

## **APPENDIX 12 - Safeguarding Guidance for Local Ecumenical Partnerships (LEPs)**

### **Introduction**

Local Ecumenical Partnerships (LEPs) are created when Christian denominations work together under a formal agreement. The most common of these is when denominations come into partnership by setting up a single congregation. Other examples include when they share a church building, or when they co-operate in chaplaincy. In the case of a single congregation LEP, a standard Constitution, approved by the Charity Commission, must be drawn up. However, all LEPs are charities regulated by the Charity Commission. For more information, please see the [Churches Together](#) website.

There are, of course, practical challenges that arise in relation to churches with different policies, procedures and denominational requirements. This is particularly heightened when it comes to safeguarding, with the need to communicate and manage what can be sensitive matters between members of the clergy, paid and volunteer officers and church members. A clear commitment to safeguarding will ensure that LEPs are able to operate to high standards of practice and take the necessary actions to make our churches safer spaces for all.

### **1. Supporting Good Practice within LEP's**

This guidance recognises the diversity that can exist both organisationally and structurally between denominations which can comprise an LEP. Nevertheless, clear decision making, effective joint working and appropriate communication between LEP member churches is needed to ensure the safety of all who are involved with the church and its activities.

Safeguarding officers have a commitment to providing churches with professional and timely safeguarding support. Each denomination has its own policies and procedures and requires churches to adopt these at a local level.

In an LEP setting, agreement on which denomination's safeguarding policy to follow is crucial to enable appropriate communication between denominational safeguarding teams as required. Commonly the adopted policy will be that of the denomination of the presiding member of clergy.

Within any one denomination, there exists a significant number of roles. For the purpose of this document and the avoidance of doubt, the term Church Officer is used to cover any role within the church whether paid or unpaid, lay or ordained or elected. The term safeguarding officer includes safeguarding adviser.

### **2. Choosing which safeguarding policy to use in an LEP**

When an LEP is established or, where the LEP wishes to review its safeguarding arrangements, the trustees should agree which denominations' safeguarding policy they will adopt. The safeguarding policy and procedures adopted must be acceptable to all participating denominations.

There are some pragmatic considerations that can help with this decision:

- Which denomination does the church most closely identify with?
- Which denomination provides the ordained member(s) of clergy at the point of deciding the policy?
- Where does the church go to for support on other governance matters?
- Does the decision-making model of the church fit more closely with any one denomination?
- Who owns the building and what are the requirements of the church insurer(s)?

It is recommended that at the point of deciding upon a policy, (for ratification by the denominations' relevant authorities – see below), the rationale is included at the point of submission for approval.

The trustees of the LEP should adopt the safeguarding policy and guidance of one of the participating denominations and apply that in all aspects of safeguarding practice.

The safeguarding policy and procedures (and any subsequent amendments) must be ratified by the relevant authority of each participating denomination. A copy of, or electronic link to the ratified policy must be sent to the safeguarding officer nominated by the relevant authority for each participating denomination. Safeguarding teams of all member denominations need to be informed which policy the LEP has adopted, and once that decision is made, the LEP must adhere to the adopted policy.

Safeguarding teams in each denomination must understand and work within the policy and procedures an LEP has adopted, particularly where these procedures are different to their own. They will of course liaise with their denomination upon any matters of concern but should take advice on matters of policy from the denominational safeguarding team who are responsible for the safeguarding policy.

### **3. Church Safeguarding Officers and Trustees**

The Charity Commission are clear that safeguarding is the responsibility of all trustees. It is recommended that a safeguarding trustee is appointed, however it should be clear that they are not to be the only person among the trustees who understands and is responsible for safeguarding.

Each LEP must appoint a Safeguarding Officer/Designated Person who has appropriate safeguarding knowledge, skills, and experience to whom the trustees can delegate duties. The Safeguarding Officer will act as a contact point for all safeguarding matters and take responsibility for addressing issues of policy, procedures, training and reporting. Trustees must be able to ensure that delegated authority is being properly exercised, through appropriate monitoring and reporting procedures.

Training is available for safeguarding officers and trustees in all denominations and this should align with the adopted denominational policy.

### **4. DBS Checking**

Each LEP should appoint at least one DBS verifier who will be expected to carry out DBS checks at the level and timeframe specified in the policy and procedure as required by their own denomination. All denominations publish guidance on DBS checks, and most denominations use an umbrella organisation through which checks can be carried out. Each LEP should use the DBS service connected with the denomination's adopted safeguarding policy and procedures. The policy should clearly be clear regarding the blemished disclosure process and how decisions are made about suitability for work with children and/or adults at risk, including where an Enhanced DBS (with/or without barred list) is required by law. This process might also include a risk assessment (see Section 6).

If there is any doubt regarding eligibility for DBS checks, advice should be sought from the denominational safeguarding team or from DBS outreach service. Contact details can be found here: [The DBS Regional Outreach service - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/the-dbs-regional-outreach-service)

### **5. Safeguarding Training**

Each denomination provides safeguarding training for Clergy, Lay workers and volunteers. In an LEP, it's Clergy, Lay workers, employees and volunteers must attend the safeguarding training in accordance with the adopted policy. Records of training completed should be held by the LEP, and be available to their own

denominations relevant body. Some denominations may additionally require their ministers to undertake their own denominational safeguarding training unless a reciprocal agreement is in existence.

