

New Risk Assessment Procedures

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Resolutions	40/1. The Council receives the Report. 40/2. The Council approves the new procedures

Summary of Content and Impact

Subject and Aims	Revisions to current procedures for undertaking safeguarding risk assessments in order to better reflect how practice has evolved to encompass a wider range of safeguarding concerns
Main Points	<ul style="list-style-type: none"> • New guidelines to govern risk assessments for safeguarding concerns • Risk Assessments to be authorized by the Safeguarding Adviser and commissioned by Connexional Safeguarding officers rather than Safeguarding Committee • All connexionally commissioned risk assessments to be funded through the Connexional Safeguarding budget • Introduction of approved list of risk assessors to undertake connexionally commissioned work with clear set of standards and approach • There will be District Risk Assessments and connexionally commissioned Risk Assessments • Introduction of new completion targets for risk assessments – from point of commissioning risk assessment to be completed within four weeks followed by two week subject response time before Safeguarding Panel meets • Dates for Safeguarding Panels to be set in advance • Blemished DBS checks risk assessed by District Safeguarding Officer and reported to Connexional Safeguarding Team rather than Safeguarding Committee for decision of clearance or referral to Safeguarding Panel • Risk Reports to describe temporary (interim) risk assessments, reviews of existing Safeguarding Contracts or brief assessments for other processes, eg Complaints and Discipline investigations • Introduction of Safeguarding Contract to replace Covenant of Care Agreement (reference Covenant of Care Working Group report to Conference) • New definition of Safeguarding Concern • New list of offences that will be referred to when considering risk assessments • Risk Assessments can be undertaken for alleged as well as caution/ conviction for a sexual offence (currently SO 010(3)) where a safeguarding concern has been raised for church members, worshipers, anyone who wants to hold an office or is part of any church sponsored activity • Risk Assessments to be shared with subject, Safeguarding Panel, and District Safeguarding Officer. Summary to be shared with District Chair and Monitoring and Support group members. District Safeguarding Officer to make defensible

	<p>decision in respect of any other requests based on Methodist Church Information Handling guidance</p> <ul style="list-style-type: none"> • Monitoring and Support Groups can request a review of current safeguarding contracts on a three-yearly basis by seeking a new connexionally commissioned risk assessment which will then be presented before a new safeguarding panel to consider amending or ending a safeguarding contract • Inclusion of right of subject to appeal decision of the Safeguarding Panel
Background Context and Relevant Documents (with function)	<ul style="list-style-type: none"> • The report of the Covenants of Care working group • Internal review of deceased church worker subject to risk assessment process • Home Office official homicide review relating to church member
Consultations	Safeguarding Committee and District Safeguarding Officers who have undertaken risk.
Impact	Recognition of the ongoing partnership with the Church of England and other denominations who have fed into the Covenants of Care working group.
Finance	Increase in Connexional Team Risk Assessment budget to fund all commissioned risk assessments estimated £90k (currently £30k)

Introduction

The current standing orders in relation to safeguarding, risk assessments do not reflect current practice in responding fully to all cases of a safeguarding concern. The Church has also been in discussion with the Safeguarding Committee (who provide members for Safeguarding Panels and make recommendations on the basis of risk assessments) and District Safeguarding Officers who have undertaken risk assessments to gain feedback about what works well and where practice can be improved.

During the last year the Church has also been engaged in a Home Office sponsored homicide review in relation to a church member and an internal review of a deceased person subject to a risk assessment.

The key changes to the procedures are outlined above (Main Points) and the full proposed procedures are detailed below.

***RESOLUTIONS

40/1. The Council receives the Report.

40/2. The Council approves the new procedures.

METHODIST CHURCH RISK ASSESSMENT POLICY STATEMENT

The Methodist Church is committed to providing a safe environment in which all may flourish and develop through their engagement with the Church. It is acknowledged that there is therefore a need to consider a variety of circumstances where concern may be heightened in relation to the presence of a safeguarding risk towards those engaging with the Church and the organisation itself.

While risk cannot be removed entirely from any situation, there is a need for clear guidance to be provided in relation to the process that should be undertaken to address concerns in certain circumstances. The importance of a balanced and proportionate consideration of the relevant issues cannot be overstated.

While the processes documented in this policy represent assessments for particular circumstances, it is the responsibility of everyone to consider the safety of those around them both in terms of safeguarding concerns and in a wider context. It is acknowledged that much of the daily work of the District Safeguarding Officer involves ongoing risk assessment activity as an inherent part of the role beyond the circumstances outlined in this policy and procedures.

The key values which such a process should embody are:

- Valuing the dignity of all
- Openness and accountability
- Fairness
- Balance without bias
- Respect for diversity
- Proportionality

These values will be embodied by:

- An expectation of appropriate and considerate communication between all parties involved in the process.
- Clear policies, procedures, Standing Orders and information leaflets to ensure everyone is able to access the information they need.
- Consideration of safeguarding risks by those who are carefully selected to have the requisite knowledge and/or experience to undertake the role with fairness and independence from the immediate circumstances.
- The provision of effective pastoral support to those who need it.
- Careful consideration of the specific needs of individual parties and provision made for additional support where needed to allow full participation in the process.
- An opportunity for parties involved to provide feedback about the process and their experiences which will be subject to ongoing review.
- A response to safeguarding concerns which is proportionate, appropriate and robust.

1.1. Status of Policies, Procedures and Guidance within this document

This document sets out the policy, procedures and guidance relating to safeguarding risk assessment within the Methodist Church. The provisions outlined are informed by current legislation and accepted good practice from within the Church, statutory agencies and other community organisations with safeguarding responsibilities.

Following consultation, the policy and procedures laid down in this document have been approved by the Methodist Council and cover Methodist members and those for whom Church safeguardin

policies cover. Sections that are clearly identified as 'guidance' are regarded as good practice and therefore it is highly advisable, although not compulsory, to adhere to these guidelines.

1.2. Definitions of Key Terms

¹Risk Assessment Activity

Risk Assessment Activity is a collective term to describe all forms of actions to consider the presence and seriousness of safeguarding risk within Church environments.

¹Connexional Risk Assessment

A risk assessment process commissioned by the connexional Safeguarding Team producing a full report for consideration by a Safeguarding Panel relating to a range of more complex circumstances relating to current and past safeguarding concerns.

¹District Risk Assessment

A risk assessment process completed by the District Safeguarding Officer in their own district to inform a new Safeguarding Contract or to review a proposal to amend or end a Safeguarding Contract..

¹District Risk Report

A Risk Report is a limited risk assessment activity predominantly undertaken where either an immediate and temporary consideration of risk is required while other processes are continuing, as an update to a prior detailed assessment or where limited further consideration of specific risk areas is required to support the DBS process. This is undertaken by the District Safeguarding Officer in their own district

Safeguarding Concern

A concern relating to words or behaviour of a party currently engaging or previously having engaged with the Methodist Church via worship, activities, responsibilities or roles (employed, voluntary or as part of ministry) which is believed to be abusive, harmful or neglectful towards children, young people and/or adults who may be vulnerable. There will be an inherent power imbalance between the person carrying out the words or behaviour and the child or vulnerable adult. This may also include poor safeguarding practice by those whose roles or responsibilities include interaction with members of those groups. The concern may be raised by any party whether inside or outside of the Church and could be received initially by anyone perceived to be in a position trust but will have been brought to the attention of a Church, Circuit, District or Connexional Safeguarding Officer to initiate further action.

(This further defines the definition adopted in Courage, Cost and Hope – the report of the Past Cases Review 2013-15:

- (a) Sexual or physical abuse of a child or adult.
- (b) Emotional abuse / neglect if at the level of significant harm – against a child or adult.
- (c) Domestic abuse of any kind (child v. parent, wider family, woman v. man as well as the more usual male v. female violence.
- (d) Any other abuse of a vulnerable adult – financial, institutional.

