



social care  
institute for excellence

# **Archdiocese of St Andrews and Edinburgh**

## **independent safeguarding audit (January 2020)**





The Social Care Institute for Excellence (SCIE) improves the lives of people who use care services by sharing knowledge about what works.

We are a leading improvement support agency and an independent charity working with adults', families' and children's care and support services across the UK. We also work closely with related services such as health care and housing.

We improve the quality of care and support services for adults and children by:

- identifying and sharing knowledge about what works and what's new
- supporting people who plan, commission, deliver and use services to put that knowledge into practice
- informing, influencing and inspiring the direction of future practice and policy.

Completed in January 2020  
by the Social Care Institute for Excellence and the Church of England

© Archdiocese of St Andrews and Edinburgh

All rights reserved

Written by Jane Bee, Jane Scott with Sheila Fish

**Social Care Institute for Excellence**

Watson House  
54 Baker Street  
London W1U 7EX  
tel 020 7766 7400  
[www.scie.org.uk](http://www.scie.org.uk)



# Contents

<b>1</b>	<b>INTRODUCTION</b>	<b>2</b>
1.1	The audit	2
1.2	Methodology and limitations	2
1.3	Scottish context	3
1.4	The Archdiocese	4
1.5	Structure of the report	5
<b>2</b>	<b>FINDINGS</b>	<b>6</b>
2.1	Safeguarding leadership and management	6
2.2	Diocesan Safeguarding Advisor	13
2.3	Archdiocesan Safeguarding Group (ASAG)	16
2.4	Diocese Risk assessment Management team (dramt)	19
2.5	Links with Scottish Catholic Safeguarding Service	24
2.6	Guidance, policies and procedures	25
2.7	Complaints and whistleblowing	26
2.8	Casework	28
2.9	Supporting survivors	34
2.10	Safe Recruitment of clergy, lay officers and volunteers	36
2.11	Training	38
2.12	How the Archdiocese provides safeguarding support to parishes	40
2.13	Quality assurance	41
2.14	Culture	44
<b>3</b>	<b>CONCLUSION</b>	<b>48</b>
<b>5</b>	<b>APPENDIX: REVIEW PROCESS</b>	<b>50</b>

# 1 INTRODUCTION

## 1.1 THE AUDIT

- 1.1.1 The Social Care Institute for Excellence (SCIE) has been commissioned in partnership with Children in Scotland to undertake an audit of the safeguarding arrangements of the Archdiocese of St Andrews and Edinburgh. The Catholic Church in Scotland has commissioned two audits to be conducted with learning to be disseminated to the other six dioceses when they are completed.
- 1.1.2 The aim of the audit is to work with the Archdiocese to support safeguarding improvements by identifying how well safeguarding is working, identifying where there might be weaknesses and exploring the rationale for both strengths and weaknesses found.

## 1.2 METHODOLOGY AND LIMITATIONS

- 1.2.1 The audit has used SCIE's established methodology *Learning Together* which has been used through a three-year programme of Church of England Diocesan Audits. While some of the areas to be explored differ slightly, the methodology remains the same. The audit was completed by Jane Bee and Jane Scott in March 2019 with quality assurance provided by SCIE through Sheila Fish, Senior Research Analyst.
- 1.2.2 Mirroring the autonomy of each diocese, the audit report focuses on local safeguarding arrangements and practice. SCIE will only be in a position to identify national themes or underlying systemic issues that affect all dioceses, on completion of audits of all dioceses. We include in the report views of the Archdiocese where issues identified locally are also national issues.
- 1.2.3 The audit was designed to be proportionate. Auditors aimed to cover enough breadth and depth to gain an insight into safeguarding within the Archdiocese, recognising that within the timescales available that this was not wholly comprehensive. The fieldwork was carried out over three days on a single site visit. Visits to Parishes were not carried out, however several parishes met with the auditors to discuss safeguarding arrangements.
- 1.2.4 The audit process involved examining case material, a review of policies and procedures for safeguarding, and conversations with key clergy and lay staff involved in safeguarding within the Archdiocese. This included eight individual interviews and one focus group of seven to which all parishes were invited (referred to collectively as the *participants*).
- 1.2.5 The auditors also met with or received written submissions from a wider group of interested parties (referred to collectively as the *contributors*). This group of 30 *contributors* included survivors of clerical abuse, their families, clergy, Catholic groups, laity and multi-agency partners. Their views are woven in throughout the report. All but one were first-hand accounts of their

experiences of the Church's response to allegations of abuse or raising wider safeguarding concerns. Those coming forward were in greater numbers than anticipated, which extended the timescales of the audit and a significant amount of written material was also submitted. Written submissions included personal accounts and statements, formal letters, notes of meetings, copies of emails and copies of articles in the press. Further details of the process are provided at Appendix A.

- 1.2.6 It should be acknowledged that while the extent of oral or written submissions was far greater than anticipated, the views of the *contributors* may or may not reflect wider views within cleric, employees and laity across the Archdiocese. We make no claims that the views are representative, but they are important and need to be heard regardless of whether or not they are representative. It was notable, however, that for the majority of views there was a consistency in the messages from the *contributors* regardless of geography or individual perspective.
- 1.2.7 The auditors were given free access to files and documentation requested. The Archdiocese made available the case material as requested in terms of the SCIE Briefing Pack. All the files were well presented and had been helpfully ordered into sections in preparation for the audit.
- 1.2.8 There were no other known limitations to this audit.

### 1.3 SCOTTISH CONTEXT

Before considering the audit findings, it is important to consider the wider context of safeguarding within the Catholic Church in particular, and the focus on impact of non-recent and current child abuse in Scotland.

#### KEITH O'BRIEN

- 1.3.1 In 2013, facing allegations of adult homosexual relationships and inappropriate and sexually predatory behaviour, Cardinal Keith O'Brien resigned from the Archdiocese of St Andrews and Edinburgh admitted to '*behaviour which fell short of the standards expected*'. This was during a time of greater awareness across the UK of the extent and impact of non-recent and current abuse by individuals and in a range of organisations and institutions.

#### SCOTTISH CHILD ABUSE INQUIRY

- 1.3.2 In response to this increasing awareness and Operation Yewtree, which was the investigation into Jimmy Saville's criminal sexual abuse, the UK Government announced a major Inquiry into child abuse and child protection. The remit of this inquiry was to consider the extent to which State and non-State institutions in England and Wales have failed in their duty of care to protect children from sexual abuse and exploitation and to consider the extent to which those failings have since been addressed.
- 1.3.3 In 2015, the Scottish Government set up Scottish Child Abuse Inquiry looking

at the abuse of children in care in Scotland: what happened, why and where abuse took place, the effects of abuse on children and their families and whether the organisations responsible for children in care failed in their duties. The Scottish Inquiry was to be chaired by Lady Anne Smith is ongoing. It aims to recommend improvements to the law, policies and practices in Scotland.

## **MCLELLAN COMMISSION**

1.3.4 Also in 2015, the McLellan Commission published its report following a review of safeguarding protocols and procedures within the Catholic Church. The review was extensive and some of its key recommendations included that:

- the Church set out a coherent and compelling theology of safeguarding;
- external scrutiny and independence is needed in the safeguarding policies and practices;
- a consistent approach to safeguarding is essential;
- justice must be done, and justice must be seen to be done; and
- support for survivors of abuse should be an absolute priority.