## **6. Risk Assessment**

When the need for safeguarding risk assessments arise, an LEP will follow the risk assessment process set out in the adopted policy and procedures and consult with the relevant denominational safeguarding team. This also includes occasions where a safeguarding contract is necessary.

In some denominations, the final decision on a risk assessment is made by the church safeguarding officer, in others the regional, diocesan, national or connexional safeguarding officer makes the final decision. Denominations may have different risk assessment levels and processes for church roles.

Where there is a lawful basis to do so, it may be necessary for the safeguarding officers in each denomination to share information pertinent to risk management.<sup>1</sup> For instance, details of any mitigating factors relating to blemished DBS disclosures or any other concern that does not reach the threshold for a criminal conviction but may indicate a risk to an individual attending the church or to the reputation of the wider Church.

## **7. Risk Management**

### **7.1 Safeguarding contract/agreement including breach of contract**

The adopted safeguarding policy<sup>2</sup> must be followed in managing those who present a risk in church congregations. Where an individual who is currently subject to a safeguarding contract or agreement states their intention to move to another LEP or church, there is an expectation that the safeguarding officer who holds details of the contract will communicate this (including sharing a copy of the contract or agreement) with their relevant counterpart in the receiving LEP or church, whether or not it is of the same or a different denomination.

### **7.2 Ordained Ministers and Local Preachers (where discipline measures apply)**

It is the responsibility of the licensing/ordaining/accrediting denomination to oversee the disciplinary process relating to ordained ministers. Risk assessments should therefore be undertaken by their own denomination who retain the ability to suspend and/or instigate disciplinary proceedings.

Safeguarding officers must take early action to ensure that any safeguarding process involving allegations against an ordained minister from another denomination includes clear communication of the minister's details, the nature of the allegation, and any investigative work undertaken, including the involvement of any statutory authorities. Close communication should be maintained between denominations. Subject to legal requirements, it is generally not appropriate to withhold information from a safeguarding colleague in another denominational team that might impact or impede their own disciplinary processes, or which might mean that they are unable to take the necessary steps to act in relation to a minister they accredit, or have ordained or licensed. If there is any doubt as to whether data can be shared, advice must be sought from the relevant data protection professional.

Collaborative working between denominational safeguarding teams is critical where safeguarding allegations relate to the behaviour or conduct of an ordained minister of the LEP. Each denomination has its own clearly defined procedures for dealing with the investigation of concerns raised about ordained or accredited ministers, which may vary between denominations. Therefore, those investigating or supporting

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<sup>1</sup> The Privacy Notice relating to the adopted policy is the one which should be used in these circumstances.

<sup>2</sup> Which for the avoidance of doubt includes use of the Privacy Notice and responsibility for Subject Access Requests and data breaches.

an LEP to investigate a safeguarding concern will need to work within the LEPs own safeguarding policy and also to the relevant ministerial disciplinary rules, which may comprise legal processes established by a different denomination.

In practice, this means that in any case where there is an allegation or complaint in relation to an ordained minister working in an LEP who is accredited and/or ordained by another denomination, that denominations' safeguarding officer must be informed and, communication must continue through the investigation and risk assessment process. The requirements of the policies and procedures (including disciplinary procedures) of the denomination to which the minister is a member, must be followed. Likewise, regular contact between the participating denominations should be maintained until the conclusion of any proceedings.

Data protection and information-sharing agreements need to make clear reference to the necessity and lawful basis on which to share information between denominations in such situations (see point 8). If there is any doubt as to whether data can be shared, advice must be sought from the relevant data protection professional.

### **7.3 Church Officers**

Safeguarding concerns and allegations that relate to role holders who are non-ordained ministers should be dealt with using the processes set out in the LEPs adopted safeguarding policy and procedures. HR disciplinary processes should be consulted where an employment contract is in place and employment law applies. The same communication principles listed above should be applied.

## **8. Data Protection and information sharing**

Information sharing is crucial in managing risk. Each denomination's Safeguarding Privacy Notice must include specific reference to the legal basis and requirement to share information in relation to safeguarding allegations, investigations and outcomes. The Privacy Notice must be shared and understood with and by LEP colleagues.

## **9. Inter-denominational co-operation**

The major Christian denominations employ professionally qualified and experienced safeguarding staff in their district, diocesan, regional, national and connexional safeguarding teams. Safeguarding officers will recognise their peers and adopt an approach that reflects professional courtesy and respect to joint working in order to achieve the best outcomes for LEPs.

To that end, each denomination will provide an outline of its core safeguarding policies and procedures, its data protection policies and procedures and the structure of its safeguarding teams, alongside current contact details for relevant safeguarding staff. This contact list will be updated on an annual basis.

Each regional, district, diocesan or national safeguarding officer must make contact with their peers and look for opportunities to meet and at a minimum, make initial contact so that future contact and collaborative working is made easier.

## **10. Media response**

In cases that might attract media attention, all communications teams of relevant denominations involved in the LEP will be informed and work together to agree a joint press statement. The lead role will be taken by the denomination whose policy has been adopted by the LEP. The exception is where ministers are

involved, in which case the licensing/ordaining/accrediting denomination's communications team will take the lead and will keep partners informed.

#### **11. Employment and governance of paid roles and volunteers within the LEP**

The policy adopted by the LEP will be followed in these cases, including safer recruitment practices where required.

In all cases when LEPs are formed from previously single denomination congregations, consideration needs to be given to processes that need to be changed from one denomination to another. Legal and HR advice should be sought to support this particularly in relation to employment terms and conditions.