

## **Chapter 10: The management of Safeguarding Agreements (offenders and serious allegations) in our congregation**

### **Aim of the chapter**

- i. To support Joymount Kirk Session to know when a Safeguarding Agreement must be put in place
- ii. To support Joymount Kirk Session with the management of all serious offenders returning to worship
- iii. To support Joymount Kirk Session to know how to manage serious allegations

### **What is a Safeguarding Agreement?**

A Safeguarding Agreement (Agreement) is a written agreement between an individual and the appointed representatives of a church congregation, outlining conditions under which they can attend church services and activities and be part of church life.

### **When does an Agreement Need to be Put in Place?**

- When an individual has an allegation of inappropriate or abusive behaviour towards children, young people or adults at risk made against them
- When someone is convicted of offences relating to harm caused to children, young people or adults at risk
- When someone is cautioned for offences relating to harm caused to children, young people or adults at risk
- If information is received from the statutory authorities (PSNI/PBNI/Trusts) that they have concerns about the behaviour of an individual in relation to children, young people or adults at risk

### **Why are Agreements important?**

Agreements help to safeguard everyone involved in church life.

An Agreement also helps those who are subject to it by ensuring that they have supportive and accountable relationships within the church.

These accountable relationships help minimise the risk of them reoffending or behaving inappropriately.

This process of reformation and restoration will be supported and monitored through our risk management process – Agreements and mentoring.

The Agreement has a dual purpose – the first is to assure all victims of abuse and the families of children and adults at risk in a congregation that precautions and safeguards are in place to ensure safety from harm in our ministries.

The second is to provide structure and support for the offender who seeks to make his/her life characterised by forgiveness and pursues the opportunity to participate in the worshipping life of a congregation.

## **Who needs to be involved in putting an Agreement in place?**

A small group of people will be identified to confidentially oversee the agreement and support the offender/alleged offender in church life. Details will not be shared with other people within the church.

This group will usually include:

- Minister
- Designated Person
- Clerk of Session
- Mentor
- Responsible Elder(s)
- Representative of PCI Safeguarding Team

The appointed team is responsible for putting the Agreement in place and ensuring that it is implemented and sustained.

At times, an external statutory body will want to be part of the Agreement process (for example, a probation officer or a designated risk manager).

## **The role of Joymount Kirk session**

This can often become an area of complexity, balancing the requirements of confidentiality with the role of the leadership of the church.

Confidentiality is a legal requirement. All Agreements need to be agreed and managed on a need-to-know basis.

It is therefore the advice of PCI Safeguarding Office that Agreement details are not discussed with the whole Session.

Joymount Presbyterian Church Kirk Session has appointed responsible Elders for safeguarding, often those who hold the 'mentor' role.

This is helpful because the Designated Person may not always be a member of Session.

It is also normal for the Clerk of Session to have all of the information as he/she will be responsible in the absence of the Minister for overseeing the Agreement.

It is critical that safeguarding is a standing agenda item at Session meetings; this can usually be led by a nominated Elder and must serve as reassurance to the

Session that all safeguarding matters are in hand, and all relevant information is being appropriately shared.

The small group of nominated elders to oversee safeguarding are to give general feedback to the Session on safeguarding, giving assurances, but not to share the confidential detail.

## **Role of the mentors**

There must always be at least four mentors involved in supporting an offender to worship in a local congregation. This includes the Minister, the Clerk of Session and the Designated Person alongside one other, usually an Elder.

This group of people will act as a support for the individual and will ensure some practicalities are overseen. For example, the individual may be asked to sit within the observable area of a mentor during Sunday morning worship.

The mentor role must be carefully considered and must not be held by any person who themselves would be considered an adult at risk.

The central Safeguarding Team must always be involved in putting in the management of any offender returning to worship or the management of any serious allegations.

The Safeguarding Team holds information on all subjects of an Agreement; this is critical for information sharing with statutory services for reasons of public protection.

It is often the case that one subject to an Agreement moves around the denomination and leaves and returns regularly. It is important that this is traced.