1.3.5 The McLellan Commission (2015) was clear that no Catholic should be left in doubt about the importance of safeguarding. The McLellan Commission acknowledged a need for the Church to escape from the suspicion of 'cover-up' and secrecy with difficult decisions for the Bishops' Conference of Scotland about the way in which independence could be introduced and about the areas of safeguarding in which independent elements will apply. The Commission acknowledged that there were difficult decisions and it would not be straightforward to harmonise such decisions with the authority of the Bishop in his diocese.

1.3.6 In response to the McLellan Commission's report, the Bishop's Conference published *In God's Image* (2018) as standards for the approach to safeguarding to be practised at every level of the Catholic Church in Scotland and guidance to direct those responsible for managing Safeguarding arrangements in parishes, dioceses, Religious Institutes and Catholic organisations.

## **1.4 THE ARCHDIOCESE**

1.4.1 The Archdiocese of St Andrews and Edinburgh covers a geographical area of around 5,500km<sup>2</sup> across the central belt of Scotland which includes St Andrews in Fife, down to Scottish Borders and across to Loch Lomond in Argyll and Bute. It contains major centres of population such as Edinburgh, Stirling and Falkirk and other rural areas within as the Borders, Fife and Argyll and Bute encompassing nine different local authorities.

1.4.2 The Archdiocese is led by Metropolitan Archbishop Leo Cushley and has 109 churches and a population of approximately 25,000 practising Catholics with 88 priests meeting their pastoral and spiritual needs. Each parish has at least one Parish Safeguarding Coordinator (PSC) whose role is to support the parish priest with the management of safeguarding at parish level. The



Archdiocese has a total of 2,500 volunteers involved in regulated work and 12 Deanery Trainers who deliver training to volunteers throughout the Archdiocese.

- 1.4.3 The Archbishop has the prime pastoral and canonical responsibility for safeguarding and is supported in this role by one of the two Vicar Generals, who is the lead for safeguarding and line manager for the Archdiocese Safeguarding Adviser (DSA). The DSA is supported by two members of staff which comprise the safeguarding office: A Safeguarding Officer and an Administrative Assistant. Responsibility for line management of the Safeguarding Officer lies with the Safeguarding Adviser but through close liaison with the Chief Operating Officer.

## 1.5 STRUCTURE OF THE REPORT

1.5.1 This report is divided into:

- Introduction
- The findings that the audit presented – by theme
- Questions for the Archdiocese to consider, listed where relevant at the end of each Finding.
- Conclusions of the auditors' findings: what is working well and areas where future development might be considered.
- An appendix sets out the audit process and any limitations to this audit.

1.5.2 Each substantive section begins with a generic introduction, followed by a description of what the auditors learnt about arrangements and practice in the Archdiocese, and their analysis of the strengths and systemic vulnerabilities identified. The description is value neutral. In the analysis the auditors make assessments of the safeguarding arrangements and practice they learnt about. SCIE methodology does not conclude findings with recommendations. Instead for each theme, the report provides the Archdiocese with questions to consider in relation to the findings. This approach is part of the SCIE *Learning Together* methodology and requires those with local knowledge and responsibility for progressing improvement work to have a key role in deciding what to do in order to address the findings and to be responsible for their decisions. This methodology also helps to encourage local ownership of the work required in order to improve safeguarding

## 2 FINDINGS

### 2.1 SAFEGUARDING LEADERSHIP AND MANAGEMENT

- 2.1.1 McLellan (2015) reported that safeguarding should be central to Church's administration, its worship and its theology and suggested it be a standing item at meetings of the Bishop's Conference and diocesan executive meetings. It is for senior clergy to help parish priests, congregations and others around the Archdiocese to understand safeguarding as intrinsic to the Catholic faith and therefore a priority. This aspect of the leadership role is the foundation for the culture of the Church and is critical in terms of making it a safer place for children and vulnerable adults.
- 2.1.2 *In God's Image* sets out the role for leadership in the context of safeguarding within a diocese. The guidance states that 'all components of the Catholic Church in Scotland, especially those in positions of leadership, are fully committed to these major responsibilities' (p11). These include: regarding as their paramount concern the safety and welfare of children and adults who are vulnerable or at risk; ensuring the care and nurture of, and respectful ministry with all children and adults; establishing safe, caring communities which provide a loving environment where there is informed vigilance as to the dangers of abuse; complying with Safeguarding legislation in Scotland; and adhering to good Safeguarding practice.
- 2.1.3 Safeguarding leadership within the Archdiocese falls ultimately to the Archbishop who is responsible for leadership on all aspects of life within the Archdiocese. Safeguarding leadership, however, takes various forms with different people and/or groups taking different roles. The key areas considered by the audit were on aspects of leadership including theological, strategic and operational leadership and how this was defined and understood. How these roles are understood, and how they fit together, can be determinative in how well-led the safeguarding function is.

#### Theological Leadership for safeguarding

##### *Introduction*

- 2.1.4 It is for senior clergy to help all priests, congregations and others around the Archdiocese to understand safeguarding as intrinsic to the Catholic faith and therefore a priority. This aspect of the leadership role is the foundation for the culture of the Church and is critical in terms of making it a safer place for children and vulnerable adults.

##### *Description*

- 2.1.5 The Archbishop of St Andrews and Edinburgh is responsible for the theological leadership of the Archdiocese, which includes theological leadership for safeguarding, The Vicar General with responsibility for safeguarding acknowledged the need to develop a theology of respect for the individual. *Participants* described the Archbishop as being visible across local

parishes and working hard to reach out at all levels within parishes through a variety of routes including his youth initiative and through primary schools. This group also described the Archbishop as approachable and clear about his overall responsibility for safeguarding. A recent Day of Reparation and Prayer for all those who have suffered any form abuse in the Catholic Church was held in March.

- 2.1.6 The Parish Focus Group was clear that the personal message issued from the Archbishop about the importance of safeguarding ensured that this remained a priority for all.

### *Analysis*

- 2.1.7 McLellan wrote of the need for 'a clear account of the theological principles which underpin safeguarding' (p 215, para 3.24). The Commission emphasised the importance and the urgency of the task of setting out a compelling and coherent theology of safeguarding for the Catholic Church in Scotland. Recommendation 3.110 addressed this:

*The relative absence of theological insight in the 'Awareness and Safety' manual must be replaced with a clear explanation of the task of safeguarding as a Christian privilege with a firm theological foundation (paragraph 3.78).*

- 2.1.8 *In God's Image* sets out a very clear theology of safeguarding as recommended. What does not yet appear sufficiently active is a leadership role in the Archdiocese that overtly articulating safeguarding as an integral part of the Catholic mission. A public, proactive leadership role around the theological centrality of safeguarding needs to be seen in addition to the important work of highlighting the priority being given to safeguarding within the Archdiocese, and in addition to the strategic and operational work of implementing *In God's Image*.

#### **Questions for the Archdiocese to consider**

- Is there more that the Archbishop can do to share positive public messages around the integral place of safeguarding in Catholic theology and life?
- Are there ways to strengthen the focus on safeguarding specifically as part of the Archbishop's contact with deaneries, parishes and congregations?

