St Barnabas Church, Swanmore

Code of Safeguarding Concerns and Allegations Policy Statement.

Explanatory Note: This policy statement is available to view, along with the associated documents on St Barnabas Church website, Information Hub, in the Code of Safeguarding Concerns and Allegations' folder.

What is a safeguarding concern or allegation?

- A **safeguarding concern** is when someone is worried that a child or vulnerable adult may not be safe, or may be at risk of harm, even if the reason is not yet clear.
- A **safeguarding allegation** is when someone says that a person may have behaved in a way that has harmed, or could harm, another person. *(1)*

Who is a Child? A 'Child or children' 18 and under is the term used to refer to all children, where the context specifically relates to older children, the term 'young person' is used (Children Act 1989).

Who is a 'vulnerable adult'? The term 'vulnerable adult' is used in section 6 of the Safeguarding and Clergy Discipline Measure 2016 to mean: a person aged 18 or over whose ability to protect himself or herself from violence, abuse, neglect or exploitation is significantly impaired through physical or mental disability or illness, old age, emotional fragility or distress, or otherwise; and for that purpose, the reference to being impaired is to being temporarily or indefinitely impaired. This definition of a vulnerable adult is different to statutory guidelines in order to take into account the unique position of the Church, which means that someone can be classified as vulnerable even if they do not meet the statutory threshold. For the avoidance of doubt, an individual who is experiencing or has experienced domestic abuse could be a vulnerable person in this context, as the nature of domestic abuse puts them in a position where they may be 'significantly impaired through…emotional fragility or distress'. The same argument would apply to someone who is experiencing or has experienced psychological (including spiritual) abuse. *(2)*

Code of Practice and its purpose: The Safeguarding Concerns and Allegations Code of Practice introduced by Church of England applies to referrals and disclosures made after 1st June 2026 and replaces previous guidance. This Code imposes requirements on relevant persons to enable the assessment and management of safeguarding concerns and allegations. It also provides guidance to relevant persons on how to comply with the requirements. The Code is designed specifically for Safeguarding Officers and those who are involved in the management of cases.
Click on and follow the link to read the e-manual guidance in full;

- Code for Managing Safeguarding Concerns and Allegations
- Reporting Safeguarding Concerns and Allegations Code of Practice

Guidance Context: The Code should be read alongside:

- Safer Environment and Activities guidance (Click on and follow the link)
- Code of Safer Working Practice (Click on and follow the link)
- St Barnabas Recruitment of Ex-offenders

What and who is a Relevant Person(s): Relevant Person is the overarching legal term defining individual's eligible to carry out these duties. It is important to note that the relevant person is the one who has responsibility for making the requirement happen, and who has the ultimate accountability if it doesn't. That does not mean they are necessarily the person who will carry out the requirement. *(2)*
Relevant Persons at parish level this includes:

- Clergy / Incumbent
- Churchwardens
- PCC
- Parish Safeguarding Officer
- Others with safeguarding responsibility *(3)*

Code Pathways:
Section 4: Details the specific steps that need to be undertaken when managing safeguarding concerns or allegations about church officers depending on their role in the Church.
Note: The Code states a Church Officer" is anyone appointed or elected by or on behalf of the church to a post or role, whether they are ordained or lay, paid or unpaid)

- Pathway 4A: Members of Clergy
- Pathway 4b: Lay Volunteers
- Pathway 4C: Managing Safeguarding Risks in the Church Community
- Pathway 4d: Managing Posthumous Safeguarding Concerns and Allegations
- Pathway 4e: Employees
- Pathway 4f: Failure to Follow Safeguarding Requirements
- Pathway 4g: Elected Members

Pathway 4F Context: Failure to Follow Safeguarding Requirements.
This pathway may include:
• Failure to report concerns
• Unsafe safeguarding practice
• Ignoring safeguarding advice
• Poor safeguarding decision-making
• Failure to follow required process
Why this matters: The concern may not be direct abuse but failure to follow safeguarding requirements can itself become a safeguarding issue.

Safeguarding allegations not involving a Church Officer:
Where a safeguarding allegation is made against someone who is not a Church Officer, Safeguarding Officers must make every effort to signpost, refer or enable access to appropriate support for the person raising the allegation and the complainant. Sometimes, this might be done by a Parish Safeguarding Officer (PSO) or a different designated safeguarding volunteer or member of staff. However, PSOs and other designated roles should consult with Safeguarding Officers, record the advice that they are given, and the actions that they subsequently take. This should not replace the need to act without delay where there is an immediate risk of harm and refer matters to emergency services *(Code 1.1.2)*

Legal Framework: Section 5A of the Safeguarding and Clergy Discipline Measure 2016 was inserted by the Safeguarding (Code of Practice) Measure 2021 and came into force on 1 March 2022. The provisions replace the former 'duty to have due regard' with a duty for all relevant persons to comply with the requirements of a code. All requirements are marked as such and are contained in a blue box.