Accessing abusive images on screen.)

¹ Measures already applied within connexional and district Safeguarding but not previously covered by specific policy of Standing Orders

Safeguarding Contract

An agreement made locally or following a Safeguarding Panel to facilitate involvement in roles, responsibilities or activities in the life of the Church or attendance at worship within the Methodist Church (as appropriate). The Contract will be put in place following risk assessment activity. The safeguarding concern may arise from a past or current safeguarding concern (raised to the District Safeguarding Officer or the Connexional Safeguarding Adviser).

Offences which are indicative of a risk to children and/or vulnerable adults

These offences are contained either within the 2005 Statutory Guidance in relation to offences which indicate such a risk or are included within Schedule 3 of the Sexual Offences Act 2003. Schedule 13 offences are those which are liable to sex offender registration requirements under Part 2 of the Sexual Offences Act 2003.

NATURE OF RISK ASSESSMENT ACTIVITY IN THE METHODIST CHURCH

1.3. What is the purpose of risk assessment activity?

The role of Safeguarding Risk Assessment activity is to consider concerns raised about behaviour or actions that have been identified as potentially abusive, harmful or poor safeguarding practice in order to identify any safeguarding risk presented to those engaging with the Methodist Church. The process will consider the nature and the severity of any a risk identified and likelihood of occurrence.

It should be noted that this is not a disciplinary or adversarial process and the approach taken represents a holistic exploration of the circumstances with a focus on understanding how circumstances arose and the identification of measures that can be put in place to minimise any risks identified. This process will consider both recent and past events and/ or issues leading up to the point at which the assessment is commissioned and try to establish the underlying issues and problems that have led to the assessment being required.

This may include potential risks posed by and to the subject of the assessment, to victims and survivors and their families, to those who engage with the Methodist Church and to the reputation of the Church itself.

1.4. Triggers for risk assessment activity

Risk assessment activity **may** be undertaken in the following circumstances:

- Where a person who wishes to undertake a role or responsibility within the Methodist Church which requires a DBS check, and a notification has been received by the Connexional Safeguarding Team to confirm the certificate is blemished. Risk Assessment activity will be undertaken where further information is required for the Connexional Safeguarding Team to reach a clearance decision. This may relate to an offence indicative of a risk to children or vulnerable adults (see definition) or other information included within the certificate that may suggest such a risk may be present if the person were to undertake the envisaged role or responsibility.
(Please refer to CPD Book VI for further details in relation to DBS checks)
- Where a person who is already undertaking a role or responsibility within the Methodist Church which requires a DBS check whether as employee, volunteer or in ministry, receives a blemished DBS certificate containing a conviction, caution, barring information or information

provided by the Police, for which they have not already been cleared by as part of a previous process and which indicate that Standing Order 010 may apply.

- Where a safeguarding concern has been raised about the conduct of a person engaging in the life of the Church and after exploratory inquiries have been carried out, the District Safeguarding Officer or the Safeguarding Adviser (dependent on the nature of the issue) decide that risk assessment activity is required. This may also apply to safeguarding concerns raised via the Past Cases Review where the subject of the concern continues to engage with the Church, carry out a role or other responsibilities.
- Where a person who wishes to attend worship or engage with activities in the Methodist Church and has a conviction or caution identified in Standing Order 690 which will require a Safeguarding Contract (previously a Covenant of Care) to be put in place due to a conviction or caution for an offence indicative of a risk to children and/or vulnerable adults (see definition), or,
- Where a person who wishes to attend worship or engage with activities in the Methodist Church and who has a conviction or caution for an offence other than those covered in Standing Order 690 requiring a Safeguarding Contract or has no caution or conviction but whose circumstances in both cases suggest that a Safeguarding Contract may be required to manage a potential risk to children or vulnerable adults.
- Where a person is already subject to a Safeguarding Contract, in preparation for an annual review
- Where a person who is already subject to a ²Safeguarding Contract (previously known as a Covenant of Care) and who wishes to appeal the continuing requirement for the arrangement to remain or who requests a significant change of conditions.
- Where a person who is already subject to a ²Safeguarding Contract (previously known as a Covenant of Care) whose case has been referred to the Safeguarding Adviser, as the District Safeguarding Officer believes that arrangements currently in place are not effectively managing the safeguarding risks identified.
- As a result of information provided by a statutory agency relating to a safeguarding risk presented by someone engaging with the Methodist Church. Risk assessment activity may be undertaken where the potential risk is relevant to the activities, roles or responsibilities which that person undertakes in the life of the Church.

In each case, the decision as to the nature of risk assessment activity will be undertaken with reference to the chart in 2.4 and in consultation within District and/or the Connexional Safeguarding Team as appropriate.

1.5. Why is a risk assessment activity initiated when the person may not have a conviction or caution for a sexual offence or no conviction at all?

The risk assessment process responds to safeguarding concerns whether or not a complaint has been made to the Methodist Church under Part 11 of CPD or a report is made to Police or statutory

² Working Group on Covenants of Care (name of agreements)

authorities. A safeguarding concern may come to light through inquiries and information where there is no specific complainant but unhealthy patterns of behaviour have been noted. The Methodist Church through its commitment to effective safeguarding practice and protection for all those engaging with it, has a duty to respond to such concerns, considering the risk presented to those within the Church and putting in place relevant measures to minimise identified risks. Where a complaint under Part 11 of CPD has been made, there are provisions under Standing Orders as to how safeguarding processes will interact with that process.

A conviction results from the criminal court prosecution process at the criminal standard of proof which is 'beyond reasonable doubt'. That means that where the defence can introduce a reasonable doubt, the case will not be proven. It should be noted that where the case is not proven, the person is found 'not guilty' in English law as opposed to 'not proven' or 'innocent' in Scottish law. The words, 'guilty' and 'innocent' can be emotive terms and therefore great care should therefore be taken over their use. Prosecutions may fail because there is insufficient evidence for a wide range of reasons that means that the criminal standard of proof cannot be reached. Where there is an unsuccessful prosecution or no prosecution, it does not necessarily remove the need for potential risks to be considered which is the purpose of the risk assessment process.

The risk assessment process explores possible risk at the civil standard of proof. This means that considerations are made 'on the balance of probabilities'. There is a clear legal expectation that churches operate on this standard of proof.

'It must be clearly understood that the decision of the police not to pursue an investigation, or not to investigate at all, or of the CPS not to prosecute, does not relieve the Diocese of the duty to assess, on the civil standard of proof, any potential risk ... and to act appropriately'

- *Baroness Butler-Sloss (retired senior Judge), May 2011 report into matters in the Chichester Diocese of the Church of England following a high profile child abuse case.*

Those who are the subject of risk assessment can feel that they are not being believed when a Safeguarding Panel make recommendations, directions or guidance on safeguards to be put in place, supervision or restrictions on activities that can be undertaken. The subject guidance leaflet (**tba**) clarifies that any measures are to address a potential risk, not a proven finding of fact and care must be taken in all communications, from the initial briefing to the outcome letter, to ensure that this is made clear.

Risk assessment is often required for a broader range of concerning behaviours including non-sexual convictions and cautions to address situations that would suggest a child or adult may have suffered harm e.g. domestic violence, harassment, stalking or neglect.

1.6. Types of Safeguarding Risk Assessment Activity

- district risk assessment
- district risk report
- connexional safeguarding risk assessment

When to use each form of risk assessment activity

The following list gives examples of the most frequently used approach which may be used in each situation, those involved in risk assessment should consider each case on an individual basis whilst ensuring a consistency of approach where appropriate.

