

SEC Safeguarding Policy

Principles and Commitments

The witness of Scripture recognises and affirms God's love for all members of the human family and the priority given in Jesus' ministry to children and the vulnerable of society. His ministry was one of welcome for all. To be free to worship and participate in the life of the Church, people need to feel safe and included. Good safeguarding practice helps to ensure that everyone is welcome in a church community. Good safeguarding practice is part of how we value people, and treat them with respect.

Clergy and church workers, both paid and volunteers, undertake ministry in the church in a variety of forms including the provision of spiritual advice and support, counselling, assistance in times of need, education and activities for children and young people, and these take place in a variety of situations within a church community. In their ministry relationships clergy and church workers must act in the best interests of those to whom they minister, always recognising that anyone may be vulnerable.

The five commitments in this policy are based on the Anglican Communion Safe Church Charter which was adopted by General Synod in 2016. Each is followed by a statement of the safeguarding principles that underly the commitment.

Full details of safeguarding governance structures, practice and procedure are contained in Canons 65 and 54 and in a range of guidance and practice notes available from the General Synod Office and the SEC website. The Provincial Officers and Provincial Safeguarding Committee are responsible for overseeing and updating guidance and practice notes in line with current best practice. A schedule of safeguarding terminology and definitions is appended to this policy.

In seeking to make the Scottish Episcopal Church a safer place for all people, we make the following commitments:

Culture of safety

- 1. We will promote a culture of safety in our congregations and church organisations and communities by education and training to help clergy, other church workers and participants prevent the occurrence of harm and abuse.**

The church bears witness to the gospel message of salvation by its teaching and its life as a community. Church communities seek to be like the kingdom of God, but humanity is imperfect, and people harm one another, both intentionally and unintentionally. Only in heaven will God's people be completely free and safe from harm. On Earth we need safeguards to enable the church to become more like the kingdom of God.

There are many forms of abuse, but abuse is always wrong. The harm caused by abuse can be deeply destructive and have lifelong effects. People in the church must work together to prevent abuse, seek justice when it has occurred, and care for those affected by abuse.

It is the responsibility of all who are called to positions of authority and leadership in the church to promote and exercise good safeguarding practice. In Acts 20: 28-30 Paul speaks to the elders of the church at Ephesus of their responsibilities, recognising the difficulties that lay ahead for them:

Keep watch over yourselves and over all the flock, of which the Holy Spirit has made you overseers, to shepherd the church of God that he obtained with the blood of his own Son. I know that after I have gone, savage wolves will come in among you, not sparing the flock.

Some even from your own group will come distorting the truth in order to entice the disciples to follow them.

This passage speaks to the church today of the need always to be alert, and of the harm and distress caused by those who have perpetrated abuse in the church, and of those who have concealed abuse or minimised the effects of abuse.

People who are known or suspected abusers may seek to participate in the life of a church community. They include those charged with or convicted of criminal offences involving sexual abuse. While ministry to them is encouraged, this should not compromise the safety of others, especially children, young people and vulnerable adults. Those who pose a risk to vulnerable people should not be permitted to participate in a leadership role.

Creating and maintaining a culture of safety in the church requires the involvement of all who participate in the life of church communities, not just clergy and church workers. Training to understand and prevent the occurrence of abuse should be part of the formation and ongoing development of clergy. Church workers should receive safeguarding training relevant to their area of responsibility in the church's ministry. Those charged with church governance should receive training in their responsibilities for implementing safeguarding policy. All participants in church communities should receive teaching to help them understand the principles of safeguarding and its importance to a Christian way of life.

Creating and maintaining a culture of safety in the church requires more than the adoption of rules and policies. These need to be effectively implemented, and their implementation monitored. The Anglican Communion's Safe Church Commission *Guidelines to enhance the safety of all persons especially children, young people and vulnerable adults within the provinces of the Anglican Communion* is based on the Safe Church Charter, and the guidelines are adopted as benchmark against which to assess implementation of the Scottish Episcopal Church's safeguarding policy on an ongoing basis.

