

Galashiels Baptist Church

The Protection and Welfare of Children, Young People and Vulnerable Adults on Church Premises and in Church Organisations

Policy document adopted by Galashiels Baptist Church Members Meeting.

29th March 2004.

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Index

Policy on the Protection of Children, Young People and Vulnerable Adults ...	Page 3
Guidelines on Good Practice in the Protection of Children, Young People and Vulnerable Adults	Page 4 & 5
Information and Resources.....	Page 6
Policy on Recruitment of Ex-Offenders	Page 7 & 8
Policy on the Secure Storage, Handling, Use and Destruction of Disclosure Information	Page 9
Policy on making a referral to Disclosure Scotland.....	Page 10
Code of behaviour.....	Appendix 1
Flow Chart.....	Appendix 2
Self- Disclosure Form	Appendix 3

Policy on the Protection of Children, Young People and Vulnerable Adults

- i) We * recognise that, while our work with vulnerable people of all ages is the responsibility of the whole church, we must appoint a Responsible Person who along with designated church leaders will advise on, and respond to concerns relating to the protection of children, young people and vulnerable adults.
- ii) As a Church, we commit ourselves to providing a safe and happy environment in which;
 - a) Children and young people who attend our Church or its organisations can grow and develop as individuals; and
 - b) Vulnerable adults are appropriately protected from harm.
- iii) We believe that it is of the utmost importance that those who lead and help in the work with children, young people and vulnerable adults should be persons of the highest integrity in the conduct of their own lives, and whose Christian example can provide a worthy role-model for those in their care.
- iv) We recognise that people of all ages may be actual or potential victims of neglect and abuse, whether physical, sexual or emotional. In relation to this, we have adopted policies and procedures that we believe to be relevant to the circumstances of our Church, as we work in our local community.
- v) We undertake to exercise proper care in the selection and appointment of those working with children, young people or vulnerable adults in our Church, and to ensure that each person appointed undertakes to observe both our Policy on the Protection of Children, Young People and Vulnerable Adults, and its associated Guidelines on Good Practice.
- vi) We are committed to supporting and adequately resourcing those who work with our children, young people and vulnerable adults, providing such training and supervision as we believe to be necessary and appropriate in individual circumstances.
- vii) The **Information and Resources Section** of this document contains the details of the Responsible Person and the designated church leaders to whom all concerns relating to the protection of vulnerable people should be brought in the first instance.

*Throughout this document, “we” and “our” refers to the members of Galashiels Baptist Church, gathered as the Church Members’ Meeting, this being the body that makes all decisions regarding the life and work of the Church as laid down in the Constitution of the Church.

Guidelines on Good Practice in the Protection of Children, Young People and Vulnerable Adults

1. Our Procedure for appointing volunteer workers in Church-based organisations.

- i) All volunteer workers should be appointed on the basis that they have already shown an aptitude within the Church for the kind of duty to which they are appointed, or that they have a clear potential for the development of gifts in the duty to which they are to be appointed.
- ii) Appointments should be made by the Church leadership team for an initial probationary period and then reviewed by the *link leader for that group or organisation.
- iii) Everyone who wishes to become a volunteer worker will be required to complete a self-declaration form.
An application will then be made through Volunteer Scotland Disclosure Services for the volunteer to join the Protection of Vulnerable Groups Scheme (PVG).
Any appointment will be ratified only after a satisfactory check.
- iv) We undertake to treat all applicants equally, and not to discriminate unfairly against anyone who has been the subject of a Disclosure on the basis of conviction or other information received in line with our **Policy on the Recruitment of Ex-Offenders**. A criminal record is not necessarily a bar to working with vulnerable people.

2. Our guidelines if abuse of children, young people or vulnerable adults is suspected.

- i) In this section, we set out our agreed procedures to deal with situations of actual or suspected abuse, whether physical, emotional, sexual or abuse through neglect, irrespective of where the abuse takes place, or has taken place.
- ii) In this connection, we have appointed a Responsible Person whose name and contact details are published on the Church Notice Board and in the **Information and Resources** section of this document. We have also appointed a team of leaders to work alongside the Responsible Person and these names are also published in the **Information and Resources** section of this document.