## **Strategic leadership for safeguarding**

### *Introduction*

- 2.1.9 Strategic and operational leadership are commonly considered essential aspects leadership and governance of organisations. Strategic leadership develops the vision and mission, strategies, systems and structures for achieving that vision and overall accountability. Operational leadership, by contrast, attends to leadership of the delivery of that vision and mission on a day-to-day basis. Roles and forums for strategic leadership and governance

exist in dioceses to cover a range of areas and activities, e.g. Bishop's /Archbishop's Councils. It is useful therefore to consider how strategic leadership is provided for safeguarding in the context of these forums.

2.1.10 *In God's Image* states that the safeguarding commitments lie with the Bishop: 'In this responsibility, the Bishop must be supported by those he has appointed to advise him and to manage safeguarding arrangements in the diocese – the Diocesan Safeguarding Adviser (DSA), the Archdiocesan Safeguarding Advisory Group (ASAG) and the Diocesan Risk Assessment Management Team (DRAMT)' (p12). It does not specify how the Bishop/Archbishop and senior clergy team should provide any strategic leadership and management of these roles and forums. Likewise, the standards set out in *In God's Image*, do not speak to the need for local strategic plans that capture how *In God's Image* is going to be implemented. The chances of making progress on a safeguarding journey of improvement in an organisation increases if objectives and actions to take are set out in a strategic plan. This would see a work plan for how the safeguarding service will be developed and who will lead on the different aspects of achieving the plan. Although not outlined in *In God's Image*, governance of the delivery of this plan would logically sit within local governance arrangements of each diocese/archdiocese e.g. the Board of Governors or Trustees. Setting out the goals of the service, and tracking progress against them enhances accountability and should assist operational leadership by identifying barriers to development that need addressed.

#### *Description*

- 2.1.11 The Archbishop considered that part of his strategic responsibility was to ensure that the structures set out *In God's Image* and that key staff have the skills to enable safeguarding to run effectively supported by clerical leadership.
- 2.1.12 Both the Archbishop and The Vicar General for Safeguarding commented the appointment of the current Diocese Safeguarding Advisor (DSA) had improved all aspects of safeguarding operationally through implementation of *In God's Image*. The membership and remit of the DRAMT which includes members with knowledge and experience of working with offenders and managing risk as well as an understanding of the safeguarding processes in different faith contexts, but more attention was required to develop the task of the ASAG beyond an information sharing forum – see ASAG section.
- 2.1.13 Oversight of pastoral care within the Archdiocese involved two key forums. The Archbishop's Council comprised the Archbishop, the Vicars General and the five Vicars Episcopal meets regularly to oversee the day-to-day administration of the Archdiocese in the five important areas of pastoral activity (Catechetics, Marriage and Family, Justice and Peace, Ecumenism and Interfaith Dialogue, Education). This is supported by the Archdiocesan Pastoral Council, a consultative body established by the Archbishop 2017, with the membership of the Archbishop, seven priests and 12 lay representatives from across the Archdiocese. Neither, however, has a remit

for safeguarding.

2.1.14 Safeguarding is lead and managed out with these forums by the Archbishop, the two Vicars General and the Safeguarding Adviser.

2.1.15 Trustees of the Archdiocese meet around every six weeks and there is a standing item at every meeting on safeguarding. The Safeguarding Advisor attends for that item on the agenda and she reports to the Trustees, who include the Archbishop, Vicar General for Safeguarding.

### *Analysis*

2.1.16 The key roles leading safeguarding in the Archdiocese are clear: The Archbishop, the two Vicars General and the Safeguarding Advisor. There appeared good lines of communication, mutual respect and a sense of shared purpose.

2.1.17 The organisation of this, however, seemed to be less formalised than other areas of pastoral activity in the Archdiocese. This risks giving the appearance that safeguarding is not an equal priority to other areas of activity – it does not show on the website under pastoral governance or other similar section – and lessens transparency about relative roles and responsibilities.

2.1.18 What seems missing is a strong sense of the strategic leadership role held by senior clergy. This would see for example regular meetings of the Archbishop and the Vicar General for Safeguarding formalised into something akin to a strategic management group e.g. a Archbishop's Council for Safeguarding, providing a strategic overview of safeguarding in the Archdiocese and supported by a mechanism for gaining professional safeguarding input.

2.1.19 To the auditors, for example, it is not completely clear what the future plan for safeguarding within the Archdiocese is at a strategic level. This could include oversight of the working of the DRAMT and DSAG, and any plans for their review or development, as well as strategies and systems for ongoing learning and improvement, such as plans for how the parish self-audit results are analysed and used.

2.1.20 Without this, it appears that there is a missing level of accountability, with the DSA reporting directly to the Trustees, rather than the Archbishop's Council for Safeguarding, itself reporting to the Trustees.

### **Questions for the Archdiocese to consider**

- Is there enough senior clergy input to and oversight of safeguarding at strategic level, as critical context to the DSA, ASAG and DRAMT roles?
- What would the benefits be from formalising a functioning senior leadership team for safeguarding in the Archdiocese?
- Is there currently clarity about the role of senior clergy in the strategic leadership for safeguarding, and how this relates to the roles and responsibilities of other key bodies, particularly the ASAG?

- Has the creation of a strategic plan for safeguarding development in the Archdiocese been considered for example post publication of the McClellan Review report, or more recently *In God's Image*? Is there consensus about the benefits now?

## Operational leadership of safeguarding

### *Generic introduction*

2.1.21 Senior clergy leadership and management of the operational work of safeguarding is needed to provide oversight of safeguarding in a diocese or Archdiocese including identifying any barriers to implementation that need tackling. It is also needed for accountability purposes, particularly when the safeguarding service is delivered through collaboration between clerics, staff and laity. Operational leadership and management by the clergy can be seen as providing a strong link to the strategic leadership of senior clergy and ultimately the Bishop or Archbishop. It is distinct from operational decision-making responsibility.

2.1.22 There are inherent challenges to clergy, as non-safeguarding specialist, fulfilling the operational leadership and oversight of safeguarding, given it is a specialist function. However, leaving the centralised operations of safeguarding in a diocese or Archdiocese without any clergy-led governance and oversight would also weaken the safety of safeguarding arrangements

### *Description*

2.1.23 The Vicar General for Safeguarding exercises the Archbishop's ordinary executive power over the Archdiocese and is the highest official within St Andrew's and Edinburgh Archdiocese after the Archbishop. As part of his role, The Vicar General for Safeguarding is the operational lead within the Archdiocese for safeguarding as delegated to him by the Archbishop. The Vicar General for Safeguarding line manages and oversees the work of the DSA. The Vicar General for Safeguarding for Safeguarding was clear about his role in supporting the safeguarding office and being available to provide advice and support.

2.1.24 There was regular contact and communication between the Archbishop, Vicar General for Safeguarding and the DSA.

2.1.25 The Parish Focus Group did not see The Vicar General for Safeguarding as having a lead for safeguarding, however, due to wider responsibilities for parishes within the Archdiocese.

### *Analysis*

2.1.26 The clear operational leadership provided by senior clergy is positive, with good communication, including feeding up to the Archbishop. As stated in the section above, however, this is not formalised through a feedback mechanism

such as an Archbishop's Council for Safeguarding forum.