District Risk Report	<ol style="list-style-type: none"> 1. Prior to the annual review of a ²Safeguarding Contract. 2. When requested by Connexional Safeguarding to explore issues relating to a blemished DBS.
District Risk Assessment	<ol style="list-style-type: none"> 1. Prior to the arrangement of ²Safeguarding Contract. 2. Where a change of Safeguarding Contract/ conditions or is sought. The risk assessment will be done by the District Safeguarding Officer in conjunction with the Safeguarding team and will go before a Safeguarding Panel. 3. Where the Safeguarding Adviser asks that a District Risk Assessment be undertaken following a safeguarding concern being raised, eg blemished DBS checks
Connexional Safeguarding Risk Assessment	<ol style="list-style-type: none"> a) Where it is believed a risk assessment is necessary to consider a safeguarding concern identified by the District Safeguarding Officer a safeguarding risk. b) Following a past or present allegation of abuse brought to the Church's attention via statutory agency, Past Cases Review or any other party. c) Where referral has been made by a church court or body under Standing Order 010(5) in respect to a person wanting to fulfil or is holding a role to which SO 010(3) applies but there is a conviction or caution for a sexual offence, see SO 010(2). Where a safeguarding concern has been raised about a subject wanting to fulfil or is already holding a role to which SO 010(3) applies. d) Where statutory agency requests that such an assessment is undertaken.

RISK ASSESSMENT ACTIVITY PROCEDURES

3.1. Procedures for all Risk Assessments

Throughout any risk assessment process, there is a continuing requirement to consider and reassess the needs of those engaging with it. This will require careful reflection and response to the needs of the victim or survivor, considering pastoral support for families, managing the impact on congregations or considering the personal support needs of both colleagues undertaking risk assessments and those contributing to the work in the local church. It is important that guidance is sought where necessary and information shared appropriately in addressing the needs of all parties.

3.1.1. Making contact with parties relevant to the assessment

The District Safeguarding Officer or Connexional Safeguarding Caseworker may need to contact victims or survivors, those who were aware of a situation from the past or others who were or are now vulnerable. This may include survivors of abuse or those who may be aware of information that is relevant to the circumstances. On occasion an account has already been given and may be able to be accessed. Careful consideration of the welfare and necessity of the contact should be considered before making any approach.

Inquiries may be made to see if the party can be located via the Church or other means (e.g. internet search) in order to establish whether they wish or are able to contribute any information. Minimum information should be provided to any third party when trying to locate someone. It is essential that inquiries should be in confidence no details released other than by agreement with the DSO or member of the Connexional Safeguarding Team who has requested the inquiry.

If the person is believed to be fit and able to do so, a first approach may be considered dependant on the person's circumstances. It may be that a minister already knows the individual and may be the best person to introduce the reason for contact or to be present when a letter is given to the person explaining about the risk assessment. It is preferable that this approach is undertaken in person where possible.

Great care should be taken in sending out letters through ordinary mail which may arrive at an unconfirmed address, in insecure conditions (e.g. shared occupancy housing) or may cause great anxiety to an individual without support who has not thought about painful memories for many years.

Any engagement is entirely voluntary and the nature and extent of any involvement should be agreed with the party when the initial information is provided at the start. In any preparatory contact with the subject of the assessment or other parties, their welfare and fitness to engage with the process should be discussed and considered carefully. If there is any doubt of the person's wellbeing and fitness to engage, further advice should be taken from the Connexional Safeguarding Team who will consult the the Connexional Wellbeing Adviser to discuss appropriate action.

Further detailed information on 'Responding Well to Survivors' can be found in the Methodist Church Safeguarding Policies, Procedures and Guidance document.

3.1.2. Required information to be supplied in advance of the risk assessment

It should be noted that the majority of concerns and issues, raised by parties involved in a risk assessment process, arise from a failure to inform them of the reason for the assessment, what will be done with their information or offer suitable support. Standard forms covering the requirements below (tba) and the relevant party should be requested to sign to show that they have been provided with the information.

All parties providing information for a risk assessment (including the subject of the assessment) should be given the following information:

- That participation in any discussion in relation to the risk assessment is voluntary.
- That the content of any discussion with the assessor may form part of the final report and any concerns in relation to disclosure should be raised with the assessor at the time.
- The arrangements and structure which will apply in the risk assessment.
- That a pastoral supporter can be present for any risk assessment conversation or contact with a survivor.
- They must be informed that a record will be made of any meeting.
- They must be informed that they can request access to a copy of any personal data held by the Connexional Team, District, Circuit or local Church about them via a Subject Access Request under the Data Protection Act 1998.
- That the record of the meeting and any related papers regarding the procedure will be retained under secure conditions by the District Safeguarding Officer and the Connexional Safeguarding Team to ensure any effective management of any risk identified.

- That this information may be shared with other parties in order to facilitate the management of any risk identified and will be shared with statutory agencies (including the Disclosure and Barring Service) as required by legislation, statutory guidance or court order.
- That the Connexional Safeguarding Team welcomes feedback from those who engage with the risk assessment process and a contact email for the Team should be provided.

The subject of the risk assessment should also be provided with the following information:

- Participation in any discussion in relation to the risk assessment is voluntary. However, where the subject declines to engage with the risk assessor, the assessment will still be undertaken and measures may be put in place to manage any perceived safeguarding risk.
- Confirmation of the Standing Order under which the assessment is being carried out.
- Any individual who has received a caution or conviction or been investigated in relation to a criminal offence or referred to Children's or Adult Care Services should be made aware that contact **may** be made with relevant statutory agencies. This is in order to assess effectively their individual circumstances and ensure that any arrangements are appropriate and the seriousness of any risk presented addressed.
- Where appropriate, written consent should be sought before making requests for information from statutory agencies and other parties. The subject of the assessment should be clearly informed that if they choose to decline consent, this may impact on the recommendations made by the assessor and the nature of involvement with church activities that is agreed as a result.
- Where a risk is identified towards children or adults who may be vulnerable, the Church has a duty to make contact with statutory agencies to advise them of those concerns (Further guidance is available in the Sharing of Information section of the Methodist Church Safeguarding Policy, Procedure and Guidance document)
- Those who are currently under the supervision of police or probation in relation to a sexual offence following a conviction or caution should be made aware that the relevant officer **will** be contacted and risk information (including the Safeguarding Contract) shared over time.

3.1.3. Contact with Statutory Agencies

It is a requirement that the identified officer is identified in all cases for those under current supervision by the police or probation services. Anyone currently on the Sex Offenders' Register will have a nominated police officer allocated to manage the risk of their situation. Contact with that person must be initiated not only to make the supervising officer aware that the subject is engaging with the Methodist Church but to request confirmation of any particular risk and initiate ongoing contact which will be of value to the Monitoring and Support Group in the long term.

Additional guidance to assist with contacting statutory agencies in relation to risk assessments is provided within the Guidance (tba) section along with questions that can be used to explore criminal convictions and current risk management by statutory agencies.

3.1.4 Support through a risk assessment process

People who are the subject of a risk assessment for any reason may feel anxious and apprehensive about a whole range of areas in relation to the process. This is an understandable reaction as the outcome of a risk assessment can have a significant impact on their future or deal with sensitive issues. The role of pastoral support in the risk assessment process is to ensure that those who are being assessed have access to another person that they feel will appreciate and understand their situation and needs.

The pastoral supporter will:

- Provide moral, emotional and other suitable support throughout the process
- Ensure that any concerns about wellbeing are brought to the attention of the Connexional Safeguarding Team, District Safeguarding Officer or Risk Assessor or the Safeguarding Panel (where applicable) at the earliest opportunities
- Consider whether the individual's support needs have been addressed
- Alert the connexional Safeguarding Team caseworker or District Safeguarding Officer as to any concerns or support needs of which they may not be aware.
- Respect the confidentiality of the process

The pastoral supporter may be requested by the subject of the assessment to:

- Attend meetings with the risk assessor and the subject of the risk assessment
- Attend a face-to-face panel (if applicable) with the assessed person and remain with them throughout.