*Link Leader: Each church organisation and each group meeting on church premises will have a designated church leader to liaise with that group.

iii) If a volunteer worker suspects that any child, young person or vulnerable adult in a Church organisation has been involved with abuse of any kind, the worker will consult immediately with their Link Leader or the Responsible Person. In these matters, volunteer workers, Link Leaders and the Responsible Person will be guided by the advice given in **Safe to Grow**, “Responding to Child Abuse Concerns”, pp. 33-43.

iv) We require volunteer workers to familiarise themselves with the **Galashiels Baptist Church Protection of Children and Young People Good practice Guidelines**.

3. **Our guidelines in running activities specifically for Children and Young People.**

- i) While children’s and young people’s activities are taking place, there must be an adequate number of responsible adults, and always more than one, present on the premises.*
- ii) We believe that an appropriate Code of Conduct is an important factor in helping towards the provision of a safe environment. We recognise that the undisciplined behaviour of an individual may lead to his or her personal injury, or to the injury of others on the Church premises.
- iii) We believe that the Church has a role in the nurturing, training, instruction, teaching and encouragement of the children and young people within the church and therefore boundaries of acceptable behaviour for children, young people and adults alike should be agreed.
- iv) We believe that respect for the rights and safety of others, and a respect for property, are principles that should be encouraged from childhood.
- v) Each organisation working with children or young people will be expected to adhere to the Code of Conduct. (Appendix 1)

*In this connection, we use the table of recommended ratios of adults to children found on p68 & 69 of Safe to Grow (Sixth Edition) as our guideline. Full details of this publication are found in the Information and Resources Section of this document.

Information and Resources

The Pastor of Galashiels Baptist Church is **(vacant)**

The Responsible Person appointed by the church for specific issues to do with protection of children, young people and vulnerable adults is **Jannetta McQuat**.

The designated leaders appointed to link with children, young people and vulnerable adults groups are:

Valerie Gelder

Bill Duffy

The above people will, if necessary, form the team involved in Child and Vulnerable Adult Protection Issues.

The Collator and Lead Signatory for Disclosure Application and Certificates appointed by the Leadership team is **Jannetta McQuat**.

The Additional Signatory for Disclosure Applications appointed by the Leadership team is **Joyce Edwards**

The resource document dealing with child protection issues referred to above is:

Safe to Grow: Safeguarding children and young people in the local church (Sixth Edition 2011), published by the Baptist Union of Great Britain (ISBN 978-901472-66-3).

Policy on the Recruitment of Ex-Offenders

Recruiting People with Convictions

The purpose of this policy is to provide assurance to applicants, staff and volunteers and guidance to those making recruitment decisions within our organisation.

It is important to recognise that having a criminal record does not necessarily mean that someone cannot work or volunteer for our organisation.

Our organisation treat all applicants fairly and consistently in accordance with the requirements of Rehabilitation of Offenders Act 1974 (as amended).

Appointment decisions are based entirely on the requirements of the role and any information shared with us either through self-disclosure or contained in a disclosure certificate. The level of disclosure which we will access will be the appropriate level for the role (standard, enhanced or PVG).

Self-Disclosure

We operate a fair recruitment process and will ensure anyone applying for, or holding a role in our organisation is given the opportunity to discuss any unspent convictions which they are required to tell us about.

As part of our recruitment process, the self-disclosure form should be completed and returned with the application form. The form should be returned in a separate sealed envelope and will only be opened if the candidate is provisionally offered the role subject to the outcome of the disclosure. Any self-disclosure forms for unsuccessful candidates will be securely destroyed without being opened.

The rules around what you need to disclose are complex and it may be difficult to know what should and should not be disclosed.