## **Review of an agreement**

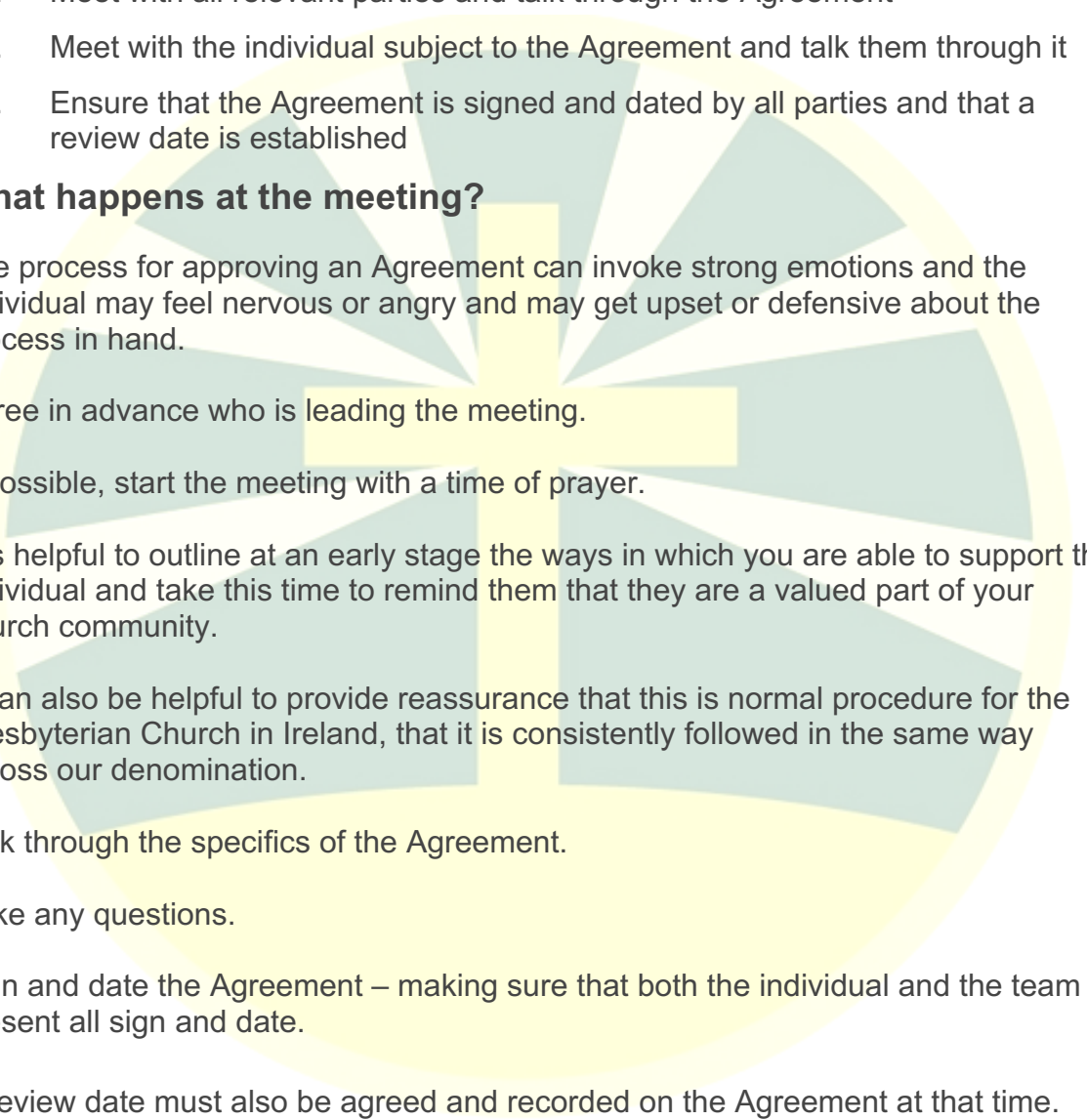
The Agreement will usually be reviewed at least every six months to annually, to check that it is being adhered to and that the individual remains accountable to the appointed team.

A regular review will also ensure that any updates in the case are reflected within it (e.g., the individual being charged by the police or found guilty by the court).

There may be occasion when the Agreement requires review on a more regular basis.