The pastoral supporter may not:

- Act as an advocate or representative of the person being assessed at meetings with the risk assessor or at the Safeguarding Panel (if applicable)
- Speak on behalf of the subject unless the risk assessor and/or panel asks them to do so.
- Disclose information received during the risk assessment in their capacity as pastoral support to any other party.
- Act as legal adviser

It should be noted that there is no provision for a legal adviser to act or engage with those managing or undertaking the risk assessment process. Information will on all occasions be provided directly to the subject of the assessment who may choose to share this with their pastoral support if they wish.

Specialist advocacy may be arranged for the subject of a risk assessment who has additional support needs in relation to communication or understanding to ensure that they are able to engage effectively with the process. It is important that anyone who is aware that a party may have such needs, identifies this to the District Safeguarding Officer or connexional Safeguarding Team at the earliest opportunity so that communications can be considered carefully from the start and appropriate adjustments or arrangements can be made to assist.

Choosing a Pastoral Supporter

A person who has agreed to take part in a risk assessment can choose whether they wish to have pastoral support. If they decide that they do not want a pastoral support this should be confirmed in writing. They should be reminded during the process that they can change their mind and can be assisted to identify a suitable support or nominate someone at any time.

In circumstances where the person may have already been through an employment, Complaints and Discipline or other process, the District Safeguarding Officer should identify whether a pastoral support is already in place. The DSO should also confirm that the subject of the assessment and the current supporter are happy for this arrangement to continue.

The person can nominate a pastoral supporter or request support in identifying a suitable person from the liaison minister. It is the duty of the District Safeguarding Officer in consultation with the District Chair/Circuit Superintendent and the minister to ensure that suitable options for a pastoral

supporter have been identified or the person being assessed has provided written confirmation that they do not want someone acting in that capacity.

There is no need for the pastoral support to have any specific experience of the safeguarding process but the subject of the assessment should be provided with guidance to identify a suitable person. Conducting a risk assessment can involve complex emotions and interactions and this has the potential to impact on the person undertaking providing pastoral support. The person who has offered to undertake that role will be made aware of this via the pastoral supporters leaflet and can seek support from the District Safeguarding Officer or allocated Connexional Safeguarding Team Case Worker.

The following **are not deemed to be appropriate** to act as pastoral support for someone who will be risk assessed:

- Anyone who has pastoral oversight of a minister who is subject to a risk assessment
- Anyone who is likely to be involved in decision making arising from the risk assessment process. The District Chair and Circuit Superintendent will be in this category.
- Anyone who is likely to be involved in implementing decisions arising from the risk assessment process. The Church Safeguarding Officer, Circuit Safeguarding Officer and District Safeguarding Officer are likely to be in this category but it may also include others within the church community who are likely to become involved in a Monitoring and Support Group.
- Anyone who is in a line management or supervisory capacity in relation to the subject of the assessment where they are employed or undertake a voluntary role.
- Anyone who is already or may be requested to undertake a role within a connected Complaints or Discipline Process
- Any member of the Safeguarding Committee or the Conference Office (including members of the Connexional Safeguarding Team)

The following **may not** be suitable to provide personal support in a risk assessment process:

- Family members
- Close friends

Family members and friends may not be suitable to provide support in this process. On occasion, the person subject to risk assessment may find it difficult to fully discuss the matters under consideration with those closest to them both prior to and during the process. There can be a significant impact on critical, personal relationships when the whole picture is presented and discussed. As a result, choosing a family member or close friend as pastoral support is not advised due to the potential negative effect on the welfare of the person being assessed.

A leaflet has been produced to summarise the role of the pastoral supporter in the risk assessment process and to identify those who may not be suitable to undertake this role. The District Safeguarding Officer should ensure that this leaflet is supplied to the person being assessed and any identified pastoral supporter.

3.1.4. Identifying a suitable risk assessor

The following considerations should be made in relation to the choice of assessor:

- Experience in carrying out such assessments within or outside of the Church in a professional or voluntary context

- The absence of any close connection with the subject of the assessment and any other key parties
- Particular skills or abilities that may be required due to the specific needs of the person being assessed

It is important that the values of fairness and balance are carefully considered in the choice of person who will undertake this role and the above considerations are reviewed and noted in the relevant records.

Conducting a risk assessment can involve complex emotions and interactions and this has the potential to impact on the person undertaking the assessment. A named supporter should be identified to support the risk assessor during the process of the risk assessment. This may be done by a person within the District where the assessment is being carried out locally or by a Safeguarding Case Worker from the Connexional Team for those processes being initiated by them. The person should be someone who will already be aware of the circumstances and can offer support in confidence.

Further information on selection of risk assessors for assessments commissioned by the Connexional Safeguarding Team is at **3.3.1**.

Independence

It is important that the issue of risk assessor independence is considered carefully prior to commissioning an assessment. The need to have the case examined by someone who has little or no knowledge or experience of the situation or the individuals involved, should be balanced with the need for someone who understands the values, policies and procedures of the Church. The District Safeguarding Officer will carry out District assessments unless there is an apparent or obvious conflict of interest which would suggest that independence would be compromised. The Connexional Safeguarding Adviser in conjunction with the District Chair will make a final decision in relation to such circumstances.

For connexional Safeguarding assessments, dependent on the circumstances of the concern an external or internal assessor can be used (see 3.3.1.). The reason for the choice of risk assessor for Connexional Safeguarding Risk Assessments must be clearly documented on the case file by the Connexional Safeguarding Case Worker.

Where a risk assessor is connected to the Methodist Church by membership, employment, ministry or voluntary role, they must be independent from the District or activity from which the concern has been raised or where the parties are currently located. The risk assessor must not have a close connection with those who have raised the concern or those who are the subject of that concern to ensure independence from the issue and those involved. This is critical to embody the value of fairness and balance in the process.

Those agreeing to undertake assessments will be asked to confirm in writing that they have no close connection to the main parties and to declare any potential conflicts of interest of which they are aware. A record of this will be added to the relevant case file by the District Safeguarding Officer or Connexional Safeguarding Case Worker as appropriate.

Recording Assessor Choice

The details of the risk assessor and confirmation of their independence from the safeguarding concern should be obtained prior to engaging in the process.

In all cases, assessors must follow the risk assessment policy and procedures of the Methodist Church and use the standard risk assessment format provided for this purpose. This is important to standardise the approach taken to ensure that consistency and quality while facilitating those who receive numerous reports for consideration as panel members.

3.2. Additional Information about District Risk Assessments and Reviews

3.2.1. Risk Assessment Prior to a Safeguarding Contract (Section 69 of CPD)

This form of risk assessment is required when Section 69 applies. Further information is contained in Book VI of CPD 'The Church and Sex Offenders' which provides full details of the process for drawing up a ²Safeguarding Contract (formerly Covenant of Care) in such circumstances.

When a minister becomes aware that a ²Safeguarding Contract is required to facilitate a sex offender being able to worship in a local Church, they should notify the District Safeguarding Officer.

The District Safeguarding Officer, following consultation with the minister of the church and/or the Circuit Superintendent will complete the risk assessment using the standard format for such risk assessments (tba) and make recommendations as to the conditions. The District Safeguarding Officer will discuss the proposed conditions with the Circuit Superintendent and/or minister to ensure they are able to be implemented with regard to the local situation. The conditions will be agreed with the Connexional Safeguarding Case Worker/³Supervisor prior to implementation.

Where there is a concern that a person may present a safeguarding risk and may require a Safeguarding Contract, the DSO should also be notified of the circumstances and should consult with the connexional Safeguarding Case Worker as per the procedures for a Connexional Safeguarding Risk Assessment below.

3.2.2. Risk Review Prior to the Annual Review of Safeguarding Contract

There is a requirement under Standing Order 690 requiring a regular review of the arrangements. It is expected that Contracts will be reviewed at least every 12 months. The review meeting is undertaken by the Monitoring and Support Group. In preparation for that review meeting, the District Safeguarding Officer who holds a copy of the full risk assessment should review this document along with its recommendations and the contents of the Annual Review form (will be prepared as part of supporting documents). The Monitoring and Support Group will decide in conjunction with the DSO whether there have been any changes in circumstances that could significantly impact on both the severity and nature of any previous risk(s) identified in the report.