- Please tell us about any UNSPENT convictions you may have
- Do NOT tell us about any convictions gained before the age of 12.
- Do NOT tell us about any convictions that are SPENT
- Do NOT tell us about any convictions that are not considered appropriate (subject to exceptions)

There is a guidance document in Table A which will give you information on how long a conviction is considered unspent.

There is further detailed information available on www.volunteerscotland.net

If you are in doubt you can seek legal advice (at your own expense) or you can withhold the conviction information until the appropriate level of disclosure is received.

Once in post, any member of staff or volunteer who gains any new convictions, must complete the self-disclosure form and return it to Jannetta McQuat or Joyce Edwards.

Disclosure Certificate

When we receive our copy of the disclosure certificate, we will compare it to the self-disclosure form which has been completed. If there are any differences between the details on the two documents, we will arrange to discuss with the candidate.

How We Will Use Disclosed Information

Any information disclosed will be treated in the strictest confidence and only people required to see the information to help assess it will have access to it.

We do need to risk assess any conviction or vetting information carefully to ensure there is no risk to our organisation or those who use our services. In order to ensure we carry out a fair and consistent practice when we assess any conviction or vetting information, we will take into account the following criteria:-

Is the conviction relevant to the position being offered?

How serious was the offence?

How long is it since the offence took place?

Is there a pattern of offending behaviour?

Have the personal circumstances changed since the time of the offending behaviour?

How has the person become rehabilitated?

Is the person barred from the type of regulated work we need them to do?

If we determine that the disclosed information is relevant to the role, we will withdraw the job or volunteering role offer.

Data Protection Act 2018 and GDPR

The information given in this form will be treated in strict confidence. When completed, the document contains sensitive personal data as defined by the Data Protection Act and GDPR which will be used only for the purpose it was requested and handled.

Policy on the Secure Handling, Use, Storage and Retention of Disclosure Information

i) General Principles

Galashiels Baptist Church complies fully with the Code of Practice, issued by Scottish Minister, regarding the correct handling, holding and destroying Disclosure information provided by the Disclosure Scotland under Part V of the Police Act 1997, for the purposes of assessing applicants' suitability for positions of trust. It also complies fully with the Data Protection Act 1998 and other relevant legislation pertaining to the safe handling, use, storage, retention and disposal of Disclosure information and has a written policy on these matters. This policy is available to anyone who wishes to see it on request.

ii) Usage

We use Disclosure information only for the purpose for which it has been provided. The information provided by an individual for a position within Galashiels Baptist Church is not used or disclosed in a manner incompatible with the purpose. We process personal data only with the express consent of the individual. We notify the individual of any non-obvious use of the data, including further disclosure to a third party, identifying the Data Controller, the purpose for the processing, and any further relevant information.

iii) Handling

Galashiels Baptist Church recognises that, under Section 124 of the Police Act 1997, it is a criminal offence to disclose Disclosure information to any unauthorised person. We, therefore, only pass Disclosure information to those who are authorised to see it in the course of their duties. We will not disclose information provided under Section 115(8) of the Act, namely information that is not included in the Disclosure, to the applicant.

iv) Access and Storage

We keep Disclosure information in a lockable, secure, non-portable storage container. Access to the information is strictly controlled to authorised and named individuals, who are entitled to see such information in the course of their duties.

v) Retention

Disclosures and Disclosure information will be kept for as long as the volunteer worker continues to undertake the position relating to their disclosure, as recommended by Volunteer Scotland Disclosure Services. The same conditions relating to secure storage and access will apply during this period.

v) Disposal

When no longer required we will ensure that Disclosure information is destroyed in a secure manner i.e. by shredding or burning. We will not keep Disclosure information that is awaiting destruction in any insecure receptacle (e.g.) a waste bin or confidential waste sack). We will not retain any image or photocopy or any other form of the disclosure information.

Referrals Policy of Galashiels Baptist Church

This policy is relevant to all those involved in making recruitment/disciplinary decisions in our organisation.