2.1.27 The auditors saw no examples of disagreement between the DSA and Vicar General for Safeguarding, so no opportunity to test in practice the distinction between operational leadership and operational decision making i.e. who has ultimate responsibility for making safeguarding decisions around referrals to statutory agencies, or how potential conflicts of interest relating to allegations of church officers are handled in practice. These issues are discussed in later sections on casework and culture respectively.

#### **Questions for the Archdiocese to consider**

- Is there enough senior clergy input to and oversight of safeguarding at operational level, as critical context to the DSA role?
- What would the benefits be to formalising links between the operational leadership and management by the VG with a safeguarding lead and strategic leadership by senior clergy and ultimately the Bishop or Archbishop?
- Has any stress testing of the current division of roles and responsibilities been conducted? Imagine a scenario where performance issues are emerging in delivery of the DSA function.

### **Dealing with the legacy of high-profile allegations or convictions**

#### *Introduction*

2.1.28 Assuming leadership of a diocese or Archdiocese with a high-profile case of clergy abuse presents opportunities and challenges. A change of leadership creates the possibility to focus on restorative practice as it offers an approach to:

- help all affected parties come to terms with the facts, the betrayal and the possibility of their own, albeit unwitting, part in allowing abusers to go unchecked; and
- to identify and righting any wrongs of the past, working closely and compassionately with survivors to hear and respond to what they need.

2.1.29 It is challenging, however, when the prominent member of senior clergy has formed close working relationships and friendships with many in the Diocese, when survivors and others past efforts to bring the abuse to light have not been responded to appropriately and there is inevitable loyalty to your predecessors. The response by Bishops to these issues are key to setting the tone of their leadership and the tenor of the safeguarding culture they are trying to propagate.

#### *Description*

2.1.30 The resignation of Cardinal Keith O'Brien in 2013 for behaviour that fell short of the standards expected of him when he faced allegations of inappropriate relationships and allegations of grooming shook both the Church and Scottish

society. Until then, O'Brien was one of the most senior figures in Scottish Catholicism and a highly decorated cleric. His reputation reached beyond the Archdiocese and the Catholic Church to public life in Scotland more generally. The charisma, generosity and informality often used to describe O'Brien has made it difficult for many in the Church to accept and heal the hurt and damage caused. The response, however, by the Church to O'Brien at the time and subsequently has been criticised in the media for a lack of openness and concerns that he was treated more leniently.

2.1.31 A recent one-day event '*Grief to Grace – Reacting to Clerical Sexual Abuse*' has been particularly well attended and well received by parish priests and a similar session held for the laity was also well received. *Grief to Grace* is a specialised programme of spiritual and psychological healing for an individual who has suffered sexual, physical, emotional or spiritual abuse in childhood, adolescence or adulthood including those who are the victims of rape, incest or abuse by a member of the clergy. There was also a recent Day of Reparation and Prayer for all those who have suffered any form abuse in the Catholic Church.

2.1.32 Events such as those described above had been well received but were thought to be the first step by the contributors and some *participants*. Several *contributors* asked for a clear narrative which acknowledged the past actions of Keith O'Brien with time for reflections to re-build trust and relations to allow for healing. This would be the start to developing a strong restorative aspect to diocesan safeguarding culture not yet in place to support this.

### *Analysis*

2.1.33 There are a number of factors that have made the response to the O'Brien case challenging. O'Brien volunteered to retire, and this was accepted by the Pope. He was not accused of crimes but of an abuse of his power and there has been no criminal prosecution nor canonical disciplinary measure. The report or conclusions of the Vatican's investigation have never been published. The extent of O'Brien's alleged predatory sexual behaviour remains unclear as does his alleged promotion or punishment of individuals according to how they responded to his advances, whether his clergy colleagues knew or suspected that O'Brien was abusing others, whether there had been any previous attempts to escalate concerns or whistleblow and whether secrecy about homosexuality contributed to the cover-up of abuse. When conflict happens in the workplace or people experience inappropriate behaviour – for example in cases of disrespectful behaviour, emotional and verbal abuse, intimidation or bullying – relationships are broken, and people suffer. Restorative practice can be used within many environments to prevent this happening in the first place and to address it when it does, enabling groups and individuals to work better together.

2.1.34 Restorative practice involves bringing together all those affected by conflict and provides a safe environment for the expression of emotion to allow participants to come to a shared understanding. Creative ways to deal with conflict; are often identified with opportunities to rebuild damaged



relationships and strengthen teams.<sup>1</sup>

2.1.35 The current Archbishop on assuming his role spoke of the need for reconciliation and healing within the church in Scotland. The audit suggests that there is still much to do in achieving this goal. In the face of the challenges detailed above, there remains an outstanding and pressing need for courageous, constructive leadership to foster open conversations about the actions of Keith O'Brien and what the position is of senior leaders in the Archdiocese to such abuses of power, and such hypocrisy.

#### **Questions for the Archdiocese to consider:**

- How does the Archdiocese plan to provide self and wider parish reflection and resolve following the O'Brien case? Have efforts to secure transparency about the facts of the O'Brien case in order to support learning been adequate?
- Can more be done to secure transparency about the facts of the O'Brien case in order to support learning, been adequate?
- How can the Archdiocese enable learning for clergy and laity regarding the distinction between being sexually active and an abuse of power?
- Are there plans to use the Independent Inquiry into Childhood Sexual Abuse in Institutional Settings (IICSA) report on Church of England Chichester Cathedral to draw out how secrecy about homosexual relationships can inadvertently enable the abuse of children?

## **2.2 DIOCESAN SAFEGUARDING ADVISOR**

### *Introduction*

2.2.1 The Archdiocesan Safeguarding Advisor (DSA) along with the ASAG and DRAMT are key to the infrastructure set out in *In God's Image* and advise and assist the Bishop fulfil safeguarding responsibilities. The role is summarised in the Glossary (p76) *Structures and Roles – Section 2* as follows: '*The role of the DSA is to assist the Bishop with the development and management of Diocesan Safeguarding approaches. Has a central role in providing support and may also chair the DSAG meetings (and any subgroups thereof)*'. The DSA should also coordinate efforts to raise awareness of safeguarding within parish communities including the recruiting and training of Parish Safeguarding Coordinators, recruit Diocesan Safeguarding Trainers and the training of Diocesan clergy and advise the Bishop on good practice in responding to allegations of abuse.

2.2.2 The particular function of being the recipient of allegations and concerns is

---

<sup>1</sup> Restorative practice studies how to improve and repair relationships between people and communities. The purpose is to build healthy communities, repair harm and restore relationships.

highlighted in paragraph 6.6 of *In God's Image* which deals with parishes and in Standard 3 linked to 'following established protocols for liaising with statutory authorities'. Here it states that: both allegations and concerns must be referred to the DSA, 'so that the DRAMT can address how they might be addressed'. i.e. The DSA is, in other words, described as providing a conduit between concerns or allegations. Experts appointed to sit on the DRAMT, assess risk and make recommendations to the Bishop for how concerns or risks might be addressed.

- 2.2.3 Paragraph 4.6 of the Glossary Structures and Roles continues that: 'While investigation is not part of the role, Diocesan Safeguarding Advisors may agree to additional, mutually acceptable functions consistent with the position. Caution should, however, be exercised in extending the activities beyond what is reasonable and practical'.
- 2.2.4 The guidance recommends that the role is undertaken by a layperson. It makes no specification about the professional expertise required.

