



Central Council of Church Bell Ringers

"Registered Charity number 270036"

Tower Stewardship Committee

### Guidance Note No.3

## CHILD PROTECTION IN BELL TOWERS

This guidance note gives advice to ringers, Parochial Church Councils and Clergy regarding child protection in towers where bells are rung manually.

As the majority of the ringing towers in the world come under the jurisdiction of the Church of England and Church in Wales, the note has been produced in that context. However, with the exception of the section on legal requirements, most of the principles set out will apply to churches of other denominations and also those outside the UK. It is recommended that, where required, more specific local advice should be sought.

### Child Protection in Bell Towers

The Incumbent, Churchwardens and PCC of any parish have a legal and primary responsibility to maintain a safe environment for all people in the Tower and elsewhere on Church premises and this entails particular actions in the case of children and young people. In practice, where ringing is concerned, this responsibility is discharged through the Tower Captain whose appointment, together with any formal Deputies, should be agreed with the Church administration. It is important that there is a good working relationship between the Tower Captain and Church Officials.

The leaflet "Protecting Young Ringers" has been issued by the Central Council of Church Bellringers and outlines those actions necessary for maintaining a safe environment. The PCC or Parish Child Protection Group (where this exists) should be aware of and endorse these recommendations and they should be on display in every Tower. Following these guidelines will ensure that young people can be fully and safely involved with ringing activities and that must be a priority for all concerned. The Tower Captain should be aware of and work in harmony with Parish Child Protection policies.

### Legal requirements for working with Children.

In the past many Church workers, both paid and voluntary, have according to circumstance been expected to undergo Disclosure and Barring Service (DBS) checks for activities involving children. Such checks stem partly from the House of Bishops Policy Document "Protecting All God's children" re-issued in November 2010 which gives guidelines. The document is complemented by the document "Safeguarding Guidelines relating to Safer Recruitment" issued in June 2013. However, commencing **12<sup>th</sup> October 2009** new legal requirements will be phased in under the Safeguarding Vulnerable Groups Act 2006 which will apply in England, Wales and Northern Ireland. The Act was subject to Government review and report issued in February 2011, and subsequently there was amendment under the Protection of Freedoms Act which became law in May 2012. The possible programme of phasing and its practical effects are discussed in the following paragraphs.

**Under the 2012 Protection of Freedoms Act checks for working with vulnerable adults are confined solely to those requiring personal care and there is no requirement relating to ringing activities.**

### **Regulated activities**

The 2006 Act defined those activities which would legally require Disclosure and Barring Service (DBS) checks for workers dealing with children whether in a paid or voluntary capacity. The key consideration is where an adult has the opportunity to develop a relationship of trust with a child stemming from close and regular contact. The teaching, training or instruction, care or supervision of children and also in certain health and care institutions. For bellringers this has been clarified as being the activity of hands on teaching of children by the group leader or other designated person. In a mixed group, other adult ringers are deemed to be a peer group assisting or under the supervision of the group leader. The legal requirement is, therefore, confined to those actually physically teaching the young juniors on a regular basis and the various possible scenarios are shown on the appended table. DBS checks should not be otherwise necessary and in this respect attempts to blanket check all ringers including those supervised by a leader are illegal.

### **DBS checks (formerly known as CRB checks)**

DBS checks can only be applied for in relation to positions, including those relating to children, by organisations which are registered with the DBS. Most Diocesan offices are Registered Bodies but if not checks are carried out by what are known as “umbrella” bodies. Disclosure Applications will be made by the Parish Child Protection Representative or incumbent and the individual required to be checked will be asked to fill in their personal details and give proof of identity. The latter is required to prevent fraudulent clearing of the system. From December, 2012 all checks are on an “enhanced disclosure plus barred list” basis which will mean that, for regulated activities, any relevant unspent convictions or police cautions will be revealed. However, with effect from June 2013 certain offences will be considered “spent” and it will not be necessary for individuals either to declare these on applications nor will they show on certificates. This latter change will help to dispel the fear of applicants being embarrassed by minor misdemeanours and thereby being reluctant to apply for DBS certificates. Checks are **free** for volunteer posts.

All checks are **confidential**, applications being sent via the Diocesan Office. The result comes back to the Diocesan Child Protection Officer with certificate sent to the individual who has the opportunity to correct errors. This check is aimed at protecting children and does not infer that an individual is not trusted. However, should there be anything in the disclosure which gives cause for concern this will be discussed with the individual concerned and risks, if any, considered.

For disclosure applications see additional note which follows regarding phasing of the scheme and questions of portability of certificates.