Enforcement:

- Failure by a member of the clergy to comply with a requirement under this code may constitute misconduct.
- Failure by a reader or lay worker to comply with a requirement may be grounds for the revocation of that reader's or lay worker's licence.
- Other officers, such as churchwardens, may by suspended from office for failing to comply with a requirement under the code.
- Breaches by trustee bodies, such as a PCC or a cathedral chapter, may also trigger an intervention by the Charity Commission *(2)*

In response to the Code St Barnabas Relevant Person(s) recognise that;

- In all matters involving a concern or allegation that someone has, may have or about to cause harm to a child, young person or vulnerable adult, the welfare of that individual is the paramount concern. No other consideration, however important, can outweigh this primary responsibility;
- Anyone who brings a safeguarding suspicion, concern, knowledge or allegation of current abuse/neglect or something that happened in the past to our notice must be responded to respectfully and in a timely manner;
- It is not our responsibility to investigate, our responsibility is to pass concerns and allegations on. In the first instance this will, unless the allegation is about one of them, involve informing the Clergy, Parish Safeguarding Officer or Churchwarden;
- Fears about sharing information must not stand in the way of safeguarding and promoting the welfare of children and young people; *(Code)*
- It is good practice to gain consent of the adult before sharing information, but there a number of situations where consent of an adult does not need to sought prior to information being shared; *(Code)*
- All safeguarding suspicions, concerns, knowledge or allegations will be reported in line with the Code of Safeguarding Concerns and Allegations, Diocese of Portsmouth procedures to the Diocesan Safeguarding Team or where appropriate ThirtyOne:Eight (Christian Safeguarding Charity) Out of Hours Service and we commit to implementing the advice received or any outcome arising from the above process;
- A transparent, fair and accountable process that is consistently applied is in the best interest of all involved, including those against whom allegations are made.

Guidelines for Initial Response to a Safeguarding Concern or Allegation

Prevention and reporting of abuse and neglect. It is the duty of each church member to help prevent the abuse or neglect of children, young people and vulnerable adults, and the duty of each church member to respond to concerns disclosed, discovered or suspected about the well-being of children, young people and vulnerable adults.

Everyone must be alert to the signs and symptoms of abuse and neglect. *(1).* Appendix c 'What to do flow chart' *(4)*

1. **Recognise**	2. **Respond**
We might out find by: • A child, young person or vulnerable adult telling to us what has happened; • Witnessing abuse/neglect directly; • Noticing concerning behaviour, signs or indicators of potential abuse/neglect of a child, young person or vulnerable adult; • A report is made by someone else who knows the child, young person or vulnerable adult; • Anonymous sources tell of abuse/neglect of a child, young person or vulnerable adult; • A child, young person or adult telling us about their own behaviour towards another child, young person or adult at risk; • Person causing the harm	• Listen and take what is said seriously, without displaying shock or disbelief and without investigating or asking leading questions; • Only use open questions (open questions begin with words like: who, what, when, where and how. Open questions cannot be answered with a 'yes' or 'no'); • Remain calm; • Take into account the person's age and level of understanding; • Check whether they mind you taking notes while they talk so you can make sure you capture the information accurately; • Offer reassurance that disclosing is the right thing to do; • Establish only as much information as is needed to be able to report what is believed to have happened, when and where; • At the end check that you have understood everything correctly and clarify if necessary to clear up any ambiguities; • Ascertain, if appropriate, what the child, young person or vulnerable adult hopes to happen as a result of the disclosure; • Explain that confidentiality rules apply and information disclosed will be shared on a 'need to know basis'; • Tell the child, young person or vulnerable adult what you are going to do next; • **Do NOT** make promises that cannot be kept (e.g. that you won't share the information); • **Do NOT** share with anyone other than the appropriate people; • **Do NOT** make assumptions or offer alternative explanations; • **Do NOT** investigate; • **Do NOT** contact the person about whom allegations have been made; • **Do NOT** carry out a physical or medical examination;