When a volunteer or member of staff is permanently removed from a regulated work position, there are certain circumstances where our organisation must notify the Protection Unit at Disclosure Scotland that this has happened. This is called "Making a Referral". If we would have permanently removed the individual, the actions detailed in this policy will continue to apply (even if a member of staff or volunteer leaves their regulated work position prior to any action being taken, irrespective of the reason that they leave).

2 conditions must be met before we let Disclosure Scotland know that something has happened.

Condition 1 – A person has been permanently removed/removed themselves from regulated work

Condition 2 – At least 1 of the following 5 grounds apply

- Caused harm to a child or protected adult
- Placed someone at risk of harm
- Engaged in inappropriate conduct involving pornography
- Engaged in inappropriate sexual conduct
- Given inappropriate medical treatment

When both of these conditions have been met, it is a legal requirement that we must let Disclosure Scotland know by making a referral within 3 months of the permanent removal of the individual.

Where there is an historical allegation of harm or inappropriate behaviour about someone who is no longer in regulated work with us but which we believe would, in all probability, have led to the 2 conditions being met, we will consider whether we want to make a referral but the legal responsibility applies only after 28 February 2011 when PVG was first introduced.

Where it is necessary to make a referral, this process will be carried out by Lead Signatory (Jannetta McQuat). In their absence, the referral process will be carried out by Additional Signatory (Joyce Edwards). Those who are in a position which may involve carrying out disciplinary action which may result in the removal from regulated work or dismissal of someone in regulated work must ensure they notify Jannetta McQuat or, in her absence, Joyce Edwards, of the legal requirement to make a referral where the conditions above have been met.

Failure to make a referral where required, may result in our organisation being prosecuted. It is therefore essential that those involved in carrying out disciplinary action notify Jannetta McQuat or Joyce Edwards when both conditions for making a referral have been met.

Appendix 1

Galashiels Baptist Church Code of Conduct – Children/ Protected Adults

You Should

- Always put the care, welfare and safety needs of a child/ protected adult first
- Respect a child/protected adult's right to be involved in making choices and decisions which directly affect them
- Listen attentively to any ideas and views that a child/protected adult wants to share with you.
- Respect a child/protected adult's right to privacy and personal space
- Respond sensitively to children/protected adults who seem anxious about participating in certain activities
- Speak to your organisation or group Link Leader immediately if you suspect that a child/protected adult is experiencing bullying or harassment.
- Be aware of the vulnerability of some groups of children/protected adults to being isolated and hurt (for example children/protected adults with disabilities and learning disabilities)
- Ensure that when you are working with children/protected adults you are at least within sight or hearing of other workers
- Listen carefully to any child/protected adult who "tells you" that they are being harmed and report what you have discovered immediately to your Link Leader or the Responsible Person
- Immediately report to your Link Leader or the Responsible Person any suspicion that a child/protected adult could be at risk of harm or abuse.
- Never dismiss what a child/protected adult tells you as "lies" or exaggeration.
- Only restrain a child/protected adult who is at imminent risk of inflicting harm to themselves or others or is at risk of damaging property
- Never underestimate the contribution that you can make to the development of safe communities for children/protected adults

You Should Not

- Exaggerate or trivialise another worker's concerns about a child/protected adult or ignore an allegation or suspicion of abuse in the hope that it will either "go away" or that "someone else will deal with it"
- Discuss personal issues about a child/protected adult or their family with other people except with your Link Leader or the Responsible Person when you are concerned about the child/protected adult's well being
- Be drawn into any derogatory remarks or gestures in front of children/protected adults
- Allow a child/protected adult to be bullied or harmed by anyone in the organisation
- Allow children/protected adults to swear or use sexualised language unchallenged
- Contact children or a young person by electronic communication unless it is for information giving

You Must Never

- Engage in rough or physical contact unless it is permitted within the rules of a game or sports activity or conforms to the guidance on appropriate physical restraint
- Form inappropriate emotional or physical relationships with children/protected adults
- Invite or allow a child/protected adult to stay with you at your home.

Appendix 2

Galashiels Baptist Church

Recommended procedures for responding to concerns about the wellbeing of children and young people and the reporting of any child abuse disclosed, discovered or suspected.

