

Review of Safeguarding Contracts

MC/22/79

Date of meeting	17-18 October 2022
Contact name and details	Nicola Sylvester, Safeguarding Policy Manager SylvesterN@methodistchurch.org.uk
Action required	To note
Resolution	79/1. The Council receives the report

Summary of content

Subject of aims	Safeguarding of Children, Young People and Vulnerable Adults
Main points	<ul style="list-style-type: none"> • Two years of Covid has disrupted the collection of data and conclusions about trends need to be approached cautiously, but: • The operation of Safeguarding Contracts has led to improvements in the church's safeguarding work • A number of pointers are identified that would benefit further inquiry and these are included in the Safeguarding Team's work plan
Background context and relevant documents (with function)	The 2017 Conference introduced Safeguarding Contracts (formerly Covenants of Care) to oversee members and users of churches for whom there are safeguarding concerns. In so doing the Conference directed that the Council review the arrangements in five years (2022).
Consultations	The Safeguarding Committee, District Safeguarding Officers

Summary of impact

Wider connexional	The ongoing safety of all members and users of the church
External, including ecumenical	Links with sister denominations and the reputation of the whole church to take safeguarding seriously and act appropriately

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Introduction

- 1 In 2017, the Conference received an extensive report about risk assessment processes and the operation of Safeguarding Contracts, then known as Covenants of Care, and, in particular, a proposal to establish a means of re-assessing such contracts on a three yearly basis, to determine if a contract should be amended and in some cases terminated. This proposal also required an amendment to Standing Orders. The full report can be accessed for reference at [conf-2017-32-Covenants-of-Care.pdf \(methodist.org.uk\)](#).
- 2 The Conference approved six key recommendations contained in the report, which are set out below:
 - 1 Replacing Covenants of Care with Safeguarding Contracts for all those with proven and alleged sex and safeguarding offences;
 - 2 Introducing a more formalised process for independent risk assessment of known and alleged offenders;
 - 3 Maintenance of records of all those subject to Contracts by the Connexional Safeguarding Team so that regular reporting and monitoring of consistent approaches can be achieved;
 - 4 Providing training for members of Monitoring and Support Groups (MSGs) so that they are suitably prepared and enabled to carry out their role
 - 5 Implementing a process whereby all Contracts are reviewed at least annually by Monitoring and Support Groups and consideration is given to re-assessing arrangements by means of a new risk assessment every three years;
 - 6 Methodist Council review of these new arrangements in 2022 (5 years).
- 3 This report outlines progress towards full implementation of the first five recommendations, in preparation for recommendation six. In addition, and to provide some context, in May 2022, the Connexional Safeguarding Team conducted a high level survey of Safeguarding Contract trends across all the Districts, including making reference to the numbers of contracts that had ended following re-assessment. A set of headline data is therefore presented in this report, along with summary commentary provided by DSOs relating to what works well in managing a contract, where improvements could be made and reflections on the re-assessment process.

Progress in implementing recommendations approved at Conference 2017

- 4 In respect of recommendations 1-4, it is confirmed that:
 - The term 'Safeguarding Contract' is now firmly embedded in policy and practice documents and in general usage across the wider safeguarding community.
 - A team of approved risk assessors was established in 2018 by application and interview and the Safeguarding Committee is requested to re-approve the list annually. Connexional risk assessments are commissioned by casework supervisors who are also responsible for quality-assuring reports presented to Safeguarding Panels
 - The connexional database system holds full details of all contracts in operation including a copy of the contract and review arrangements
 - Training for MSG members has been refreshed and a new training course was launched in 2021.

Contextual information – the results from the Connexional Contract Survey, June 2022.

- 5 29 out of 30 Districts responded to the survey, and the author of the report is aware of the circumstances in the other District. However, the return has provided sufficient information about current contract practice both to enable some conclusions to be drawn, but also to invite further inquiry. This part of the report covers recommendation 5.
- 6 **Note about Covid** – the survey covered the five-year period 2017-2022, with the two most recent years adversely affected by the pandemic. It is arguable on one level that it would not be prudent to draw firm statistical conclusions about the numbers of contracts now in place, nor the percentage of

reviews completed on time as participation in church life has been significantly affected since March 2020. To balance this view is a sense that some important trends are emerging and the results of the survey convey some important management information that will help the church deploy its safeguarding resources better in the future.

7 Survey results – the results indicated that:

- In 2017 there were 199 contracts in place
- In 2022 there are 178 contracts in place
- Between 2017 – 2022, 36 contracts were ended following re-assessment (Note: it is understood that some DSOs included deaths in this figure)
- In 2021, 19 Districts reported the timely completion of 75% or above of the annual review of safeguarding contracts.