It is the responsibility of the representative from the PCI Safeguarding Team to identify the first date of review at the original Agreement meeting, and the rolling reviews thereafter.

## **What is the process for putting an Agreement in place?**

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- i. Contact the PCI Safeguarding Office to discuss the need for an Agreement and to ensure that all relevant information is exchanged
  - ii. A sample Agreement has already been drawn up in PCI (see below). This can be adapted for each individual situation
  - iii. There may be a need to involve statutory (PSNI/PBNI/Trust) teams. Often, they will want to review and check the Agreement and will give direction if amendments are required
  - iv. Meet with all relevant parties and talk through the Agreement
  - v. Meet with the individual subject to the Agreement and talk them through it
  - vi. Ensure that the Agreement is signed and dated by all parties and that a review date is established

### **What happens at the meeting?**

The process for approving an Agreement can invoke strong emotions and the individual may feel nervous or angry and may get upset or defensive about the process in hand.

Agree in advance who is leading the meeting.

If possible, start the meeting with a time of prayer.

It is helpful to outline at an early stage the ways in which you are able to support the individual and take this time to remind them that they are a valued part of your church community.

It can also be helpful to provide reassurance that this is normal procedure for the Presbyterian Church in Ireland, that it is consistently followed in the same way across our denomination.

Talk through the specifics of the Agreement.

Take any questions.

Sign and date the Agreement – making sure that both the individual and the team present all sign and date.

A review date must also be agreed and recorded on the Agreement at that time.

### **If an individual won't sign an Agreement**

If an individual won't sign the agreement, then Joymount Presbyterian Church is left in a position of potentially unmanaged risk.

It is crucial that our church is as safe a place as possible for everyone involved in church life.

It is the advice of the PCI Safeguarding Office that the individual is not allowed to attend our church unless a signed Agreement is put in place.

It is important to advise any statutory body involved as they will have a view on this and may support monitoring of this situation.

## **What if an individual breaches the terms of the Agreement?**

It may be that as a result of a breach of this Agreement the individual is asked to stop attending your church, as you are no longer in a position where potential risks are being managed.

You must always alert any statutory body involved of a breach of the Agreement.

Contact the PCI Safeguarding Team for advice if you have any concerns about a breach of Agreement.

## **Ending an agreement**

Individuals convicted of an offence will be subject to an Agreement while attending their church, which will remain under review at least annually.

If an individual chooses to leave a specifically named church, the Agreement will end.

A new Agreement will be required if an individual moves to a different Presbyterian church.

The Agreement is specific to a congregation, and is not interchangeable among congregations within the denomination.

The Agreement is specific to our denomination and anyone leaving the denomination must advise their new denomination of their situation. If an individual moves to a different denomination information should be sought from the central Safeguarding Team about the sharing of any relevant information with that denomination from a safeguarding perspective.

On ending an Agreement, a written letter must be sent to the individual and the Minister of the church, and held on file, explaining the same, noting the reason and dating the cessation of the Agreement.

This letter must come from the PCI Safeguarding Office representative.

Should such an individual return to the same church, a new Agreement will be required.

If an individual has not attended church for a period of three months, the Agreement will be ended.

## **Managing the records**

A copy of the signed agreement must be given to the PCI Safeguarding Team representative, the church representative and the individual subject to the Agreement.

Centrally, Agreements will be scanned and held on a secure online file. Paper copies will be shredded.

The church representative must ensure that they store the Agreement in a safe place where only the specified people have access to it.

This is a confidential document and must be treated as such.

### **What support is there for the people who are managing the Agreement?**

The circumstances leading to an Agreement being put in place often create a strong emotional response.

It may be that the individual who is subject to the Agreement has been in the church for a long time or is a well-liked member.

Sometimes, this makes it difficult to believe that they could be a risk to others within the church, particularly if they have not yet been to court or convicted.

The subject of the Agreement may also give explanations for their past behaviour or deny that the behaviour took place.

People involved in offending are usually very plausible and can groom those around them.

The people managing the agreement are just as vulnerable to grooming as other members of the congregation.

It is important that those people who are responsible for managing the Agreement also receive support.

