**Diocese of Hallam Safeguarding Committee Policy**

**Management of Allegations and Concerns including CSSA Case Consultation**

Allegations against individuals with roles within the Church

In accordance with article 19 of Pope Francis’ Apostolic Letter, “*Vos Estis Lux Mundi*”, 7 May 2019[[1]](#footnote-1), it is the policy of the Catholic Church in England and Wales[[2]](#footnote-2) to report to the statutory authorities, all allegations of abuse made against those working in the name of the Church, regardless of whether the allegations or concerns relate to a person’s behaviour in relation to their role within the Church or another setting.

This policy, underpinned by the Diocese’ zero tolerance approach to abuse, must be applied in all situations where it is alleged that a member of the Clergy or Religious Community, lay persons, and volunteers:

* has behaved in a way that has harmed or may have harmed a child or an adult at risk;
* have possibly committed a criminal offence against or related to a child or an adult at risk;
* has behaved towards a child(ren) or an adult(s) in a way that indicates they may pose a risk of harm to children or adults;
* has behaved or may have behaved in a way that indicates they may not be suitable to work with children or adults at risk;
* has behaved in such a way that, by actions or omissions, his or her conduct has been intended to interfere with or avoid civil investigations or canonical investigations, whether administrative or penal, against a cleric, religious or Ordinary regarding the above[[3]](#footnote-3)

These behaviours are to be considered within the context of the different categories of abuse and include sexual, physical and emotional abuse; neglect and self-neglect; domestic abuse, including controlling or coercive behaviour and/or economic abuse; exploitation by criminal gangs and organised crime groups; trafficking; online abuse; sexual exploitation; the influences of extremism leading to radicalisation; psychological abuse; financial or material abuse; modern slavery; discriminatory abuse; organisational abuse. **(Please see Appendix A: Abuse Categories and Definitions for further information)**

All images[[4]](#footnote-4) that appear to be indecent, nude/semi-nude, or abusive (photographic, digital, or other medium) must always be given to the Police to determine whether they are of children and whether an offence has been committed. A decision about whether the images are of children must not be taken within the Church.

If an adult with capacity explicitly refuses the making of a referral about abuse that occurred in their childhood, consideration will be given to whether the accused person has access to children who may be at risk. In these circumstances, the name of the accused and details of the allegation will be referred to the statutory authorities, without disclosing the name of the alleged victim where they have refused consent to do so.

The person disclosing should be provided with the [Safeguarding Privacy Notice](https://hallam-diocese.com/wp-content/uploads/sites/9/2021/05/Safeguarding-Privacy-Notice.pdf) as well as the leaflet [Guide for Survivors](https://hallam-diocese.com/wp-content/uploads/sites/9/2023/06/Survivors-Guide-Final-Approved-version-1.pdf) which provides information about the possible pathways of investigation.

Allegations against an individual who does not hold a role within the church

It is the policy of the Catholic Church in England and Wales to report to statutory authorities where a child or an adult is at immediate risk of harm, or there is concern that a child is suffering or is likely to be suffering from significant harm, from somebody who does not hold a role within the Church.

Concerns about the welfare of a child or young person

Where it is believed that a child would be likely to benefit from family support services, with the agreement of the person who has parental responsibility, it is our policy to refer to the Local Authority Children’s Services Department, within 1 working day.

Reporting requirements

All clergy, religious, lay employees and volunteers are required to report allegations of abuse, and concerns to the safeguarding lead within the diocese or religious order, who will ensure a referral is made to statutory authorities within 1 working day.

If a child or young person, or an adult, is in immediate danger this must be reported immediately to the Police.

Regardless of whether the accused person is living or deceased, where it is believed that a criminal offence may have taken place, the allegation must be referred to the Police within one working day.

When a person’s conduct towards a child or an adult may impact on their suitability to work with or continue to work with children or adults, the allegation must be referred to the local authority’s designated officer [[5]](#footnote-5) for safeguarding or adults within 1 working day.

Where a safeguarding allegation or concern relates to someone who is aged 18 years or over but is still receiving children’s welfare services, the matter will be addressed using adult safeguarding arrangements[[6]](#footnote-6).

Risk Management

Risk will be managed using Safeguarding Plans which are reviewed at least annually.

Initiating a process of dispensation from vows or the clerical state, in accordance with the norms of canon law, will be considered following every conviction or caution for an offence against a child or an adult at risk.

National Tribunal Service

The purpose of the National Tribunal Service is to enhance impartiality, transparency and consistency in the application of canon law across its jurisdiction in penal cases.

Where a Safeguarding canonical offence is alleged, the National Tribunal Service may be called upon.

The link provides further information about the [National Tribunal Service](https://www.cbcew.org.uk/wp-content/uploads/sites/3/2023/11/NTS-Information-110123.pdf).

For the purpose of the management of allegations and concerns where a safeguarding canonical offence is alleged, the accused should be provided information about the National Tribunal Service as part of the initial meeting.