The Monitoring and Support Group may decide that:

- a) The current arrangements are appropriate and should continue unchanged or
- b) They wish to request a consideration of a change of conditions or removal of the current arrangements or
- c) The Monitoring and Support Group feel able or not able to support a request already made by the person who is subject to a Safeguarding Contract to change or remove one or more conditions or the Contract itself.

If the Monitoring and Support Group feels a change or removal of conditions or a removal of the Contract is appropriate, the District Safeguarding Officer will advise the connexional Safeguarding Adviser according to the arrangements identified in **3.3.1.** in relation to commissioning a new Connexional Risk Assessment to be presented to a Safeguarding Panel

3.2.3. Risk Review in relation to the DBS Process

A District Safeguarding Officer may be requested to undertake a low level risk assessment in support of the blemished DBS process which is undertaken by the Connexional Safeguarding Team. This is usually requested when a copy of the DBS certificate and an account from the applicant have already been received by connexional Safeguarding Team. The Risk Report will be requested because one of the following circumstances apply:

- Insufficient information has been provided by the account and certificate to allow the connexional Safeguarding Team to make an informed clearance decision.
- The issues raised are of a complexity that requires further exploration prior to a decision being made.

The Connexional Safeguarding Case Worker will contact the relevant District Safeguarding Officer, providing them with relevant context in relation to the applicant's case and a framework of specific questions that will help to address the outstanding matters.

The District Safeguarding Officer will liaise with the relevant minister prior to speaking to the applicant to arrange to make contact with the person and to identify whether the applicant has any specific support needs. With the applicant's permission, the minister may attend this meeting as support for the applicant.

Preparing for a district risk assessment or risk report meeting

The DSO should make contact with the subject by letter or email to introduce themselves and make arrangements for meeting. Careful consideration should be given to the location of the meeting in order to ensure that the venue is appropriate with reference to the confidential nature of the discussions and a neutral venue for all concerned where possible.

The DSO should identify a suitable person who can accompany them to a risk assessment meeting. The other party may be asked to take notes to allow the risk assessor to focus on the discussion with the subject. The choice of a person to accompany the DSO should take into consideration the confidentiality of the case and the nature of information already known by that person. The subject of the assessment should be made aware that the risk assessor will be accompanied and the reason for this. The risk assessor should clarify if a pastoral supporter will be present to support the subject of the risk assessment. They should also confirm whether the subject has any additional support needs of which the assessor is not already aware and is fit to undertake the interview.

Particular care should be taken where the subject has been suffering from mental and/or physical ill-health and is in receipt of medical care as a result. If there is any concern that the person is not fit to participate fully with the risk assessment process, the assessor should contact the connexional Safeguarding Caseworker so that further actions can be taken to consider the health and welfare of the subject.

3.3. Additional Information Relating to a Connexional Risk Assessment

3.3.1. Preparations for undertaking the assessment

A clear delineation should exist between investigation or the making of inquiries within the Methodist Church and risk assessment activity. The investigation or making of enquiries in relation to a safeguarding concern should be undertaken prior to the commissioning of the risk assessment. A risk assessor should be in possession of the outcome of those inquiries or other processes, along

with relevant materials, prior to initiating the risk assessment process. Their role is to review the information provided, discuss the relevant issues with the subject of the assessment and consider the nature and seriousness of any potential safeguarding risk identified. They will also make recommendations as to how any risk can be addressed.

The risk assessor will be provided with copies of records held by the local Church, Circuit, District or the Connexional Team (where available). They will also be provided with information where relevant and available from statutory agencies and other organisations to establish a fair and balanced picture of the circumstances.

Information provided by any party (including the subject of the assessment) should be corroborated where possible with another source. Where information is provided that has come from a third party subject to an assessment and has not been directly observed or witnessed, this should be clearly identified.

Further inquiries may be carried out by the DSO or the connexional Safeguarding Team if required during the risk assessment process.

3.3.2. Initiating a Connexional Safeguarding Risk Assessment

An initial discussion between a caseworker from the connexional Safeguarding Team and the local District Safeguarding Officer must take place when either party believes that a risk assessment commissioned by the connexional Safeguarding Team is necessary. This discussion should consider all the relevant circumstances of the situation, review action taken already and consider further steps that might be needed if an assessment is authorised. Any other party who would like this option to be considered should in the first instance approach the relevant District Safeguarding Officer to discuss the circumstances and consider whether this is an appropriate course of action.

Due to the potential impact on the parties involved in the risk assessment and the level of resources required, the Safeguarding Adviser must authorise all risk assessments commissioned by the Connexional Safeguarding Team.

3.3.2 Register of Accredited Risk Assessors

A register will be held by the Safeguarding Adviser of people who have the requisite qualifications and experience to carry out Connexional Safeguarding Risk Assessments. Those wishing to join this list will have followed the required application procedure and been approved to carry out this work. Where risk assessors are already employed by a Methodist circuit or district, they may be included in this list but will carry out this work, as a consultant, independently from their employed role and will not conduct this type of assessment within their own district. The Safeguarding Adviser may provide training to develop the skills base of risk assessors where deemed necessary.

In order to join the approved list of assessors, it will be necessary to provide evidence of training and/or the appropriate level of experience in the following areas:

All assessors

- Interview skills relevant to those who have been the subject of allegations of abuse and safeguarding concerns
- Awareness of relevant criminal offences and statutory agency practice pertinent to the case (eg sexual offences, domestic abuse etc.)
- The Data Protection Act and the management and handling of sensitive personal data

- Assessing and managing safeguarding risk
- Preparation of risk assessment reports

Additional skills where required by the needs of any individual assessment

- Interview skills relevant to those who have suffered abuse
- Interview skills relevant to adults who may be vulnerable or have additional needs
- Interview skills relevant to those who have been the subject of allegations of abuse or safeguarding concerns

Costs

The costs of a connexional safeguarding risk assessment, following authorisation by the Safeguarding Adviser, will be met by the connexional central services budget. This applies regardless of the status or role of the party subject to assessment. There should be clear agreement in writing in relation to the payment of any risk assessor and this should be authorised in advance by the Safeguarding Adviser.

3.3.3 Preparatory Actions Prior to a Connexional Safeguarding Risk Assessment

Following the initial discussions between the connexional Safeguarding Team caseworker and the District Safeguarding Officer for the relevant district, the DSO will:

- 1) Provide to the caseworker a contact list for those people deemed appropriate and relevant to the case who should be contacted by the assessor.
- 2) Provide written details of any continuing roles and responsibilities or arrangements for engagement in church activities which are in place during the risk assessment.
- 3) Identify a nominated liaison minister. This could be the District Chair or the Circuit Superintendent but may be an alternative person. The liaison minister will provide information to the commissioning teleconference and so must have an awareness of the current circumstances and assist the District Safeguarding Officer in making relevant arrangements.
- 4) Confirm that advisory information has been provided to and read by ministers and others who may be involved in coordinating and implementing the process. This should include the District Chair, Circuit Superintendent and Presbyter in Pastoral Charge of the local Church (where appropriate). Line managers or those providing supervision or ministerial oversight may also require information about the process, dependent on the circumstances.
- 5) Arrange with the liaison minister and connexional Safeguarding Caseworker of an agreed date and time for a preparatory teleconference.
- 6) Confirm with the liaison minister that consideration has been given to who might provide pastoral support to the subject of the assessment, if they decide to request this.

The Connexional Safeguarding Team caseworker will:

- Prepare a letter to be given to the subject at the time of or prior to the briefing visit. This will give the name of the Connexional Team member facilitating the process and any additional information which is not included in the leaflet describing the process. It will also include a summary of information provided to the risk assessor.
- Make contact with those likely to be spoken to during the course of the assessment in order to introduce the assessor, request their support for the process, confirm preferred contact arrangements and ensure that required information (see earlier section) is provided.