**Paper checks are only an aid and not a guarantee. The guidelines of good practice, especially having two adults present when young people are being taught, should always be followed.**

## **Portability of Certificates**

It has been the Government intention to achieve greater portability of DBS certificates between similar activities relating to children and vulnerable adults. With effect from 13<sup>th</sup> June 2013 it has been possible for applicants for DBS checks, whether new or renewals, to apply for continuous updating of their records. This can ONLY be done either at the time of the application or within 14 days of receipt of certificate. The update service is free for volunteers but an annual fee is required from paid workers.

The effect of the updating service is that the person's record can, with their permission, be looked at on-line by a prospective employing or user organisation and if "no change" is shown may lead to permission being granted to work without a new DBS application.

**It must be stressed that the degree of portability is, at present, at the discretion of the user body.**

## **Sex Offenders Registers**

There are a number of different lists of sex offenders currently held by Government organisations and in future these will be consolidated together with reports from other agencies such as Police and Social Services.

Where a person is already registered to work with children in Regulated Activities, should their status change as a result of the monitoring process, they may be barred from such activity. In these circumstances organisations employing or using the individual will be immediately notified provided they have registered for updates.

Note that with effect from 12<sup>th</sup> October 2009 under the 2006 Act it **is an offence** to knowingly employ an individual who is barred.

## **Known Offenders**

If a ringer is known to be on the Sex Offenders Register they must not be allowed to engage in Regulated Activities as it will be a legal offence.

A known offender, like any other seeking rehabilitation, **may** be able to take part in other ringing activities depending on (a) the nature of their offence, (b) any court restrictions on their activities, (c) perceived risk and (d) the level of supervision that can be afforded. Both the Church of England and the Police have agreed procedures known as Multiple Agency Protection Arrangements (MAPPAs) for dealing with offenders returning to circulate in society. The church position is set out in Section 8 of the House of Bishops document "Protecting all God's Children". Any proposal for such a person to be accommodated must be reviewed very seriously with all concerned parties including the incumbent, ringing Society and Diocesan Safeguarding Officer and must have due regard to absolute safety of children and the reassurance of parents. A written agreement with the church **must** be obtained, this generally is between the individual, the parish and the Diocesan Safeguarding Officer. It must always be borne in mind that the incumbent and churchwardens have ultimate sanction on allowing access to the Tower.

Agreements for an offender to take part in church activities are kept in confidence on a “need to know” basis as part of the pastoral care ethic regarding rehabilitation of the individual. The treatment of offenders can be an emotive subject for ringers and each must follow their own conscience. However, ringers should seek to support their churches stand point on rehabilitation, being mindful of restrictions and need for supervision. It is quite unacceptable for offenders to be named publicly on social media or through ringing society channels, nor should ringers act upon hearsay.

### **Potential offenders**

An important aspect of the 2006 Act is the provision for informing authorities regarding any persons who may present a risk to children. In this context it is a legal duty for employers or users of volunteers, referred to as “Regulated Activity Providers”, to inform the DBS (Disclosure and Barring Service) of any withdrawal of an individual from a post because of child abuse, any behaviour which gives cause for concern but is short of disciplinary procedure, conduct of a sexual nature or where the individual is believed to present a risk.

Where there is insufficient evidence to hand but concerns warrant, the case should be referred to the appropriate body which may be the ringing Society and Diocesan Child Protection Officer and the police or social services.

### **Facing the unthinkable**

Where there are indications by a child’s behaviour or conversation that abuse may be taking place what response or action should be taken? The following are practical tips which should assist but are only initial safeguards. If abuse is disclosed some action must be taken.

- Listen to the child and do not disbelieve (nor absolutely believe)
- Do not ask any leading questions such as *who did it?*
- Give the child your attention but do not over-react or show shock or distaste. Try to listen calmly and try not to show strong emotions about what is being said.
- Say that you understand what they are saying and that you take it seriously but be careful not to say much more at this stage.
- There might be elements of fancy or imagination in what children say but there will be a reason for having said it.
- When children speak to someone outside the family they are generally looking for some help but they will probably be ambivalent and uncertain about precisely what.
- Disclosures may be direct but are sometimes very indirect.
- Do not make any promises such as *it will be alright* –it might not be. Nor *I won’t tell anybody* –you almost certainly will have to.
- **Seek immediate advice from your Parish Child Protection Officer or, if appropriate, your Diocesan Child Protection Officer.**

If it is a child’s behaviour which gives cause for concern, consider whether

- There are bruises or other injuries, especially when regularly seen or of an unusual nature
- A child is nervous or wary of adults as though expecting chastisement
- The child is withdrawn, has solitary ways of behaviour that go beyond occasional bad mood
- Displays extreme aggression or bullying

- Displays sexualised behaviour, especially towards younger children
- Shows signs of neglect

In any of these cases see if colleagues share your concerns and speak to your incumbent. It may also be helpful to talk to Child Protection Officers in the Parish or Diocese.