#### *Description*

#### **Resourcing and relative roles**

- 2.2.5 The Archdiocese Safeguarding Advisor (DSA) has been in post since March 2014. The DSA is a part-time volunteer although, at times, works full-time. This is a remunerated post, but the current DSA chooses not to receive a salary. The DSA is based at the Gillis Centre and is supported by a part-time Safeguarding Officer, who assists the Safeguarding Adviser in providing a professional safeguarding service, and a part-time administrator, who administers the registration of volunteers involved in regulated work within parishes and with the processing of Protection of Vulnerable Groups (PVG) forms.
- 2.2.6 The roles and key accountabilities identified within the DSA's job description include for the DSA to be the recipient of allegations of abuse and to manage them according to the Archdiocesan safeguarding policy and best practice. In addition, the DSA chairs five meetings of the Diocese Risk Assessment Management Team (DRAMT) and four Archdiocesan Safeguarding Advisory Group (ASAG) meetings per year.
- 2.2.7 Recently it has been decided that the DSA with the Safeguarding Officer will meet with each of the six deaneries every six months as well as twice yearly with the Archdiocesan trainers. The DSA has also made herself available to meet with those raising concerns at any time should an allegation be made or a Registered Sex Offender (RSO) contract requirement arise.
- 2.2.8 *Participants* reflected that the DSA was more visible to parishes and that Parish Safeguarding Coordinators were clear about the role of the DSA in relation to their work locally and how to contact the DSA. They welcomed the advice and support they received from the DSA. Some of the *contributors* had had different experiences, and some reflected that the legal background of the DSA had meant that meetings felt overly legalistic and more intimidating than

they had expected, but this may reflect the different reasons for contact with the safeguarding office.

## **Resources**

2.2.9 The DSA is provided with an office laptop and mobile phone.

## **Qualifications**

2.2.10 The DSA is a qualified lawyer and worked within a local council for thirty years, but more recently had specialised in regulatory law within the healthcare sector. The Safeguarding Officer from a social work background with over thirty years' experience in local authority criminal justice social work.

## **Conflicts of interest**

2.2.11 There are no known conflicts of interest for the DSA in her role.

## **Line management and supervision arrangements**

2.2.12 The DSA works closely with The Vicar General for Safeguarding and the Archbishop on all matters relating to safeguarding and technically reports to The Vicar General for Safeguarding. However, currently there no formal line management by the clerical lead or professional supervision but auditors were told that the former had been agreed. The DSA can refer to the National Safeguarding Office for advice and information.

## *Analysis*

2.2.13 While the DSA had no previous experience of safeguarding, she has undertaken training and courses have been offered in the areas of safeguarding child protection. The DSA's personal commitment has allowed her to implement processes to respond to and monitor a range of safeguarding issues, processes for the recruitment and monitoring of volunteers and to improve communication across the parishes. The appointment of the Safeguarding Officer from a social work background has brought a welcome added dimension in terms of skills, knowledge and expertise in the field of safeguarding which has already informed the development of clear policies and procedures, and established the need for regular communication with PSCs. It also reflects positively on the Archdiocesan intent to resource safeguarding adequately.

2.2.14 The teamworking between the newly appointed Safeguarding Officer, DSA, Vicar General for Safeguarding and Archbishop was clearly evident and also with the Parish Safeguarding Coordinators (PSCs). There appeared good lines of communication, mutual respect and a sense of shared purpose.

2.2.15 The role of the DSA (and Safeguarding Officer) is dependent on the availability and commitment of someone with suitable skills and knowledge. The DSA and Safeguarding Officer are both respected by colleagues and current relationships with clergy are positive. This, however, is fortuitous and

without established line management and professional supervision a different individual may remain unchecked and create risks to safe practice and accountability. It may prove difficult to challenge poor practice without ongoing continuous professional development to maintain skills and knowledge.

2.2.16 The auditors understand that the management of allegations has been part of the DSA's role even prior to the introduction of *In God's Image*. All those interviewed were clear that allegations received by the DSA are referred to both Police Scotland and the DRAMT. However, the interface between the role of the DSA and the DRAMT remained less clear in relation to the ongoing management of concerns, allegations and contracts. Does the DSA take on more of the role of the DRAMT as described in *In God's Image*, in the ongoing management of concerns, allegations and contracts? And what are the implications? See DRAMT section for further discussion.

**Questions for the Archdiocese to consider:**

- Is learning being captured about what aspects of safeguarding responsibilities in the Archdiocese are well served by the different skills and expertise of each member of the Safeguarding Team?
- Is there adequate clarity about the interface in the Archdiocese between the role and remit of the DSA and the functions of the DRAMT?
- Linked to questions in sections on leadership, how can the work of the safeguarding team be clearly visible as part of a strategic plan of the Archdiocese, as well as providing specialist safeguarding expertise into the development of such a strategic plan?
- How can the Archdiocese provide appropriate and more formal line management for the DSA so that concerns can be addressed, CPD monitored and support provided?
- How is the quality and effectiveness of professional supervision that has been agreed, to be monitored and reviewed?

## **2.3 ARCHDIOCESAN SAFEGUARDING GROUP (ASAG)**

### *Introduction*

2.3.1 *In God's Image* sets out that the DSAG/ASAG along with the DRAMT and the DSA is a core part of the safeguarding infrastructure, whose function is to support the Bishop in his responsibilities for safeguarding.

2.3.2 Responsibilities listed *In God's Image* at paragraph 6.1.3 include:

- Advising the Bishop on Safeguarding matters within the Archdiocese
- Ensuring compliance with national safeguarding standards within all Diocesan groups
- Responding to issues emerging from the Safeguarding Audit

- Organising training for parish clergy, safeguarding volunteers and Parish Safeguarding Coordinators
- Liaising with the Scottish Catholic Safeguarding Service on national developments, resources and legislative change.

- 2.3.3 The role of the ASAG can be seen as threefold. First, it is described as having an **operational function** around the organisation of PVG applications and monitoring of ongoing membership of the scheme across the Archdiocese and organising training for parish clergy, safeguarding volunteers and Parish Safeguarding Coordinators.
- 2.3.4 Second, it should play an **oversight, scrutiny and challenge role** in order to ensure compliance with national safeguarding standards across the Archdiocese and discuss ongoing issues related to safeguarding arrangements in the Archdiocese, including safeguarding training and PVG checks across the Archdiocese.
- 2.3.5 Third, it has a **strategic improvement and leadership** role through its responsibilities for responding to issues emerging from the national audits of safeguarding and liaising with the Scottish Catholic Safeguarding Service on national developments.
- 2.3.6 Membership is prescribed as follows: Diocesan Safeguarding Adviser and key individuals charged with Diocesan Safeguarding responsibilities, as well as representatives of relevant diocesan groups such as Pilgrimage leaders, SPRED or the Youth Office. The National Safeguarding Coordinator may be invited to these meetings to share information about national developments and to discuss resource needs and training development.
- 2.3.7 There is no requirement in *In God's Image* for an independent Chair of the DSAG/ASAG and independent membership from the statutory agencies. No overt scrutiny and challenge function is specified, that independent elements would support. In these respects, DSAG/ASAGs function and membership differs significantly from the Catholic Church in England (and the Church of England).