While it is important that confidentiality is maintained (including not sharing information about the Agreement for prayer purposes) and that the people involved in this Agreement must feel able to talk and reflect on their thoughts and feelings in a safe and supportive environment.

It is important that this support is offered outside of the immediate church environment to maintain confidentiality, and to ensure some objectivity in the discussions.

The PCI Safeguarding Office must be that support, and can also access other avenues of support.

### **Any other business**

- It is recommended that no congregation facilitates more Agreements than it is resourced to manage; Agreements are resource heavy and Session must make a reasonable consideration on its ability to manage more than one. It may be appropriate in this scenario to recommend that a second individual attends another local church, in our denomination, in the area. This congregation will be supported in the same manner to put all the safeguards in place.
- Statutory services may at times contact a local church or PCI Safeguarding Office and ask for an offender, usually leaving prison or regulated accommodation, to be able to attend a local church. On those occasions, the Minister must alert the core group of Session (see section 0.5) and make a decision on their ability to accommodate such a request.
- There may be occasions in which an offender worships in a church with his/her family. We cannot assume that a spouse or other family members are aware of the offending behaviour or allegations. Confidentiality applies. Pastoral support for the family in these situations can be complex, and advice and support can be sought for each individual situation, via the Safeguarding Office.
- It is not appropriate for an offender to worship in the same congregation as their victims.

## Finally

You are not alone.

These situations can be complex and not easily responded to.

The management of offenders/alleged offenders in churches never sits with one person.

If you ever want to ask a question, discuss a concern or work through a situation the PCI Safeguarding Office is happy to take your call.

## Sample Agreement

### **EXAMPLE**

#### **Safeguarding Agreement between (X) and \_\_\_\_\_ Presbyterian Church**

A meeting was held on (date) to agree written Agreement date for (X) to attend \_\_\_\_\_ Presbyterian Church.

This Agreement is to ensure both the protection of children and adults at risk and (X)

The meeting was attended by (list Rev/PCI Safeguarding Office/Clerk/DP/PSNI/(X)etc.)

This Agreement will be shared with the Designated Person and the Clerk of Session.

This Agreement will be held in a safe location accessible only to the Minister, Designated Person and Clerk of Session.

The conditions of this written Agreement are as follows:

1. (X) can attend church services at \_\_\_\_\_ Presbyterian Church.
2. (X) will sit with \_\_\_\_\_ during worship at \_\_\_\_\_ Presbyterian Church.
3. (X) will not be permitted to attend any organisation with children.
4. (X) will not be permitted to attend any church event that is primarily for children or a family event.
5. A mentor will be appointed within the congregation who will be the main point of contact for (X).
6. (X) will inform his mentor if he wishes to attend any church events other than Sunday services.
7. (X) will not form a relationship with or be in the sole company of any persons under the age of 18 years. This would include offering or providing any lift in a car as young people make their way to or from church.
8. (X) will not be permitted to hold a position of authority or responsibility within the church.
9. Should (x) need to make use of the toilet facilities on the church premises, he will use the communal toilet for males or use the single accessible toilet.
10. Managing ad hoc invitations to congregant's homes
11. Managing technology brought to church (mobiles etc.)
12. Managing technology in church – livestreaming help with media team etc.
13. This Agreement applies to attendance at \_\_\_\_\_ Presbyterian Church only. Should (X) wish to attend any other Presbyterian church, a new Agreement needs to be agreed beforehand.
14. If (X) chooses not to keep to the above conditions, he is choosing not to attend worship and will not be permitted to do so.

Should there be any concerns regarding (X) behaviour contact should be made with Rev \_\_\_\_\_ or XXXXXX, Safeguarding Office, PCI.

### **Duration and reviews of the agreement**

There is no time limit for how long this Agreement will last. It will apply for as long as (X) wishes to worship at \_\_\_\_\_ PC.

This Agreement can be reviewed at the request of any of the involved parties mentioned above.

The details of the next review are:

Time and Date: .....

Venue: .....

Signed:

(X) :

.....  
Date:.....

Rev:

.....  
Date:.....

XXXXXX, Safeguarding Office, Presbyterian Church:

.....  
Date:.....

Designated Person / Mentor / Clerk of Session etc

.....  
Date:.....

**CHAPTER END**