When liaison with CSSA should take place

The Diocese of Hallam Safeguarding Coordinator may need to consult with the Catholic Safeguarding Standards Agency (CSSA) for advice and recommendations about casework decisions and matters related to the interpretation of policy and practice guidance. The circumstances are listed below but are not exhaustive.

• Cases involving complex diversity needs

• Cases where a number of professional agencies are involved

• Cases where a risk of harm is considered to be unmanageable within the Church

• Cases where actions are requested to be undertaken by the Church, that do not fall in line with National Policy

• Cases where a member of the church has to be removed from their role when allegations are made

• Cases where the Risk Assessment Management Group is unable to form an agreement on case decisions

• Where there are differences in interpretation of the National Policy

* Where a pattern emerges from low level concerns that may meet the threshold for statutory services
* Cases where the Bishop/Ordinary, without sound reason, acts against or omits to act in accordance with the recommendations of the Safeguarding Committee Risk Assessment Management Group and where those acts or omissions result in unsafe practice. This should also be reported to appropriate statutory services and the Catholic Safeguarding Standards Agency.

Case Recording Process when Case Consultation with the CSSA is sought.

• Case summaries are annotated that case consultation has been sought with rationale as to why

• Where consultation is sought over the telephone, confirmation in a written email of the discussion that took place is to be sent to the Case Consultation Team

• A full record of the advice requested and received should be made in the case file

• Where Case Consultation is requested via email, copies of the emails between the Coordinator and the Case Consultation Team should be added to the case summary

• In cases where consultation is sought where the RAM members are unable to agree to a decision, the advice received from the Case Consultation should be communicated to the RAM group

• Any cases where Case Consultation is sought to be discussed in Supervision

• Where it is agreed between the CSSA and the Safeguarding Coordinator that ongoing consultation is to be provided, all meetings are to be documented for case summaries

• Where it is agreed between the CSSA and the Safeguarding Coordinator that ongoing consultation is to be provided, meeting attendees may extend to members of the RAM group and additional members of the CSSA where necessary

• There should be an opportunity to assess outcomes and evaluate the consultation process

Contact Methods for case consultation:

Telephone Line – 0207 901 1920

Email – admin@catholicsafeguarding.org.uk

We will do all al of this by working in conjunction with both the Diocese of Hallam Privacy Notice and the Diocese of Hallam Safeguarding Privacy Notice

[Diocese of Hallam Privacy Notice](https://hallam-diocese.com/wp-content/uploads/sites/9/2021/04/Privacy-Notice-Diocese-of-Hallam.pdf)

[Diocese of Hallam Safeguarding Privacy Notice](https://hallam-diocese.com/wp-content/uploads/sites/9/2021/05/Safeguarding-Privacy-Notice.pdf)

[CSSA Victims and Survivors Privacy Notice](https://catholicsafeguarding.org.uk/wp-content/uploads/2023/05/Final-CSSA-Victims-and-survivors-privacy-notice-22-10-21-1.docx)

Quality Assurance and Learning from Allegations

Quality assurance and learning mechanisms in place include:

* Reflective practice during supervision
* Multi Agency oversight through Risk Assessment Management group meetings
* Trustee audit of cases where allegations are made
* Peer Audit and sharing of good practice
* Case Consultation with CSSA
* Opportunity for feedback to be provided by partner agencies
* Opportunity for victims and subjects to provide feedback
1. In England and Wales, articles 1 and 19 of Pope Francis’ Apostolic Letter, “*Vos Estis Lux Mundi*”, 7 May 2019, mean that sexual acts, including pornography, committed by clergy or members of Institutes of Consecrated Life or Societies of Apostolic Life against an adult at risk must be reported to the statutory authorities. It is the policy of the Catholic Church in England and Wales to extend this to all forms of abuse against children or adults at risk by any abuser. [↑](#footnote-ref-1)
2. This includes certain areas outside of England and Wales which are the responsibility of dioceses within England and Wales e.g. the Channel Islands and Isle of Man [↑](#footnote-ref-2)
3. This means wilfully; a deliberate attempt to interfere with or prevent civil or canonical investigations. [↑](#footnote-ref-3)
4. This includes:

1.Indecent images of children under the Protection of Children Act 1978 which includes:

Indecent photographs

Pseudo photographs

Tracings or

Derivatives of photographs/pseudo photographs

2.Prohibited images of children under S.62 Coroners and Justice Act 2009 which includes:

Computer generated images (CGI)

Cartoons

Manga images

Drawings

3. Possession of Paedophile Manual under S.69 Serious Crime Act 2015 which is defined as ‘in possession of any item that contains advice or guidance about abusing children sexually’ e.g. include how to produce images/groom [↑](#footnote-ref-4)
5. This role is responsible for overseeing concerns or allegations made against employees, volunteers and others working within organisations and ensuring that the approach taken is coordinated and matters are investigated, recorded, followed up and concluded in a timely manner. [↑](#footnote-ref-5)
6. Care and support statutory guidance (DOH, 2016) [↑](#footnote-ref-6)