

## Offender Management Agreements

### Policy for Incumbents and Priests in Charge (from 10 August 2020)

#### Background

Every person who chooses to be part of church has a different background. Some will have been convicted or received a caution at some point in their lives, others may have been alleged to, or have actually, caused harm to a child or vulnerable adult but not been charged with an offence.

Everyone is welcome in Church. But because such a broad cross section of people comes together, there are times when particular arrangements are needed to ensure that everyone is as safe as they can be.

An individual may be sorry for their previous actions. They may come to church seeking acceptance or forgiveness. We must remember that it is not for us to forgive; that is for the victim to do. We must also remember that whilst everyone deserves our support, we support best by recognising people's challenges, limitations and failings as well as their gifts and then by doing all that we can to prevent circumstances arising in which a person can cause harm again.

The Church of England Safeguarding policies<sup>1</sup> call for 'an agreement' to be formed where someone has a background that indicates that they could present a risk to others and they wish to become a part of church or to remain a part of a church were the allegation arises where they are already part of a congregation.

Where an allegation is raised against an individual but has not yet been investigated, a voluntary agreement forms a way of protecting both the congregation and the individual from circumstances arising in which further harm could occur or further accusations may be made.

Information about an individual can become known in a number of ways:

- The individual may offer this information willingly.
- The individual may have an allegation raised against them which the church knows about either because it arose within church or because statutory authorities inform us of it.
- Where an individual is convicted or receives a caution the offence may be disclosed to the church under public protection arrangements.

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<sup>1</sup> Promoting a Safer Church 2017 p6

Where information becomes known, this must be reported to the Diocesan Safeguarding Adviser. The individual will be invited to enter into an 'agreement' with the church that they attend. If they attend more than one church more than one agreement may be needed.

The intention of the agreement is to be two way. The church states what pastoral support can be provided and the individual agrees to behaviour guidelines and boundaries intended to reduce the risk of harm to congregation members and to support the individual not to behave in a way that may harm others or give rise to concern that others may be being harmed.

Where the individual lives in the parish, the advice of the Registrar should be sought if the individual does not consent to an agreement.

Where an individual does not consent to signing an agreement the parish reserves the right to take appropriate steps to fulfil its safeguarding responsibilities.

In the case of a conviction or caution for a sexual offence (including internet offences) an individual may have a 'Sexual Offences Prevention Order' (SOPO) which details specific boundaries for the individual. Breaching the order may be a criminal offence. An agreement can assist in supporting an individual not to breach a SOPO or any other court order in place.

### **The Process:**

The process will be managed in accordance with 'Practice Guidance: Responding to, assessing and managing safeguarding concerns or allegations against church officers' incorporating 'Risk assessment and management of those that may pose a known risk to children, young people or vulnerable adults within a Christian Congregation or Community'.

**Risk Assessment:** A risk assessment will be completed by the Diocesan Safeguarding Adviser. This will involve information being gathered from the individual, the church and any statutory agencies working with that person e.g. police, probation, social services.

The DSA or a member of the Diocesan Safeguarding Team must be involved in the drafting of the agreement.

**Formation of agreement group:** A group will be identified to monitor the agreement. The role of group members is to ensure that the agreement is adhered to, to challenge and report any breach and also to support the individual in keeping to the agreement terms. The group should include those with a need to know about the individual's history and those that will provide support to the individual. This will usually include:

- Incumbent/Priest in Charge
- Church wardens
- Parish Safeguarding Officer/s
- And where appropriate: leads for youth ministry, pastoral team, other ministers.

- Where the individual is involved in particular activity within the church the leader of that activity should be included.
- Any person identified to specifically provide pastoral support.

The individual should be made aware that should a group member step down from their role, the new post holder will usually take their place in the group.

Care will need to be taken where family relationships or close friendships are involved e.g. it would not be appropriate for a Parish Safeguarding Officer to be involved in an agreement for their spouse. Who will be involved in the group should be discussed with the individual so that they have the opportunity to raise any concerns before information is shared.

**Information sharing:** It must be made clear to group members that information about the individual should not be shared outside of the group since that information will be confidential.

Discussion should be held with the individual about whether the congregation should know about their history. Sharing that information may place some offenders at risk and so information must only be shared with the individual's consent or following discussion with statutory authorities.

**Producing an agreement:** The risk assessment will be used to put together an agreement between the individual and the named group within the church who will support and monitor the agreement.

This will include specific points such as:

- Not taking up any position of trust e.g. PCC member, churchwarden, server
- Not attending any activity aimed at children and/or adults who may be at risk
- Declining hospitality where there are children and/or adults who may be at risk present
- Not being alone on church premises.

The points will be tailored to the individual and church's specific circumstances.

The agreement will make clear what will happen if the agreement is breached e.g. that police and/or probation will be informed, the individual may not be accepted to attend particular activities.

In putting together the agreement attention will be paid not only to immediate safety issues but also to the prevention of grooming. Because of this, the agreement will often focus on reducing the possibility of relationships and trust being built between the individual and at risk groups.

A proportion of group members will be PCC members by virtue of their role. Therefore whether the whole PCC knows of the agreement and or the individual's name is dependent on whether the individual consents to this and whether there is a risk based reason for this information to be shared. It is recognised that PCC membership changes regularly in some parishes and that identifying the individual to the whole PCC can result in a broad cross section of people knowing about their circumstances. It is also recognised that some offenders will be vulnerable and identifying them may

place them at risk. On rare occasions a decision may be made not to inform the PCC of an agreement but this should be rare and based on a risk assessment. Usually the PCC will be informed that an agreement is in place and when reviews have taken place so that they can be assured that the agreement is being appropriately managed. This enables the PCC to discharge their safeguarding responsibilities effectively.

**Review:** The agreement must be reviewed regularly. Within four months for the first review and at least another two times in the first year and then at least annually or more often if required depending on risk posed. A review should be called if group members leave or join or if there is a breach of the agreement or change in circumstances of the individual which affects the agreement. A review will also be called as the parish moves into vacancy or when a new Incumbent/PiC arrives.

The Diocesan Safeguarding Adviser must always be invited to reviews.

The agreement should remain in place until the individual leaves the congregation. It does not end when a sentence or licence ends as the individual may continue to present a risk to others and to be in need of support in the long term.

Should it become apparent that an individual who has an agreement is attending another church or community organisation where their past is not known; the Diocesan Safeguarding Adviser should be informed. This information will be discussed with statutory authorities and the information shared with the new church or community organisation where sufficient risk exists to make this necessary.

<b>Owner:</b>	<i>Safeguarding</i>
<b>Date of approval:</b>	<i>10 May 2016</i>
<b>Approved by:</b>	<i>DSMG</i>
<b>Date of last review:</b>	<i>10 August 2020</i>
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