Suitability for ministry and positions of trust

- 2. We will have and implement policies and procedures to assess the suitability of persons for ordination and clergy appointments, and lay appointments to positions of responsibility and trust in the church including checking their background.**

Safer recruitment practice is an important means to prevent abuse in the church, as past conduct is an indicator of behaviour in both the present and the future. Assessment of clergy and church workers' suitability for ministry should include background checking. The purpose of background checking is to identify any information which indicates that the person may pose a risk to the safety of others.

Background checking involves a criminal record check where permitted or required by Government legislation. Clergy background checks require bishops to disclose ministry suitability information.

In assessing suitability for training for ministry and ordination, discernment processes should include background checking.

Safer recruitment practice for lay appointments, both paid and voluntary, should include publicising the paid position or voluntary role, interviewing candidates and taking up references.

Information from background checking is taken into account in assessing whether the person is suitable to undertake a ministry role in the church.

Practice of ministry

- 3. We will adopt and promote by education and training standards for the practice of ministry by clergy and other church workers, whether employees or volunteers, who share in specific areas of the church's ministry.**

There is an intrinsic imbalance of power in a ministry relationship between clergy and other church workers and those to whom they minister. This arises because they have spiritual authority over others, specialised knowledge and expertise, or access to the leaders and resources of the church. It is always the responsibility of the clergy and church workers to maintain appropriate boundaries in their ministry relationships.

Clear standards for the practice of ministry should be understood and adopted by all clergy. Other church workers should be provided with a job description that sets out the responsibilities for their particular role in the church's ministry. Training on standards of behaviour helps clergy and church workers to maintain appropriate boundaries in their ministry relationships. Mentoring, supervision, peer support and ministry review are effective ways of promoting good safeguarding practice.

Effective responses to abuse

- 4. We will have and implement policies and procedures to respond properly to allegations of abuse against clergy and other church workers that include:**
 - 1. making known the procedure for making complaints;**
 - 2. arranging care and advice for any person making a complaint of abuse;**
 - 3. the impartial determination of allegations of abuse against clergy and other church workers, and assessment of their suitability for future ministry;**
 - 4. providing support for affected congregations and church organisations.**

Transparency and openness, accountability and justice are guiding principles in responding to abuse.

Clergy and church workers have power and authority by virtue of their role in ministry and are therefore in a position of trust. Some may be unaware of their power and unconsciously exercise it in abusive ways to achieve their own desires. Others intentionally use their power to overcome the resistance of their victims. Clergy and church workers who misuse their power and authority by abusing others have betrayed the trust conferred on them and should be held accountable for their conduct.

The church has a duty to take allegations of abuse seriously, and not to minimise or cover up allegations to protect the church's reputation. Concealment of abuse is an abuse of power and is a failure to act with justice and integrity. Survivors of abuse are further harmed when the church fails to act upon their complaints.

Support where there is abuse

- 5. We will provide support for the abused, their families, and affected congregations and church organisations and communities by:**
 - 1. listening with patience and compassion to their experiences and concerns;**

2. offering spiritual assistance and other forms of care.

Abuse is behaviour which causes harm to another person or is undertaken with the intention of causing harm to another person, or which may place another person at the risk of harm. Types of abuse include, but are not limited to, bullying, concealment of abuse, cyber abuse, emotional abuse, financial abuse, gender-based violence, harassment, neglect, physical abuse, racial abuse, sexual abuse and spiritual abuse.

When abuse occurs more than one form of abuse can be involved. In the church, other forms of abuse can be accompanied by spiritual abuse. Perpetrators of abuse sometimes silence their victims by misusing their spiritual authority, such as by saying that compliance with the abuse is God's will or threatening exclusion from the church if the abuse is disclosed.

Abuse often occurs and continues unimpeded because of the unequal power relationship between the abuser and their victim. People will be afraid to disclose abuse where there is a culture of silence in the community and the church. When people disclose alleged abuse, the Church should listen without judgement, respond with compassion and maintain confidentiality, therefore church leaders and members should not make comments or express opinions on such allegations.