8 Comment – the following are offered as a commentary based on text supplied by DSOs and some reflection on the findings from the casework supervisors. They include hypotheses, which merit further detailed analysis:

1. There was a significant increase in the number of contracts set up following Past Cases Review activity between 2013 and 2015. A sample analysis in one District suggested almost 50% of current contracts started in this period.
2. The age profile of those subject to contracts in 2017 has meant that some subjects have since died or developed conditions that have impacted on their participation in church life leading to revocation.
3. The pandemic may have affected the numbers of new contracts that could have been anticipated under 'normal' conditions.
4. It is arguable that, with a stronger emphasis on prevention through mandatory training, safer recruitment, audit and compliance, and raising the profile of the Church's safeguarding policy and practice requirements, the Church is becoming a safer place and so less likely to attract potential abusers, and is better placed to recognise concerning behaviour at an early stage. This would limit the applicability of contracts.
5. More analysis is required to differentiate between those contracts set up to enable new people to join the church post sentencing or on release from prison, and those established to address and manage behaviour occurring in church.
6. The unusual conditions of the last two years have impacted on review practice, but two-thirds of Districts were able to demonstrate a good level of compliance. DSOs provided some commentary on particular logistical difficulties but it is anticipated that performance will improve with relaxation of Covid restrictions.
7. The revocation figure will provide a future baseline figure for comparison, but the Methodist Council can be assured that endorsing the proposal to enable reassessment has not led to a dramatic fall in the number of contracts with any accompanying concerns about too much loosening of high standards. The arrangements for reassessment and review (described below) led to an average of roughly seven cases per year being revoked across the Connexion, and for a wide variety of reasons.

Additional information received through the survey

9 The survey then invited DSOs to supply qualitative data about local management of contracts. In response to the question 'what are the features of a successfully operated contract?', the following provide a useful summary:

- The role of a proactive independent chair is critical to the success of a contract.
- Having committed an active MSG (Monitoring and Support Group) members who fully understand risk, with clear boundaries between the subject and the MSG.
- Good communication between DSO and MSG with DSO having clear oversight and attending the annual review.
- Ensuring the restrictions in the contract are tailored to the individual risk presented.
- Good support of the subject (both pastoral care and MSG support).
- Regular meetings with dates agreed well ahead improves accountability.
- Training for MSG members.

10 When asked about instances where a contract is not working well, a summary of DSO responses suggests the following concerns:

- Subjects becoming absent or not being in contact for varying reasons and the MSG not being

informed.

- Insufficient people with the required skills and qualities willing to sit on MSGs.
- Naivety and grooming of MSG members by the subject leading to minimisation of risk factors.
- Expectations and responsibilities of MSG members being too high.
- Inappropriate, long standing safeguarding contracts, difficulty in reviewing these and engaging new MSG members.
- Insufficient policies that cover the varying scenarios in relation to safeguarding contracts.
- Subjects not accepting responsibility for their actions which can have a negative impact on MSG meetings and lead to stress for MSG members.
- The pandemic has disrupted the pattern and consistency of MSG meetings.

- 11 Some of the responses were not unexpected, but nevertheless, these findings underline the importance attached to the individual MSG members' roles in supporting contracts and the value of the new training programme which aims to address the above areas of concern in particular.

DSO observations on the re-assessment process

- 12 Finally, DSOs were invited to comment on the re-assessment arrangements put in place after the Conference decision in 2017, that can enable a contract to be set aside. In summary, these arrangements comprise a written re-assessment of the subject, their present circumstances and situation in respect of legal constraints where appropriate, completed either by the DSO or in more complex cases, by one of the team of approved risk assessors. The assessment report is then normally presented to a Safeguarding Panel for their consideration. In some cases, where the re-assessment has been initiated as a result of serious ill health or where referral to a Panel is considered disproportionate, the Director of Safeguarding and the Chair of the Safeguarding Committee will jointly consider the application on behalf of the Safeguarding Committee.
- 13 The relevant MSG must be in full agreement that the application to set aside the contract is appropriate before a re-assessment can be started. Locally MSGs are empowered to make prudent adjustments to contracts but consultation with the DSO is always required.
- 14 DSO responses were mixed with some having no experience of the process to date, with the pandemic cited as the main reason why some re-assessments had not been initiated. Also, the figure of 36 contracts ending in the last five years did include some deaths, where there would have been no re-assessment. Whilst some respondents described their experience in positive terms with the process seeming to work smoothly, other DSOs raised a number of issues by stating that:
- The re-assessment process requires more consistency, with greater clarity required about panel or senior officer decision-making.
 - The process seems bureaucratic and can be very slow with long gaps between an MSG agreeing to a re-assessment and the conclusion of the process.
 - A new and focussed written format is required as the original risk assessment template is not helpful for this purpose.
 - It would be helpful if the professional judgement and knowledge of the DSO and casework supervisor could be applied more.
 - There can be clashes of expectations about the outcome of re-assessment signalling the need for clearer guidelines about positive and negative indicators.

Conclusion

- 15 This was the first survey of DSO experience of operating contracts, and therefore, despite two exceptional years, the data obtained will provide both a valuable base line and benchmark. Further analysis is required to understand the numeric trends, whilst the DSO commentary summarised here provides good insight into where improvements in practice can be made. The observations concerning re-assessment (with a view to setting aside or ending a contract) will be addressed by the Connexional Safeguarding Team as part of its work-plan in the new connexional year.

***RESOLUTION

79/1. The Council receives the report.