#### *Description*

- 2.3.8 The Archdiocesan Safeguarding Advisory Group (ASAG) is chaired by the DSA and meets five times each year. Its membership includes the Archbishop, Vicar General for Safeguarding, National Safeguarding Coordinator plus representatives from other local relevant organisations bringing a range of skills and knowledge to the group. This includes a representative from a different faith background who has experience of safeguarding in another church setting.
- 2.3.9 Minutes from the ASAG were provided illustrating that a range of subjects are discussed including policies and procedures, Safer Recruitment, updates on PVG, training and national developments. The auditors met with a member of the ASAG who advised that the National Safeguarding Coordinator attends most ASAG meetings and provides a national update. Any issues/information

from the ASAG are intended to be fed back to PSCs at the deaneries.

2.3.10 The information contained within the 2018 audits has been collated by Deanery and work has been undertaken to identify the issues and areas which need to be addressed. An Action Plan has been produced and will be taken to the ASAG for discussion and agreement. The Action Plan will thereafter be subject to regular reviews by the ASAG.

### *Analysis*

2.3.11 *In God's Image* specifies a range of functions for the D/ASAG but provides little detail about how to achieve them in practice. This leaves each diocese or Archdiocese needing to interpret the guidance for their particular localities. This increases the value that a local, written terms of reference would bring to all dioceses, including the Archdiocese. Fieldwork data indicates that there is not currently consistent clarity and understanding of the purpose and long-term aims of the ASAG. A local Terms of Reference would help improve this.

2.3.12 Membership of the ASAG brings a good range of expertise and perspectives from across the Archdiocese. This could be improved with consideration of how best to incorporate the views of abuse victims and survivors, in order to reflect abuse survivors' perspectives adequately in the work of the ASAG.

2.3.13 Until recently, the ASAG seems to have functioned predominantly as an information sharing forum. There is scope to improve this function by focusing on two-way flows of information, from the ASAG to PSCs and also by establishing mechanisms through which issues in local parishes feed into the meetings. More thought should be given to its links with the deaneries and parishes to allow for a more dynamic flow of information and discussion of issues from local parishes to the Archdiocese. This is particularly relevant for this Archdiocese as it is spread geographically across Scotland with parishes representing both rural and metropolitan areas.

2.3.14 The auditors were told of plans to review the ASAG because of a view that it is not working as it needs to. The auditors agree. For the ASAG to be fully effective it will need to develop from an information sharing forum only. Current plans for analysing data from the 2018 audits are positive in this regard, supporting the oversight, scrutiny and challenge role of the ASAG and its strategic leadership and improvement role.

2.3.15 As this function develops, the Archdiocese (like other dioceses) could usefully consider the benefits of bringing a strong independent element the scrutiny and challenge function of the ASAG, through the establishment of an independent Chair and membership from statutory agencies. *In God's Image* does not prescribe who should chair the D/ASAG so leaves this an option. Such a move would bring the ASAG in line with equivalent bodies in other churches in the UK. It is an issue for the Archdiocese and nationally for the Bishops' Conference.

2.3.16 This, in turn, would support governance and accountability for the working of the ASAG including the extent to which the ASAG is accountable to the

Archbishop for fulfilling their functions and therefore the role of the Archbishop if he is in attendance at meetings.

**Questions for the Archdiocese to consider:**

- Whose role should it be to draw up local terms of reference of the ASAG tailored to the Archdiocese and in line with *In God's Image*?
- How can the ASAG support dynamic, two-way communication between the Archdiocese, deaneries and parishes?
- How can the ASAG hear the views of abuse victims and survivors and reflect abuse survivors' perspectives adequately in their work?
- Is appropriate urgency being given to the review of the ASAG?
- Is there a leadership role for the Archdiocese in considering the options for extending the scrutiny and challenge role of the ASAG in line with other churches, including introducing independence, and raising this for discussion at the Bishops' Conference?

## **2.4 DIOCESE RISK ASSESSMENT MANAGEMENT TEAM (DRAMT)**

### *Introduction*

- 2.4.1 *In Gods Image* sets out that the DRAMT along with the DSAG and the DSA is a core part of the safeguarding infrastructure, whose function it is to support the Bishop in his responsibilities for safeguarding.
- 2.4.2 The DRAMT's main functions is described to: 'offer recommendations to the Bishop in relation to situations of risk, convictions on PVGs, allegations or cases in relation to anyone involved in the life and work of the Archdiocese who has contact with children and vulnerable adults. The DRAMT must comprise a small number of individuals with relevant expertise, including those with experience of working in the legal profession, healthcare, social work and the Police. Its composition should be balanced, in numbers of both ordained and lay members, and in their gender' (2018, p47).
- 2.4.3 It is for each Bishop to decide if he wishes to preside at meetings of the DRAMT, or if he wishes to receive its recommendations in writing. The group must discuss each case, agree the recommendations that it has made to the Bishop and record these in writing. In policy, it is the ultimate responsibility of the Bishop to decide the action he will take in each case. The Bishop must communicate his decision in writing to the individual concerned.
- 2.4.4 The DRAMT must meet as often as is required, as cases are brought to its attention.
- 2.4.5 The guidance is clear that a key part of the DSA's role is as a conduit for safeguarding concerns to the DRAMT: It is the DRAMT rather than the DSA that is ascribed responsibility for differentiating between concerns and allegations and deciding when referrals to statutory agencies need to be made. Appropriate Safeguarding training must ensure that everyone remains

vigilant and is able to identify Safeguarding concerns. These should be referred to the Diocesan Safeguarding Adviser so that the DRAMT can address how they might be addressed (3.2.3).

- 2.4.6 The guidance states: While it is important to differentiate between allegations and concerns, both must be referred to the Diocesan Safeguarding Adviser. If concerns are shared sufficiently early, then it is possible that behaviours or attitudes can be addressed without significant harm developing. The DRAMT may advise that particular concerns need to be reported to statutory services who will consider whether to explore these (3.2.3).
- 2.4.7 The detail of the DRAMT outlined *In God's Image* creates potential conflicts of interest. These hinge on the advisory nature of the DRAMT. The DRAMT gives advice and recommendations but decision-making authority lies with the Bishop/Archbishop. Where the Bishop/Archbishop does not delegate this authority, this means he is making decisions about the clergy, employees or volunteers for whom he also has pastoral responsibilities. The relationship between a volunteer and Bishop may be more distant, but Bishops appoint and ordain priests, make decisions about many aspects of their lives and have the responsibility for their pastoral care, including when they have safeguarding allegations made against them (see Standard five). This makes it essential that there are clear processes for identifying and dealing with disagreements where they emerge between the DRAMT and Bishop/Archbishop so they can be swiftly and transparently resolved.