It is most important to remember that if such behaviour is triggered by matters at home rather than at church it may **NOT** be appropriate in the first place to speak to parents.

***It is strongly recommended that any Tower Captains or Deputies charged with the instruction of children should undergo some Child Protection training. Similar training should be sought by Guild Officers involved with training.***

### **Phasing of new legislation**

The following is the current programme for introduction of the legal provisions of the 2006 Safeguarding Vulnerable Groups Act as amended by the Protection of Freedoms Act, 2012.

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|---------------------|--|
| <b>October 2009</b> | <ol style="list-style-type: none"> <li>1. New offence of knowingly using barred offenders</li> <li>2. Existing CRB checked individuals will fulfil immediate requirements for Regulated Activities</li> </ol>                          |
| December 2012       | <ol style="list-style-type: none"> <li>1 CRB absorbed into Disclosure and Barring Service (DBS)</li> <li>2. Newly recruited teachers undertaking Regulated Activity <b>must</b> be DBS checked – new forms apply from 2013.</li> </ol> |
| <b>2013 onward</b>  | <p>Further facilities to be phased in including, from June 2013:</p> <ol style="list-style-type: none"> <li>a) Portability of checks between similar activities</li> <li>b) On-line DBS checking</li> </ol>                            |

### **Scotland**

The Protection of Vulnerable Groups (Scotland) Act 2007 goes live with effect from **28<sup>th</sup> February 2011** and introduces a similar Vetting and Barring scheme for Child related activities in Scotland.

It is the intention that there will be reciprocal arrangements between Scotland and England, Wales and Northern Ireland in terms of exchanging detail on barred persons and also for suitability of qualified CRB checked workers.

### **Isle of Man: Channel Islands**

No legislation has at present been introduced to complement the other UK protection Acts.

*This document and Appendix updated for the Central Council Tower Stewardship Committee February 2014.*

For further information, contact the Chairman of the CCCBR Tower Stewardship Committee:

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Other **Guidance Notes** produced by the Tower Stewardship Committee are:-

**GN1 - Insurance**

**GN2 - Tower Management**

**GN3 - Child Protection In Towers**

**GN4 – Tower Safety and Risk Assessment**

**GN5 - Church Law**

**GN6 - Fire Risk Assessment and Protection**

**GN7 – Noise, the Law, and the Environmental Health Officer**

These Guidance Notes can be downloaded free of charge from the Tower Stewardship Committee section of the Central Council of Church Bell Ringers website:

**[www.cccb.org.uk/towerstewardship](http://www.cccb.org.uk/towerstewardship)**

## Appendix to Guidance Note No.3 -Child Protection in Bell Towers

### Ringing Activities and Legal Requirements

The following points and associated table sets out what ringers need to watch out for and take appropriate action.

Ringing activities **NOT** legally requiring any DBS (former CRB) checks:

- Teaching children under supervision of a DBS checked leader
- Helping with young people by ringing another bell or standing behind
- General ringing at practices, meetings and on outings
- Visitors to towers
- One-off teaching or deputising
- Transporting juniors as a one-off domestic arrangement.

Ringing activities legally **REQUIRING** DBS check where carried out on a regular basis or involving overnight stay (for example weekend courses).

<b>Activity</b>	<b>Supervision by</b>	<b>DBS checking by</b>	<b>New checking Arranged by</b>
Face to face teaching <b>by Tower Captain or Deputy</b> : Home tower	Tower Captain	PCC	PCC
Transporting juniors as formal arrangement <b>Irrespective of frequency</b>	Church or Guild as organiser	PCC	PCC
Face to face teaching organised by Guild	Tower Captain of Host Tower or Guild Officer	Guild Officers	Guild/Diocese by arrangement

#### Notes:

1. It has been clarified that helping teaching at different towers as an individual would not be aggregated but if, for example, a Guild organised a series of weekly training events, albeit at different towers, then that would be classed as a regulated activity because of the common provider.
2. It should be noted that UNDER SUPERVISION EXEMPTION applies to teachers and helpers if they are under the supervision of a DBS checked leader recognised by the local church.
3. Checking of DBS status can be carried out by the appointed responsible Child Protection person within the Parish involved or by the Guild. In all cases permission of the person whose status is being checked must be obtained.
4. DBS checking of persons NEWLY taking up teaching activities in a supervisory/leader capacity will normally be dealt with by the Parish. The status of those already DBS (former CRB) checked through other activities (such as school teacher) can also be checked by the church.

*Guidance Note No.3 Appendix – February 2014*