A variety of social and cultural factors can contribute to a person's vulnerability to abuse, such as the poverty, ethnicity, sexual orientation, gender, and physical or intellectual disability of the victim. Other circumstances in which a person may be vulnerable include bereavement, relationship breakdown, loss of employment and other life changing events.

People who have suffered abuse must never be pressured to forgive their abuser. Further harm can be caused through pressure to forgive. They may condemn themselves and believe they are condemned by others if they are not willing or able to forgive. They may see themselves as 'not being Christian', and beyond the forgiveness of God.

Abuse does not only affect the person who has suffered abuse. Secondary victims include families both of the victim and the alleged abuser, friends and church communities. The way in which the church cares for victims must be centred on the individual's needs. Some situations will require specialist support from outside the church.

Those who provide care to primary and secondary victims of abuse should receive relevant training. They also require support in their ministry. It is often not realised that caring for victims can be emotionally and spiritually draining, especially where care is provided for a long period of time. Support of those providing care helps to sustain them in this ministry.

If the principles outlined in these policy commitments are followed, the Scottish Episcopal Church will be a place of enhanced safety for everyone, where:

- **clergy and church workers act with integrity**
- **victims of abuse receive justice**
- **clergy and church workers who commit abuse are held accountable**
- **church leaders do not conceal abuse**

DEFINITIONS

These definitions are for use in conjunction with the Scottish Episcopal Church (SEC) safeguarding policy commitments and associated guidance and practice notes.

abuse means behaviour which causes harm to another person, or is undertaken with the intention of causing harm to another person, or may place another person at the risk of harm. Types of abuse include:

- bullying
- concealment of abuse
- cyber abuse
- emotional abuse
- financial abuse;
- gender-based violence
- harassment
- neglect
- physical abuse
- racial abuse
- sexual abuse
- spiritual abuse

Abuse of children and young people is commonly called 'child abuse'. Abuse of a vulnerable adult can take many forms. Abuse in a family or domestic context is commonly called 'family violence' or 'domestic violence' or 'domestic abuse'.

age of consent means the age at which a person can legally consent to sexual activity.

allegations means the allegations which are the subject of the complaint.

authorised means authorised by a licence or other similar authority issued by the SEC.

bullying occurs where a church worker engages in behaviour directed to a person which is repeated, unreasonable (such as where it is victimising, humiliating, intimidating or threatening), and creates a risk to the person's health and safety. It includes:

- making derogatory, demeaning or belittling comments or jokes about someone's appearance, lifestyle, background, or capability
- communicating in an abusive manner
- spreading rumours or innuendo about someone or undermining in other ways their performance or reputation
- dismissing or minimising someone's legitimate concerns or needs
- inappropriately ignoring someone, or excluding someone from information or activities
- touching someone threateningly or inappropriately
- teasing someone, or playing pranks or practical jokes on someone
- displaying or distributing written or visual material that degrades or offends.

It does not consist of conduct of a church worker carried out in a reasonable manner, such as:

- disagreeing with or criticising someone's beliefs or opinions or actions in an honest and respectful way
- giving information about inappropriate behaviour in an objective way to the person or people concerned and to any other person with a proper reason for having that information
- setting reasonable performance goals, standards or deadlines
- giving information about unsatisfactory performance in an honest and constructive way
- taking legitimate disciplinary action

'Cyberbullying' is a form of bullying which involves the use of technology such as sending text messages and emails.

care means any form of support either spiritual or secular provided for those affected by abuse.

charter means the *Charter for the Safety of People within the Churches of the Anglican Communion* and the *Guidelines to enhance the safety of all persons -especially children, young people and vulnerable adults – within the provinces of the Anglican Communion* which form the basis of the SEC policy and guidelines. <https://www.anglicancommunion.org/media/349360/ACSCC-Guidelines-2019-English.pdf>

child means anyone who under the applicable law has not attained their majority. In Scotland the law defines a child as anyone under the age of 16 years. For the purposes of the Protection of Vulnerable Groups Act a child is anyone under the age of 18 years. For the purposes of SEC safeguarding policy a child is anyone under the age of 18 years.

church authority means a diocesan bishop or a person or body having authority to ordain, license, elect, appoint, dismiss or suspend a church worker.