Stage 1

A worker has concerns about the welfare of a child/young person or the behaviour of an adult

The person who has the concern has a duty to

Record

A written record should be made of the concern using a standard incident form, available from your organisation leader.

Report

The concern should be reported to the Link Leader for your organisation or the person responsible for child protection issues within the church.

Concerns should be reported within 24 hours.



Stage 2

The Link Leader or the Responsible Person receives the report of concern

The Link Leader or Responsible Person has a duty to

Review

The report will be reviewed along with any other relevant information and a decision will be taken as to what action should follow.

Any formal referral to Social Services should normally be made within 24 hours of receiving the report,



Stage 3

After the decision has been made and the appropriate action taken The Link Leader, the Responsible Person and the Leadership Team may have a duty to

Support

Once the concerns, suspicions and disclosures of abuse have been addressed the church continues to have a responsibility to offer support to all those who have been affected.

Report

When required further reports will be sent to the appropriate authorities such as Volunteer Scotland.

Appendix 3

Galashiels Baptist Church

Self- Disclosure Form

The post that you have applied for requires a basic, standard or enhanced disclosure or is one where your normal duties include regulated work and requires a PVG disclosure in accordance with at least one of the following pieces of legislation:-

- Rehabilitation of Offenders Act 1974 (as amended)
- Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2013 (as amended)
- Protection of Vulnerable Groups (Scotland) Act 2007 (as amended)
- Police Act 1997 (as amended)

You are therefore required to disclose certain convictions below but you should not tell us about any convictions which were gained before the age of 12.

Having a criminal record will not necessarily be a bar to working or volunteering with us. We will consider any information disclosed fairly and in accordance with the requirements of the Rehabilitation of Offenders Act 1974.

This guidance relates to recruitment in Scotland.

1. Unspent Convictions

You must complete this section.

Do you have any unspent convictions?

Yes	
No	

If you have crossed **Yes** please provide details below.

If you have crossed No please go to sections **3 and 4**.

All **unspent** convictions must be disclosed. Please provide details of any unspent convictions here:-

Date	Court	Offence	Disposal

2. Spent Convictions

This section should only be completed if you will be applying for a standard, enhanced or PVG disclosure. You should not tell us about any convictions which were gained before the age of 12.

If you have any convictions detailed in Table A and the extended disclosure period has not passed, please provide the information here

If you have received a custodial sentence exceeding 48 months you must always disclose this information.

Date	Court	Offence	Disposal

3. Barred Lists

This section should be completed if you will be applying for PVG disclosure or enhanced disclosure with list checks.

I understand that my role involves regulated work and confirm that I am not barred from the relevant regulated work group(s).	
Signed	Date

4. Declaration

I certify that the information contained in this form is true and complete to the best of my knowledge and belief. I understand that any false information or omission in the information I have given may lead to the immediate suspension or termination of my volunteering or employment with the organisation.

I confirm that I have read and understood this declaration.

Full name		
Address		
Signed		Date

Table A - Disclosure periods: ordinary cases

Sentence	Disclosure period – aged 18 or over	Disclosure period – aged under 18
A custodial sentence not exceeding 12 months	The term of the sentence plus 2 years	The term of the sentence plus 1 year
A custodial sentence exceeding 12 months but not exceeding 30 months	The term of the sentence plus 4 years	The term of the sentence plus 2 years
A custodial sentence exceeding 30 months but not exceeding 48 months	The term of the sentence plus 6 years	The term of the sentence plus 3 years
A custodial sentence exceeding 48 months	NEVER SPENT A review mechanism will be available in due course for relevant sentences over 48 months.	NEVER SPENT A review mechanism will be available in due course for relevant sentences over 48 months.
A fine	12 months	6 months
A compensation order under section 249 of the Criminal Procedure (Scotland) Act 1995	12 months	6 months
An order for endorsement made by a court in relation to an offence mentioned in schedule 2 of the Road Traffic Offenders Act 1988	5 years	2½ years
Caution for good behaviour where, in respect of a conviction, a person was ordained to find caution for good behaviour in respect of a period (“the caution period”).	whichever is the longer of— (i) 6 months from the date of the conviction, (ii) the length of the caution period	whichever is the longer of— (i) 3 months from the date of the conviction, (ii) the length of the caution period
Ancillary Orders	Length of Order	

