no stated criteria regarding the degree of harm and the likelihood of future harm to a child, young person or adult at risk. Significant harm may take place over an extended period of time or as a result of a specific incident.
- 5.7.3 The Church's referral system is outlined overleaf.

## THE CHURCH'S REFERRAL SYSTEM

### Responding to Concerns or Allegations of Abuse



## **5.8 RESPONDING TO CONCERNS/ALLEGATIONS OF ABUSE BY CHURCH PERSONNEL**

- 5.8.1 When there is a concern/allegation about a person working within the Church, immediately inform the person's line manager and the Diocesan Safeguarding Adviser.
- 5.8.2 Follow the Church's referral system.

## **5.9 RESPONDING TO CONCERNS/ALLEGATIONS OF ABUSE WITHIN THE CONTEXT OF A CHILD'S FAMILY/HOUSEHOLD**

Referral to Police and/or Social Work Services must be made immediately and follow advice given.

**It is important in all cases that the following Allegation/Concern Report Form is completed as fully as possible.**

## ALLEGATION/CONCERN REPORT FORM

**CONFIDENTIAL**

**Name of Parish/Organisation:**

Information Received at (time):	<input type="text"/>	On (date)	<input type="text"/>
By (your name):	<input type="text"/>		
Position:	<input type="text"/>		
Telephone Number:	<input type="text"/>		

### Information Received: (delete as necessary)

Telephone  Letter  In person  By e-mail

This form, along with all relevant documents should be retained securely and forwarded to the Diocesan Safeguarding Adviser as soon as possible.

### Alleged Victim/Survivor, Child, Young Person or Adult at Risk

Name:	<input type="text"/>
Age:	<input type="text"/>

Gender: Male  Female

Address:	<input type="text"/>	
	<input type="text"/>	
	Tel. No. (if known)	<input type="text"/>

Name of Parent/Guardian/Carer:	<input type="text"/>	Tel. No. (if known)	<input type="text"/>
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### Information Received From:

Name:	<input type="text"/>	Position:	<input type="text"/>
Contact Address:	<input type="text"/>		
		Tel. No.	<input type="text"/>

**Person alleged responsible for allegation/concern**

Name:		Position:	
Age:			
Contact Address:			
		Tel. No. (if known)	

**Information**

Record details of allegation(s) or concern(s). If information is given in person, record as precisely as possible what was actually said, the location of the conversation and identities of persons present. If the space is provided is not sufficient please continue on a separate sheet and attach herewith.

**Completed By: (signature)** \_\_\_\_\_

**Print Name: (in full)** \_\_\_\_\_

**Date:** \_\_\_\_\_

**Actions and Further Information**

Record all actions taken, agencies contacted and information/advice received with times and dates. Entries to be signed.

Time	Date	Action(s) Taken	Signature

## **6. CONFIDENTIALITY AND INFORMATION SHARING**

- 6.1 All information connected with a safeguarding enquiry is confidential. For the purposes of protecting a child, young person or adult at risk and facilitating an effective investigation, information is shared on a 'need to know' basis.
- 6.2 For the prevention and detection of crime, the law enables information to be withheld from the subject of such information. At all times requests for information are to be referred to the Diocesan Safeguarding Adviser and/or Statutory Agencies.
- 6.3 The welfare of the child, young person or adult at risk is paramount.