#### *Description*

- 2.4.8 In the Archdiocese of St Andrews and Edinburgh, meetings are chaired by the DSA and held 4–5 times per year. The only recent change to the DRAMT membership has been to recruit someone with a police and safeguarding background to replace the Safeguarding Officer who left the employment of the Archdiocese in December 2018. Feedback from the representative of the DRAMT indicated that this had proved an opportunity to review how the DRAMT was working, and a confirmed a sense that the membership and remit was working well. This includes good levels of knowledge and skills in criminal justice and social work as well as safeguarding in other faith organisations. A social worker with mental health experience has been a member for over two years.
- 2.4.9 The Vicar General for Safeguarding for Safeguarding with the responsibility for safeguarding also sits on the group. He is there to bring representation for any parish priest, those against whom there are allegations or concerns and those managing covenants of care.
- 2.4.10 All concerns, allegations, and covenants and contracts of care come to the attention of the DRAMT. The DRAMT considers all information known and makes a series of recommendations to be approved by the Archbishop. For example, when a convicted registered sex offender expresses a wish to worship in a Catholic Church in Scotland, the relevant personnel from Offender Management or Criminal Justice will discuss with the DSA if appropriate safe arrangements can be made. Each request for such a



contract is considered by the DRAMT which makes an informed recommendation about the best place to worship, how and when. Each contract should be reviewed every six months, but at the time of the audit these did not routinely come back to the DRAMT but only if there was a change in circumstances or level of risk.

2.4.11 All allegations of abuse are referred to DRAMT as well as Police Scotland, however, not all will result in a police investigation or be referred to the Crown Office. In some cases, the risks will remain and need assessed and managed with support identified for all individuals involved. The DRAMT assesses risk, but only in an advisory capacity to the Archbishop, in line with *In God's Image*. There is a written policy on reporting of recommendations from the DSA to the Archbishop. There is not currently a standard process for reporting back to the DRAMT about the Archbishop's response to their recommendation.

2.4.12 DRAMT members felt they had helped to shape and clarify the purpose of the DRAMT particularly in helping to structure decision-making. The DRAMT play a key role in developing the content and management of managing contracts and covenants in local parishes, management of allegations against parish priests, the management of risk, social media and the management of domestic abuse. The auditors heard from and received written submissions supporting the multi-agency working between the Archdioceses, DRAMT and organisations involved with registered sexual offenders. The Archdiocese was described as proactive in keeping professionals informed and in building good effective working relationships.

2.4.13 Some DRAMT members were clear that the key area for improvement relates to procedures for reviewing those on a contract, which need to be clearer and held on time.

2.4.14 Representatives of the DRAMT recognised that these issues were likely to be issues affecting all dioceses in Scotland.

### *Analysis*

2.4.15 The membership of the DRAMT is very strong and the auditors saw evidence of good multi-agency working. The membership offers an excellent basis to develop further the good work of the DRAMT. The auditors agree with input that indicated that the priority now has to be achieving an adequately clear, reliable and dynamic process of review for those on a contract.

2.4.16 The working of DRAMT has the potential to be undermined by the following issues:

- a) The lack of procedure for routine feedback on the Archbishop's response to recommendations from the DRAMT and subsequent actions taken
- b) The absence of clarity or process for dealing with disagreement and conflict either between the Archbishop and DRAMT, or within the

## DRAMT

- c) Perceived and/or actual conflict of interest in The Vicar General for Safeguarding's membership

2.4.17 There is no provision in *In God's Image* for disagreements between the DRAMT and the Archbishop. Input from the Archdiocese suggests that the lack of process for dealing with disagreements, as well as the other points, are national issues, relevant to all Scottish dioceses.

2.4.18 As stated in the introduction, the potential conflict of interest involved in a Bishop/Archbishop being a safeguarding decision-maker and also having a pastoral responsibility for an alleged perpetrator. This makes it essential that there are clear processes for identifying and dealing with disagreements where they emerge between the DRAMT and Bishop/Archbishop so they can be swiftly and transparently resolved. In contrast, the current set-up in the Archdiocese takes much on trust and is therefore lacking in transparency and accountability. The auditors take in good faith the following assertions received: the Archbishop has consistently accepted the recommendations of the DRAMT since he arrived in the Archdiocese. There have never been any disagreements on safeguarding matters as the Archbishop recognises the expertise and experience of the DRAMT. Recommendations are always acted on, regardless of whether it is reported to the DRAMT that the recommendation has been approved. DRAMT members are aware that the Archbishop has always accepted their recommendations and if in any case, he did not, that would be reported back to the DRAMT. Any new allegations or developments are reported to the DRAMT.

2.4.19 However, such assurances do not make a reliable system. Making safeguarding decisions in any diocese can be challenging at times, in particular in relation to the threshold for making referrals to the police and statutory agencies about clergy and people in Church roles and managing non-criminal allegations. It is inevitable that there will at times be disagreement around differences of opinion. However, in the current set-up, these may easily go unnoticed, let alone the reasons for disagreement being explored and resolved.

2.4.20 The issue for the Archdiocese is how to secure a) reliable feedback to the DRAMT on individual cases and the outcomes of recommendations, so disagreements can be identified and b) if identified how these are to be swiftly resolved. This is especially needed if this disagreement is between the DRAMT and other people the Archbishop could seek advice from, or ultimately with the Archbishop himself. It is also relevant for situations where there is challenge about due process from the person against whom there are allegations or others – see Sections on Case Work, Quality Assurance and Culture. The Archdiocese has an invaluable opportunity to sort out what to do if there is conflict while there is no conflict, rather than waiting for a 'live' situation.

2.4.21 Part of this needs to relate to a formal clarification of the role of the DSA in DRAMT decision-making, vis-à-vis other members of the DRAMT given a) the

DSA's key role as Chair and conveyor of recommendations to the Archbishop and b) the DSA's role in the Archdiocese in allegations management subsequent to DRAMT recommendations (see DSA section). The auditors understand that the DSA does not have any greater say than any other DRAMT member and, as a DRAMT member is bound by the majority decision of the DRAMT members. It will strengthen arrangements for all concerned, to specify how this works where there are disagreements.

2.4.22 In this context, the membership of Vicar General for Safeguarding adds another element of confusion by potentially impacting, or being perceived to impact on the independence of the DRAMT. It is fair that there should be representation for parish priests about whom concerns have been raised or allegations made, however, for the safeguarding role, with inevitable prior relationships and pastoral responsibility, brings with it conflicts of interest. At its worse, this set-up can easily be seen as clergy shaping the recommendation of the DRAMT, and clergy accepting it or not. This is likely to be an issue common across dioceses.

**Questions for the Archdiocese to consider:**

- Are there any drawbacks to producing a Terms of Reference of the DRAMT tailored to the Archdiocese and in line with In God's Image, to expand on current written policy on reporting of recommendations from the DSA to the Archbishop and include feedback on responses and actions, and processes for dealing with disagreements?
- Is there adequate clarity about the interface and relationship expected between the DSA and the DRAMT in decision-making and allegations management?
- In dealing with safeguarding concerns and allegations which are either not criminal or not being prosecuted, can the Archdiocese explore whether there are aspects of the English LADO role that could support the functioning of the DRAMT's risk management and recommendations processes? What would the canonical implications be, if any, of the Archbishop or any Bishop delegating decision-making authority to the DRAMT? Would this be compatible with In God's Image?
- Has the Archdiocese considered using scenarios to test out processes for handling potential disagreement between the DRAMT and the Archbishop?
- Given the key role of DRAMT members, does the Archdiocese have a role to play in requiring and supporting members' CPD?
- What help can the Archdiocese draw on both within the Catholic, ecumenical or secular communities to inform risk management and review protocols and practice?