<p>Examples of 'ancillary orders' are, non-harassment order, supervision and treatment orders, football banning order, antisocial behaviour order, exclusion from licensed premises order, confiscation order, serious crime prevention order and an order disqualifying someone from driving.</p>			
<p>Category 2 Alternatives to Prosecution</p> <ul style="list-style-type: none"> • a conditional offer issued in respect of the offence under section 302 of the Criminal Procedure (Scotland) Act 1995, • a compensation offer issued in respect of the offence under section 302A of the 1995 Act, • a work order made against the person in respect of the offence under section 303ZA of the 1995 Act, • has, under subsection (5) of section 20A of the Nature Conservation (Scotland) Act 2004 (asp 6), given notice of intention to comply with a restoration notice given under subsection (4) of that section, and • has accepted an offer made by a procurator fiscal in respect of the offence to undertake an activity or treatment or to receive services or do any other thing as an alternative to prosecution, 	<p>Three Months</p>		
<p>Particular Court Orders –</p> <ul style="list-style-type: none"> • Community Payback Order, • Drug Treatment & Testing Order, and • Restriction of Liberty Order 	<table> <tr> <td data-bbox="791 1675 1153 1957"> <p>whichever is the longer of—</p> <p>(i) 1 year from the date of the conviction</p> <p>(ii) a period beginning with that date and ending when the order ceases to have</p> </td><td data-bbox="1153 1675 1570 1957"> <p>whichever is the longer of—</p> <p>(i) Six months from the date of the conviction</p> <p>(ii) a period beginning with that date and ending when the order ceases to have effect.</p> </td></tr> </table>	<p>whichever is the longer of—</p> <p>(i) 1 year from the date of the conviction</p> <p>(ii) a period beginning with that date and ending when the order ceases to have</p>	<p>whichever is the longer of—</p> <p>(i) Six months from the date of the conviction</p> <p>(ii) a period beginning with that date and ending when the order ceases to have effect.</p>
<p>whichever is the longer of—</p> <p>(i) 1 year from the date of the conviction</p> <p>(ii) a period beginning with that date and ending when the order ceases to have</p>	<p>whichever is the longer of—</p> <p>(i) Six months from the date of the conviction</p> <p>(ii) a period beginning with that date and ending when the order ceases to have effect.</p>		

•	effect.	
Absolute Discharge	Nil - become spent immediately on imposition.	
Admonishment	Nil - become spent immediately on imposition.	
children's hearing discharge	Nil - become spent immediately on imposition.	
a supervision requirement under any provision of the Children (Scotland) Act 1995	Nil - become spent immediately on imposition.	
a guardianship order	Nil - become spent immediately on imposition.	
a compulsory supervision order under any provision of the Children's Hearings (Scotland) Act 2011	Nil - become spent immediately on imposition.	
Adjournment or Deferral	Until relevant sentence given	
Certain Mental Health Orders - Assessment Order Treatment Order Interim Compulsion Order	Length of order.	
Certain Mental Health Orders - Compulsion Order with Restriction Order	Length of order. If the restriction order ends and the CO remains, an application can be made to the Mental Health Tribunal for Scotland for disclosure of the CO to end 12 months after the restriction order ends.	
Compulsion Orders	Length of order. After 12 months an application can be made to the Mental Health Tribunal for Scotland under section 164A of the MH 2003 Act for disclosure of CO to end.	

Juvenile Offenders where (a) send the person to an approved school, or (b) commit the person to the care of a fit person	n/a	One year from the date of conviction.
Any sentence— (a) not mentioned above in this Table or in Table B, or (b) other than one to which section 5(2D) applies	12 months	6 months