child pornography describes or depicts a person who is or who appears to be a child engaged in sexual activity, or in a sexual context. It can include any film, printed matter, electronic data, computer image and any other depiction.

church community means a congregation or church organisation in which ministry is undertaken.

church workers means clergy and lay workers, whether stipendiary or non-stipendiary, employed or volunteers.

civil authority means the police or other authority to which a report of known or suspected abuse may or should be made.

clergy means bishops, priests and deacons of the church.

clericalism means clergy encouraging and taking advantage of deference to them.

complainant means a person who makes a complaint that they were abused, or a person making a complaint on behalf of the primary victim.

complaint means a complaint of abuse against a church worker.

concealment of abuse means the failure without reasonable excuse to disclose known or suspected abuse by a church worker to the SEC Safeguarding Officer, church authority or civil authority.

cyber abuse occurs where a church worker engages in behaviour involving the use of technology which harms or threatens to harm a person socially, psychologically or physically. It can take place in various online spaces, like chat rooms, on social networking sites, through emails, messaging apps or on message boards. It includes a range of behaviours which are sometimes described as 'cyberbullying', 'cyberstalking', and 'image-based abuse'.

emotional abuse occurs where a church worker engages in behaviour directed to a person where the person suffers, or is likely to suffer, harm to their health and safety. It includes:

- making derogatory, demeaning or belittling comments, jokes or gestures about someone's appearance, lifestyle, background, or capability
- ridiculing a person, including the use of insulting or derogatory terms to refer to them
- coercing, manipulating, threatening or intimidating a person

It does not consist of conduct of a church worker carried out in a reasonable manner, such as:

- disagreeing with or criticising someone's beliefs or opinions or actions in an honest and respectful way
- giving information about inappropriate behaviour in an objective way to the person or people concerned and to any other person with a proper reason for having that information
- taking legitimate disciplinary action.

Emotional abuse is commonly called 'psychological abuse'.

financial abuse occurs where a church worker seeks personal advantage or financial gain for themselves or their family from their position or from a ministry relationship, beyond their stipend or wage and recognised allowances. Where it involves theft, it will constitute a criminal offence. It includes soliciting a gift or loan, whether monetary or otherwise, from a person with whom there is a ministry relationship.

gender-based violence means any act that is perpetrated against a person's will and is based on harmful gender norms and unequal power relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or sexual in nature, and can take the form of a denial of resources or access to services. It inflicts harm on women, girls, men and boys.

grooming occurs where a church worker deliberately undertakes actions with the aim of engaging and influencing an adult or a child or young person for the purpose of sexual activity. In the case of a child or young person, the church worker may groom them and those close to them, such as parents, family members and other church workers, with the aim of having sexual activity with the child or young person. In the case of an adult, the church worker may groom the adult and those close to the adult such as family members, other church workers and church communities, with the aim of having sexual activity with the adult. Grooming commonly precedes other forms of sexual abuse and can involve contact involving the use of technology to build the relationship with the child or adult.

harassment occurs where a church worker engages in unwelcome conduct, whether intended or not, towards another person where the person feels with good reason offended, belittled or threatened. This behaviour may consist of a single incident or several incidents over a period of time. It includes:

- making unwelcome physical contact with a person
- making gestures or using language that could reasonably give offence, including continual and unwarranted shouting
- making unjustified or unnecessary comments about a person's capacities or attributes
- putting on open display pictures, posters, graffiti or written materials that could reasonably give offence
- making unwelcome communication with a person in any form such as phone calls, email, text messages
- stalking a person

'Cyberstalking' is a form of harassment which involves the use of technology such as sending text messages and emails.

image-based abuse occurs where a church worker engages in the taking of, distribution of, or threat to distribute, intimate, nude and/or sexual images of another person without their consent. The images may be original and photoshopped photos, drawn pictures, and videos. It is called 'sexting' when technology is used to distribute the image. It is called 'sextortion' when the church worker tries to get sexual favours, money or something else, by threatening to reveal intimate images of the other person, or requests money, additional images, or sexual favours for removing the images online.

lay worker means a lay person who:

- is authorised by the bishop of a diocese
- is appointed, elected or employed by or on behalf of a church community

- as a volunteer, undertakes ministry in the church.

ministry means the work involved or the situation which exists when a church worker has responsibility as part of their role for the wellbeing of others. Ministry involves a wide range of activities and roles including those involved in working with children, pastoral visitors, counsellors, spiritual directors and other areas of ministry that focus on a specific area or group of people or particular needs, as well as all persons in ordained ministry.

ministry relationship means a relationship between a church worker and any person for the purposes of ministry.

ministry suitability information means a written statement by a church authority of a province about a church worker that discloses whether or not there has been, and, if there has, the substance of any allegation, charge, finding or admission of the commission of a criminal offence, or the breach of the province's rules regarding the conduct of church workers, including rules relating to sexual conduct and conduct towards children, young people and vulnerable adults.

physical abuse occurs where a church worker commits an intentional or reckless act, uses force or threatens to use force causing injury to, or involving unwelcome physical contact with, another person. It includes:

- slapping
- hitting
- punching
- shaking
- choking
- kicking
- burning
- shoving
- grabbing

primary victim means the person who has been abused.

province or provincial refers to the seven dioceses of the SEC as a province of the Anglican Communion.

racial abuse means abuse that is motivated by hostility or prejudice based on race.

respondent means a church worker against whom a complaint has been made.

safe church or safeguarding means policies and practices to promote the physical, emotional and spiritual wellbeing of all persons within the church, including children, young people and vulnerable adults.

safeguarding office means the staff of the General Synod Office with responsibility for safeguarding.

safeguarding officer means the Provincial Safeguarding Officer.

secondary victim means other people who have suffered harm as a result of the abuse of the primary victim. They will be likely to include members of their family of the primary victim as well as members of the family of the abuser, other church workers and members of the church.

sexual abuse occurs where a church worker engages in any of the following conduct:

- grooming
- image-based abuse
- sexual assault
- sexual exploitation

- sexual harassment
- viewing, possessing, producing or distributing images of child abuse also known as child pornography.

sexual assault occurs where a church worker engages in any intentional or reckless act, uses force or threatens to use force involving some form of sexual activity against a person without their consent, or with their consent in circumstances where consent is not a defence to such sexual activity under the applicable laws. Children who are under the age of consent, or any adult on their behalf, cannot consent to sexual activity. Sexual assault will normally constitute a criminal offence and includes:

- rape
- touching a person in a sexual manner
- inviting, inducing, inciting or forcing a child, young person or vulnerable adult to touch themselves, the church worker or another person in a sexual manner.

sexual exploitation occurs where a church worker, who has a ministry relationship with a person who is over the age of consent, invites them to engage in sexual activity, or engages in sexual activity with them with their consent. It does not matter that the person made the invitation or initiated the sexual activity.

sexual harassment occurs where a church worker makes an unwelcome sexual advance, or an unwelcome request for sexual favours, to a person. It may consist of a single incident or several incidents over a period of time, and may involve different forms of communication such as phone calls, email, text messages and social media. It includes:

- asking for sex
- making gestures, jokes or comments containing sexual references
- showing sexually explicit material

spiritual abuse occurs where a church worker mistreats a person by actions or threats when justified by appeal to God, faith or religion. It includes:

- using a position of spiritual authority to dominate or manipulate another person or group
- using a position of spiritual authority to seek inappropriate deference from others
- ostracising a person from their church community
- isolating a person from friends and family members
- using biblical or religious terminology to justify abuse

vulnerable adult means an adult who by reason of an intellectual disability, mental illness or other impairment, age or other circumstance, has reduced capacity, whether permanently or temporarily, to protect themselves from abuse. This includes any adult who:

- is ministered to in their home
- is dependent on one or more persons for support such as in the case of an accident, illness or birth of a child
- experiences a life crisis or natural disaster, such as the death of a family member, relationship breakdown or loss of employment, or loss of home and possessions
- through poverty, war or civil strife, displacement, ethnicity, sexual orientation or gender, or other social and cultural factors has a diminished ability to protect themselves from abuse