3.3.3. Pre-risk assessment teleconference

Purpose

The teleconference is convened for the District Safeguarding Officer, the minister, risk assessor and allocated member of the connexional Safeguarding Team to share information, make preparatory arrangements and to identify any further work that needs to be completed prior to the assessment beginning. This part of the process is particularly important as there will be an expectation that once the commissioning letter is sent, the assessment will be completed in no more than 4 weeks.

The following standard framework is advised for pre-risk assessment teleconferences:

1. Introduction of parties present including their role
2. Explanation by the caseworker of how the conversation will be managed and confirmation that actions arising from the conference will be circulated to the relevant parties and that the commissioning letter will include details arising from the teleconference.
3. Request to the minister and District Safeguarding Officer in turn to discuss any information pertinent to the assessment. The connexional Safeguarding Team caseworker will add any additional comments.
4. The assessor should be given an opportunity to raise further questions after each person has provided information or at the end of the information provided by all parties.
5. In all cases, any known health or welfare issues relating to the subject must be identified during the teleconference and consideration of the subject's fitness to engage in the process.
6. The assessor should be requested to identify any further actions that will need to be completed prior to the assessment commencing. Target dates for completion of outstanding actions should be agreed and a provisional date noted for the Safeguarding Panel.
7. Brief notes should be taken during the teleconference which will be included in the relevant connexional Safeguarding Team case file. Those who have agreed to undertake actions to support the assessment should be notified of those actions following the teleconference by the Safeguarding Team caseworker.

3.3.4. Advisory information

The DSO or connexional Safeguarding Caseworker responsible for initiating the risk assessment will ensure that relevant parties are aware of the risk assessment process and any actions that they may be requested to undertake. This should include the District Chair, Circuit Superintendent and Presbyterian in Pastoral Charge of the local Church (where appropriate) and may also include Circuit or Church Safeguarding Officer. Line managers or those providing supervision or ministerial oversight may also require information about the process, dependent on the circumstances.

Leaflets providing guidance on the Connexional Risk Assessment process are available via the Methodist Church website:

a) Subject's Guidance Leaflet (tba)

Target audience: those who are the subject of a safeguarding risk assessment

This includes assessment process and what they can expect, include guidance as to choosing a pastoral support, timescales, interaction with complaints and discipline matters, sources of help

b) Ministers Guidance Leaflet (tba)

Target audience: ministers, District Chairs, Superintendents

This will include guidance as to the roles a minister might play in a risk assessment process and what they can expect, include guidance as to who is suitable to be a pastoral support, process & timescales, interaction with complaints and discipline

c) Pastoral Supporters Leaflet (tba)

Target audience: pastoral supporters

This will include role, suitability, additional needs/diversity matters of subject, process & timescales

d) General Information Leaflet on Risk Assessment for Congregations

Target audience: congregation and members

This leaflet will support presbyters and others who need to respond to concerns raised by those within congregations when a member or attendee is subject to inquiry or risk assessment in relation to a safeguarding concern. It will focus on providing answers to questions that are regularly asked at such times.

3.3.5. Commissioning Letter

Following the teleconference and on completion of any additional actions, a letter will be drafted by the connexional Safeguarding Team CaseWorker and sent to the risk assessor, providing the circumstances that require assessment and identifying key areas of risk for consideration. The specific, personal needs of the subject (where known) should also be included in this letter to ensure that from the outset the assessor is aware of and sensitive to their situation and can make appropriate arrangements to support those needs.

A template for this letter is available but this should be used as a guide and the letter should address the issues of each case specifically and in detail, clearly identifying risk areas that should be considered.

Pre-assessment Briefing visit, meeting or teleconference

The District Safeguarding Officer should meet the subject of the assessment to cover the following areas:

- Brief outline of the reasons for the assessment
- Details of the process that will be undertaken
- Provision of the relevant guidance leaflet and a letter from the Connexional Safeguarding Team (this can be done in advance of the briefing, if appropriate).
- Completion of the Information Sharing and Management Protocol
- Identification of any health or welfare issues that are relevant to the person engaging in the assessment. Permission should be gained to disclose details of any health or welfare issues and if applicable any supporting information to the assessor.

The DSO may be accompanied by the liaison minister or may delegate this role to another party who is deemed suitable to carry out this task. If this is delegated, the need for confidentiality in relation to the issues disclosed should be considered carefully and the subject should be made aware that this meeting will be attended by a second person and that a pastoral support may be present too if they wish.

3.3.6. The Assessment

Preparing for the risk assessment meeting

The risk assessor should make contact with the subject by letter or email to introduce themselves and make arrangements for meeting. Careful consideration should be given to the location of the meeting in order to ensure that the venue is appropriate with reference to the confidential nature of the discussions and a neutral venue for all concerned where possible.

The risk assessor should arrange with the District Safeguarding Officer or Connexional Case Worker to identify a suitable person who can accompany them to a risk assessment meeting. This is to allow the other party to take notes while the risk assessor can focus on the discussion with the subject. The choice of a person to accompany the risk assessor should take into consideration the confidentiality of the case and the nature of information already known by that person. The subject of the assessment should be made aware that the risk assessor will be accompanied and the reason for this. The risk assessor should clarify if a pastoral supporter will be present. They should also confirm that the subject has no additional support needs of which the assessor is not already aware and is fit to undertake the interview.

Particular care should be taken where the subject has been suffering from mental and/or physical ill-health and is in receipt of medical care as a result. If there is any concern that the person is not fit to undertake the risk assessment process, the assessor should contact the connexional Safeguarding Caseworker so that further actions can be taken to consider the health and welfare of the subject.

3.3.7. Completion of the risk assessment report

The standard format risk assessment report will be used for all connexional Safeguarding Risk Assessments but additional information can be added where this is deemed necessary to bring further clarity to the report. The standard format risk assessment document (tba) is designed to aid the assessor in producing an effective report.

An effective risk assessment report should include:

- Clear and concise details of the risks
- The potential impact on the subject and those involved/linked
- Clear and appropriate recommendations
- Concise content written without jargon
- Balanced and fair content
- Differentiation between fact and opinion
- Corroboration of information provided with another source or clear acknowledgement that what is known has been provided solely by the subject of the assessment.
- Clear indication of the source of information

The risk assessment report may include appendices containing specialist advice (where required), a response from a victim or survivor or submission from the District or local church about the circumstances and the potential outcome. This may be in addition to contents of the risk assessment report itself.

Judgement and Fact

On occasion, those who take part in risk assessments express concerns about the provision of professional judgements by risk assessors. In many cases, the contentious nature of the situation or divided opinion is the determining factor for its referral for a Connexional Risk Assessment. Risk

assessors should not shy away from expressing their opinion but it should always be clearly identified as the professional judgement of the assessor and not be presented as a fact. In addition, the opinion should be based on information that has, as far as is possible, been deemed as factually accurate and up-to-date. Corroboration with another source beyond the information provided by one party, where possible, demonstrates a commitment to ensuring accuracy as the basis of opinion.

In all circumstances, the language used in risk assessments should be considered carefully with a view to minimising the pain and distress of any party who may be represented in that document. The opportunity for the subject to review and submit additional comments to the Safeguarding Panel, addresses the need to consider carefully the factual accuracy of the report and allow for opposing opinions to be provided for fairness and balance. Within the standard risk assessment structure, there is clear direction as to the importance of representing the views of victims and survivors.

The importance of ensuring that risk assessors have the right skills and experience to undertake the role may be critical to the sensitive handling of contentious opinions.

However, the following information should be considered in relation to the inclusion of opinion in risk assessment with regard to the requirement of the Data Protection Act 1998 in relation to the inclusion of this form of information.