3. Record • Make some very brief notes at the time, if appropriate, or as soon as practicable after the disclosure; • Record all decisions made and rationale for those decisions; • Always sign and date the record; • Do not destroy your original notes in case they are required by the Diocese Safeguarding Team or the Statutory Authorities; • Record the date, time, place and actual words used, including any swear words or slang; • Record facts and observable things, not your interpretations or assumptions; • Don't speculate or jump to conclusions;	**Report/Refer** • If there is immediate danger to a child, young person or adult at risk contact the Emergency Services by calling **999.** • Otherwise avoid delay and take action, always follow the Responding Promptly to every Safeguarding Concern Flowchart. • Talk immediately, within 24 hours, to your activity leader/parish safeguarding officer/clergy/churchwardens and share any concerns. • Within 24 hours, the parish safeguarding officer reports the concerns to the Diocese Safeguarding Team/Advisor. • The Diocese Safeguarding Team/Advisor. will advise regarding reporting to child/adult social care and/or the police. This **must** be done within 24 hours. • **Never do nothing!** *Reporting Safeguarding Concerns and Allegations Code of Practice* A 10 step guide to sharing information to safeguard children | ICO Safeguarding adults: sharing information - SCIE

Responding to Anonymous Concerns or Allegations: Anonymous reports will be acted Upon and managed by Clergy and Parish Safeguarding Officer and all safeguarding decisions/action/inaction taken recorded and where relevant shared with the Diocese Safeguarding Team/Advisor.

Initial Contact: Where a vulnerable adult has refused consent for disclosure information being shared, assurances of absolute confidentiality must not be given, instead consideration given as to whether there is an overriding public interest that would justify lawful information sharing, including:

- If the person disclosing and/or children, young people or other adults are, or may be, at risk of harm;
- If a crime has been or may have been committed;
- If sharing information could prevents a crime;
- If the adult lacks the mental capacity to make that decision and it is in their best interests to share that information, in order to ensure their safety and well-being *(Code)*

Explanatory Note: The UK GDPR Data Protection Act 2018 does not apply to deceased individuals. When considering disclosing information in relation to a deceased person the Common Law Duty of Confidentiality and the Human Rights Act 1998 must be considered.

What to do if the Vulnerable Adult making the disclosure does not want their information recorded?

Where the vulnerable adult makes a concern or allegation disclosure but does not wish for their information to be recorded *and;*

- There is no immediate risk to a child(ren), young person(s) or other vulnerable adult *and*
- The above exceptions do not apply,
- Then their choice should be respected *and*
- The 'relevant persons', clergy and PSO must be made aware soon as practicable but within 24 hours and a record of key decisions and reasons made.

Explanatory Note: 'In situations in which a complainant does not wish to be contacted by the Safeguarding Officer and does not want to be involved in the assessment of an allegation, the Safeguarding Officer should respect their choice. However, they should discuss with the complainant that they will still need to follow the relevant safeguarding processes to ensure that the safety and wellbeing of children, young people and vulnerable adults are protected. The complainant's preference not to be involved in these processes might mean that any action undertaken is limited, due to limited information being available. Nevertheless, the Safeguarding Officer continues to have a duty to consider such information, follow the relevant processes and ensure that any risk is assessed and managed. *(Code - Guidance 2.1)*

Recording and Retention of Safeguarding Information:

- Confidential safeguarding reports and/or material gathered relevant to any safeguarding concern or allegation are held and managed by the Clergy and Parish Safeguarding Officer;
- Clergy and Parish Safeguarding Officer must keep an account of what happened and decisions reached to ensure accountability and where necessary provide evidence in case of any civil or criminal proceedings;
- Due to the sensitive nature of safeguarding data and it's potential to be used in future investigations, different rules apply regarding data retention and the length of time this data should be stored for. Good practice around record retention of safeguarding records would be to keep them for a minimum of 75 years or in some cases permanently. *(ThirtyOne:Eight*)
- Confidential safeguarding reports or material gathered must be stored electronically in the password protected 'Dropbox' storage system created for scanning into and filing all St Barnabas safeguarding confidential safeguarding information and documents. Ownership, access and permissions to view and/or edit are restricted to the Clergy, Parish Safeguarding Officer and Churchwardens;
- Confidential safeguarding paper records will be destroyed and no hard copies kept;
- Confidential safeguarding records shall not be stored on personal computer desktops or within personal email accounts;

The following links outline GDPR record keeping timescales and safeguarding record keeping guidance;

BCS-Retention Schedule Safeguarding Function.xlsx
Safeguarding Joint Practice Guidance - Safeguarding records.pdf
Records and Information Management | the Church of England

Resources

(1)Appendix a Recognise, Respond, Record, Refer -*This Quick Reference Guide links to the Reporting Safeguarding Concerns and Allegations Code of Practice which can be found on the e-manual.*

(2) Appendix b Managing Safeguarding Concerns and Allegations download | The Church of England

2(a) Managing Safeguarding Concerns and Allegations | The Church of England

(3)Diocese PowerPoint - Parish Safeguarding Officer Network Meeting Slides May 2026

(4)Appendix c 'What to do flow chart'

Version History

Version	Date	Detail	Author(s)	Approved By	Date	Annual Review
v.1	100626	Policy Statement created	Rev. SM CW's - DL & WH PSO - CV	PCC	160726	July 2027