“The Data Protection Act does not give individuals the right to demand that you delete an opinion about them from your records because they believe it is based on irrelevant information, or has not taken account of information they think is important. However, the record of an opinion (or of the context it is held in) should contain enough information to enable a reader to interpret it correctly. For example, it should state the date and the author’s name and position. If an opinion is likely to be controversial or very sensitive, or if it will have a significant impact when used or disclosed, it is even more important to state the circumstances or the evidence it is based on. If a record contains an opinion that summarises more detailed records held elsewhere, this should be made clear.”³

Following completion of the report

At the two-week point after commencement of risk assessment work, the assessor must provide an update to the allocated member of the connexional Safeguarding Team and the subject of the assessment. The Connexional Safeguarding Team member will provide an update to the DSO, liaison minister and District Chair. The subject of the risk assessment will be informed of the reason for any delays and the impact on overall timing for completion of the work by the risk assessor. Every effort should be made to complete the work within the given timescale and where this is not possible an alternative panel date may have to be considered and communicated to all parties.

3.3.8. Review of the Risk Assessment Report and Administration

- 1) Any supporting documents, records of correspondence or notes should be retained by the assessor throughout the assessment and a copy provided to the Connexional Safeguarding Team at the conclusion of the process. These will be supplied if a Subject Access Request is received under the Data Protection Act 1998. Further information is available in relation to the provision of material for such requests in the Trustees for Methodist Church Purposes Data Protection Act Guidance and the Safeguarding Subject Access Request Process document.

³ Information Commissioner’s Office website guidance on processing sensitive data <https://ico.org.uk/for-organisations/guide-to-data-protection/principle-3-adequacy/>

- 2) The standard format feedback form (tba) will be made available to the risk assessor so that if they wish they may provide feedback on the process. This should be returned to the Connexional Safeguarding Team Coordinator who will collate feedback in order for the on-going review and development of the process.
- 3) The risk assessor will send the completed report to the subject of the assessment. At the same time, the assessor will send the report to the allocated member of the Connexional Safeguarding Team along with the completion checklist (tba).
- 4) Care should be taken in relation to the means in which the assessment is sent to the subject. It is important to consider the security of the means chosen and available support for the subject on receipt of the document. Arrangements can be made to ensure that a pastoral support, DSO or even the risk assessor themselves can deliver the document in person where deemed necessary. If there are any concerns about the health or welfare of the recipient, consultation with the connexional Safeguarding Team CaseWorker must be made prior to the sending the report.
- 5) The risk assessor will advise the subject of the assessment that they must submit any comments directly to connexional Safeguarding Caseworker within 14 days. These will be copied to the assessor.
- 6) Any factual inaccuracies, as opposed to differences of opinion or alternative interpretations, should be corrected by the risk assessor and the subject informed of the amendments made. Where there is disagreement in relation to information provided by various parties, this should be clearly indicated and the relevant sources of information detailed.
- 7) A final version of the report should then be supplied to the Connexional Safeguarding Team Caseworker.
- 8) The report and the full comments of the subject of the assessment will be sent to the Panel in advance.
- 9) Further advice should be taken from the connexional Safeguarding Caseworker allocated to the case where there are concerns for the safety or vulnerability of a third party if this information were to be provided or where it has not been possible to obtain permission from the person referred to.

Summary of Connexional Risk Assessment Process

Action	Persons Involved
Consideration of suitability of case for Connexional Assessment	District Safeguarding Officer and allocated connexional Safeguarding Team caseworker.
Authorisation of Connexional Safeguarding Assessment	Safeguarding Adviser
Pre-assessment teleconference	District Safeguarding Officer, minister and Connexional Safeguarding Team case worker, Risk Assessor <ul style="list-style-type: none"> • Identification of outstanding actions • Provisional panel date set
Completion of outstanding actions	DSO, minister, allocated member of the connexional Safeguarding Team
Commissioning Letter sent to risk assessor	Connexional Safeguarding Worker
Briefing meeting with subject of assessment	DSO and minister (or those allocated to undertake these roles) To include: <ul style="list-style-type: none"> • Details of the process • Requirements for pastoral support (if not already in place) • Support needs in addition to pastoral support (e.g. health, mobility, literacy, dietary) • Completion of Information Management Protocol Documents provided: introductory letter from Connexion, Information Management Protocol
Risk assessment	Risk assessor and identified parties. The timeframe for completion of the draft assessment is 4 weeks from commissioning letter.
Update to Connexional Safeguarding Team Caseworker	The assessor will provide a progress report to the connexional Safeguarding Team CaseWorker at the mid-point of the assessment.
Risk assessment review	A copy of the completed risk assessment will be sent by the risk assessor to the subject along with a copy to the connexional Safeguarding Caseworker. The person who has been assessed will be invited to provide any comments in relation to the assessment directly to the allocated member of the connexional Safeguarding Team within 14 days.
Papers submitted to Safeguarding Panel for review	Papers will be provided at least 5 working days prior to the panel.
Safeguarding Panel meets	Outcome letter will be provided to the subject of the assessment between 3-5 days following the panel. Feedback provided to risk assessor.
Opportunity to Appeal	Revision to current Standing Orders on Appeals is currently begin reviewed by the Law and Polity committee

3.3.9. Safeguarding Panels

Panel Membership

The Safeguarding Panel for the consideration of a risk assessment will comprise one senior member and two professional members of the Methodist Church Safeguarding Committee Membership is set out in SO 232(1)(ii). Professional members are deemed to have particular expertise in safeguarding through their work in a voluntary or paid capacity inside or outside of the Methodist Church. Not all members of the Safeguarding Committee choose to take part in Safeguarding Panels but all members of a Safeguarding Panel must be part of the Safeguarding Committee.

Dates for Safeguarding Panels are arranged at set dates during the year with members signed up in advance including a reserve professional and senior member. However, where there is found to be a close connection between a member of the panel, the subject of the assessment or any other party directly involved in the issue, the reserve member will be used. An alternative professional member may also be considered if the needs of the case require specialist knowledge or representation to ensure the fair and effective consideration of the case.

Where a Safeguarding Panel has been deemed necessary following a district or connexional risk assessment, the Safeguarding Panel may convene in a face-to-face meeting or via a telephone conference arrangement.

a) Telephone Panel

This form of panel is used for risk assessments relating to volunteers but can also be used for staff employed by district and less complex issues. The risk assessor will be available to be spoken to by phone during the teleconference and can be called on to clarify issues. The subject of the assessment is not part of the conference call but can submit any comments to the Panel

b) Face-to-Face Panel

This panel involves a meeting of the panel and the subject of the assessment. The risk assessor will also attend in all cases. This is usually the preferred form of panel for ministers. If the subject of the assessment chooses not to attend, the Panel may revert to a teleconference if they deem this suitable, bearing in mind the circumstances of the case.

It is expected that all members of the Panel will be present before substantive discussions are undertaken in relation to the matter in hand and they should remain present throughout the Panel.

Format of a Safeguarding Panel

All Safeguarding Panels will follow the same format:

1. Panel planning discussion

Present: Panel, Safeguarding Case worker, note taker

2. Introductions

Present: All

This may include a prayer at the discretion of the Chair of the Panel.

3. Questions to the risk assessor

Present: Panel, Risk Assessor, Safeguarding Caseworker, note taker

4. Discussion with additional attendees

Present: Panel, Safeguarding Caseworker, note taker, any specialist adviser deemed necessary by the Safeguarding Caseworker.

Information can be provided by written submission prior to the panel date or via teleconference if the party is unable to attend the panel date.

5. Discussion with the subject of the assessment

Present: Panel, Subject of the assessment, Pastoral Support (if present), Safeguarding Caseworker, note taker

(The Panel may invite the risk assessor to be present at this discussion, dependant on the circumstances of the case.)

This provides an opportunity for the person who has been assessed to respond to queries from the Safeguarding Panel and to share any information or thoughts that (s)he feels have not already been expressed.

6. Panel considerations

Present: Panel, Safeguarding Caseworker, note taker

A representative of the local District identified by the District Chair can attend to provide guidance to the Panel in relation to local circumstances. This discussion may be able to take place via teleconference (where available) or via written submission if the representative is unable to attend in person.

7. Outcome

Present: Panel, Subject of assessment (optional), Pastoral Support (if present), Safeguarding Caseworker, note taker

The outcome given on the day is provisional until confirmed by letter, following further consultation with the relevant District Chair.

A standard feedback form will be made available to the Chair to enable the members of the Panel to provide feedback on the process and the risk assessment, if they so wish. Feedback forms will be submitted to the Connexional Safeguarding Team Coordinator and the risk assessor to support ongoing review and development of the process.

3.3.10 Appeal Process Revision to current Standing Orders on Appeals is currently being reviewed by the Law and Polity committee

INFORMATION SHARING of RISK ASSESSMENT PROCESS MATERIAL

Obligations under the Data Protection Act 1998

It should be noted that both the risk assessment and summary will contain '**personal data**' and are likely to contain '**sensitive personal data**' as defined by the Data Protection Act 1998.⁴ For the purposes of risk assessment, there is a requirement to obtain consent of those people whose data is used within the process (see initial information to be provided). It is legitimate to process such data where the individual wishes to engage with the Church and the risk assessment is carried out in order to do this and protect others already engaging with the Church.

Where sensitive personal data is concerned, there are additional processing requirements, some of which are likely to be relevant to this process. They include where it is necessary to protect the vital

⁴ Methodist Church information security and management guidance will be produced during 2017

interests of the individual or another person. This may be the case where consent cannot be given or reasonably obtained.

What is personal data?

- Relates to a living individual
- Who can be identified by that data
- This identification could be via indicative circumstances or direct details. It also includes where the data can be identified by using another piece of data held (e.g. anonymous report with a key)
- It includes the expression of opinion about the person and expression of intentions about them (e.g. recommendations, outcomes, advice) means data which relate to a living individual who can be identified –

What is sensitive personal data?

Information about the person which includes one or more of the following categories:

- Racial or ethnic origin
- Trade union membership
- Religious beliefs
- Sexual life
- Commission of alleged sexual offences by that person and the outcome of any proceedings

Information shared following a Safeguarding Panel

Following a Safeguarding or Appeal Panel, outcome letters will be drawn up by the allocated Safeguarding Caseworker for approval by the Panel. The District Chair and District Safeguarding Officer will be consulted prior to the final outcome letters being sent, to ensure the directions and recommendations are in line with local circumstances.

The following documentation will be sent to the listed parties:

- Outcome letter: Subject of assessment, District Chair, DSO, Circuit Superintendent, Monitoring and Support Group Chair and Support Group Members
- Summary section of risk assessment: District Chair, Circuit Superintendent, Monitoring and Support Group Chair and Support Group Members.
- Full risk assessment: District Safeguarding Officer

In each case, the Safeguarding Panel will consider information that can be provided to a victim or survivor who has been actively involved in the risk assessment or has requested this information. This will include considerations as to legal requirements, statutory guidance, Methodist Church policy and procedures and consent provided by those involved. The Panel will clearly identify in correspondence the reasons why certain information cannot be provided, if that is the case.

The initial briefing prior to the assessment will ensure that all parties engaging in the process are aware of how their information will be processed. All parties will be invited to provide their consent for this and will be made aware of the extent to which information can be shared. Any information or correspondence being sent out by the Safeguarding Panel will be reviewed and approved by the Panel before being sent out.

Each risk assessment contains a summary which includes a guide to the risks identified, details of the circumstances, the conclusions of the risk assessor and the recommendations made in relation to risk assessment. Further guidance will be provided with the standard risk assessment structure

document as to what should be included in this section. It is the intention that the summary will contain sufficient information for the management of risk locally.

Further information supplied via the District Safeguarding Officer

The full risk assessment report will be held in confidence by the District Safeguarding Officer. The District Safeguarding Officer will carry out a gatekeeping role in relation to the full risk assessment document based on the following considerations:

- There is a need for risk assessment information to be available to support risk management locally to ensure effective measures are put in place and that actions can be taken with due regard to the circumstances of any issue.
- It is intended that for the most part, the summary section of the full risk assessment will address these needs.
- The disclosure of data is subject to legislation and statutory guidance both in general (e.g. the Data Protection Act 1998) and specifically within safeguarding environments (e.g. Working Together to Safeguard Children 2015)
- It is not expected that all those who may need to receive information of a sensitive nature will have received suitable training or have relevant experience as to how, when and if certain information can be disclosed
- The gatekeeping role will allow the District Safeguarding Officer to ensure that those receiving information will have the requisite guidance to manage it and minimise the significant legal risk of breaching such requirements.
- There is a requirement for a record to be kept of why information has been disclosed with reference to key aspects of statutory guidance and legislation.
- The gatekeeping role is most appropriately carried out by the District Safeguarding Officer who is required to have the necessary skills, training and experience to carry out information sharing within a safeguarding environment, as a result of the role for which they have been engaged.

He/she will consider the following issues in each case before responding to any request for any additional information from the full risk assessment to any other party:

- a) Is there a need for disclosure in order to manage an identified current safeguarding risk?
- b) Is there a specific need for that individual to receive or hold that information?
- c) Has any third party information relating to sensitive personal data been redacted where permission has not been provided for that information to be shared by the other party? This could include not only details relating to identity but also aspects of the case that may lead to identification of the individual.
- d) Has the subject of the risk assessment provided written permission to disclose the information (usually at the start of the risk assessment process)?
- e) Has the party receiving the information received guidance on the safe storage and handling of sensitive personal data?
- f) If the risk assessment contains information about employment/disciplinary or complaints processes, has disclosure been agreed with the lay employment adviser (employment) or the Connexional Complaints Worker (complaints & discipline) prior to disclosure? There are legal and organisational requirements in relation to confidentiality of those processes and consultation should be undertaken before disclosing this information.
- g) Has any party identifiable within the information being requested provided their consent for further disclosure?

A note in relation to consideration of the above questions will be added on the relevant case file prior to disclosure. For further information in relation to the provisions of the Data Protection Act 1998 and Working Together to Safeguard Children 2015 (England & Wales)/Scottish National Guidance on Child Protection 2014, refer to the Methodist Church Safeguarding Policies, Procedures and Guidance document.

Information will be disclosed to any complaints or disciplinary process of the Methodist Church relating to the subject of the assessment in consultation with the Connexional Complaints Worker, other relevant member of Conference Office and the Safeguarding Panel.

Information Sharing Beyond the Panel Process

It should be noted that there is a requirement to share information which has been obtained or produced during the risk assessment process in the following circumstances:

1. In response to a Subject Access Request under the Data Protection Act 1998 to the Church. This may be initiated by any party and the information relating to them must be provided. Further information may be obtained from the District Safeguarding Officer or the Connexional Safeguarding Team in relation to the Methodist Church Safeguarding Process for Subject Access Requests. There is also a useful guide on related matters on the Trustees for Methodist Church Purposes website.
2. There is a legal requirement to disclose information to statutory agencies (such as Police and Children's Services) where they are undertaking an investigation or there is a court order requiring that to happen. Any material supplied to such agencies could become subject to a Freedom of Information Act request once held by them, so sensitive material that may put someone at risk, if released, should be clearly highlighted and discussed with the relevant officer prior to submission.
3. There is a legal requirement to disclose material to DBS in relation to vetting and barring inquiries (England & Wales) and Disclosure Scotland in relation to the PVG scheme. Due to the considerations above, this material will be redacted prior to submission by the Church. Further assistance should be sought on this matter from the Connexional Safeguarding Team on receipt of such a request.

Further details of relevant procedures relating to information sharing can be found in the Methodist Church Safeguarding Policy, Procedures and Guidance document.