## 2.5 LINKS WITH SCOTTISH CATHOLIC SAFEGAURDING SERVICE

### *Introduction*

- 2.5.1 The role of the Scottish Catholic Safeguarding Service, led by the National Safeguarding Coordinator, is limited in *In God's Image* to the provision of advice on good practice in safeguarding and provision of training materials, as well as being the point of contact for external bodies and agencies. It has no case work role ascribed to it for diocese. *'The NCSS offers support through the collation of PVG applications, the design and provision of training, the development of guidance and the facilitation of an annual audit to check compliance with national Safeguarding standards. The National Safeguarding Coordinator is also expected to offer advice and counsel to Safeguarding Staff in Dioceses and Religious Institutes as required by the Bishops' Conference of Scotland'* (2018, p48).
- 2.5.2 It is not given any authority in terms of quality assurance or deemed a point of escalation if conflict or disagreement arises within or between dioceses.

### *Description*

- 2.5.3 The safeguarding office and evidence from the case files identified that, at times, relations with the Scottish Catholic Safeguarding Service (SCSS) had been strained. This was apparent from both perspectives. There have been difficulties in communication in terms of the advice requested and received from the SCSS, and in the response of the Archdiocese in communicating decisions or developments about situations.
- 2.5.4 This has resulted in a situation where the Archdiocese has, on occasion, taken independent legal advice on safeguarding issues.
- 2.5.5 Furthermore, the process for reviewing the role of SCSS in 2017 was not always experienced as transparent and since 2017 there have been few consultations with all dioceses about the future relationship between the National Office and local dioceses. Through trainers or the PSCs, parishes felt they could approach the Scottish Catholic Safeguarding Service for advice in relation to issues of national policy or training.

### *Analysis*

- 2.5.6 The Archdiocese has links with the National Safeguarding Coordinator and is aware of the direction of travel for national safeguarding in Scotland. However, seeking independent legal advice leaves the Archdiocese without recourse and creates a situation where, at times, it is unclear what lies with the Scottish Catholic Safeguarding Service and what is the responsibility of individual dioceses.
- 2.5.7 This scenario indicates a lack of oversight nationally about the way in which different dioceses are responding to, and working with, the National Advisor. Similarly, there do not seem to be any functioning protections afforded the SCSS through clear governance and accountability lines. This will be explored

further in the Overview Report.

#### **Questions for the Archdiocese to consider:**

- How might useful lessons be drawn from the relationship between the Archdiocese and the SCSS?
- How does the Archdiocese know if it is seeking advice and counsel appropriately out with the national service?
- Are there any other functions currently missing in the Archdiocese that the Scottish Catholic Safeguarding Service might usefully provide e.g. professional supervision of DSA and/or point of escalation?
- Is the Archdiocese satisfied that the National Safeguarding Coordinator is adequately and appropriately supported and supervised in their role?

## **2.6 GUIDANCE, POLICIES AND PROCEDURES**

### *Introduction*

- 2.6.1 The Scottish Catholic Safeguarding Service is developing an online manual of procedures and policy/process exemplars, templates, forms and information sheets which are currently available on request by creating a login account.
- 2.6.2 The Archdiocese of St Andrews and Edinburgh has produced its own comprehensive set of policy, procedures, templates, forms and information leaflets.

### *Description*

- 2.6.3 The newly appointed Safeguarding Officer has brought together a comprehensive clearly structured folder for the policies for the Archdiocese. This is a very helpful development and ensures that all policies can be easily found. Each section within the folder followed the same format with the procedure at the front followed by all the relevant forms and additional material or information required to implement the procedure into practice. The range of procedures was broader than the standards for safeguarding set out in *In God's Image* and included policies and procedures on the General Data Protection Regulations (GDPR) and privacy notice, procedures for the recruitment of PSCs and information on their role and remit. The more recently developed whistleblowing and complaints policies had not yet been included, but these would be key additions to the Archdiocese's range of policies and procedures.

### *Analysis*

- 2.6.4 It was very helpful to have policies and procedures pulled together in one accessible place. It also demonstrated that policies and procedures are being updated and developed in response to a developing knowledge of

safeguarding practice and wider developments such as GDPR.

- 2.6.5 Consideration should be given, however, as to how this can be shared more widely either electronically or through the Archdiocese website with key people in the Archdiocese such as Parish Safeguarding Coordinators. Further thought is also needed about the interface and overlap between this and the work of the National Office. The auditors are informed that these are issues that have been highlighted through the analysis of the 2018 parish self-audits and are contained in the Safeguarding Action Plan produced. These were not available at the time of the audit.

**Questions for the Archdiocese to consider:**

- What role does the Archdiocese have to influence the content and timescales of the work of the National Office, such as the online manual on which it depends for core building blocks of a reliable safeguarding service?
- How can the safeguarding office make the policies and procedures more readily available to all in the Archdiocese?

## **2.7 COMPLAINTS AND WHISTLEBLOWING**

### *Introduction*

- 2.7.1 Complaints and whistleblowing processes are required so that anyone who has contact with the Archdiocese knows how to complain. A strong policy is clear about who complaints should be made to and how they can be escalated, if necessary. Positive features include an independent element and understanding that raising a safeguarding concern and making a complaint are distinct. The outcome of complaints enables an organisation to learn from those who have used their service enabling them to make any necessary changes or improvements.
- 2.7.2 Whistleblowing and complaints procedures can be part of a general complaints procedure, but it is important that the process for making a complaint about the safeguarding response or service is clear and is different from sharing safeguarding concerns or allegations.

### *Description*

- 2.7.3 Whistleblowing and complaints procedures were made available for the auditors to review, but there was no information on the Archdiocese website regarding complaints or whistleblowing. Neither policy talked about recourse to independent scrutiny. Both policies outlined the processes for complaints and whistleblowing and highlighted that all issues raised would be with impartiality, however, this cannot be assured when all are investigated internally. Nor was the level of protection clear that each policy afforded to employees, volunteers or member of the laity. The Archdiocese is of the view that this is a situation common across dioceses. The Archdiocese has pointed out that, like others, it is keen to find a national solution whether through the

NSSC or other means.

- 2.7.4 *Participants* advised that they could contact the National Office if they saw the need, but that relationships with the National Office had become strained. They could also contact the Bishop with a Safeguarding lead from another diocese for a second view, but no formal process was in place; his remit was to champion safeguarding at the Bishops' Conference rather than to advise on individual cases.

### *Analysis*

- 2.7.5 While procedures may exist, it is important that the culture of an organisation supports their implementation which means people must be able to access them without having to contact the Church. The policies are not well publicised on the Archdiocese's website or actively promoted elsewhere. This does not help build trust when safeguarding processes are only just being embedded and not all across the Archdiocese trust the process. The lack of recourse to independent scrutiny is not in line with best practice in this area and undermines the integrity and trustworthiness of the process.
- 2.7.6 In effect, this leaves the safeguarding structure with no working escalation procedure. Without a clear procedure, individuals are left to seek advice and support through a variety of means including: the Apostolic Nuncio, who represents the Holy See to the UK Government and whose role is equivalent to that of an ambassador; Archbishop Scicluna, who since November 2018 has been the Adjunct Secretary of the Congregation for the Doctrine of the Faith responsible for dealing with clerical sexual abuse cases on minors; Bishop Toal, who has a lead for safeguarding on behalf of the Bishop's Conference; or the Scottish Catholic Safeguarding Service which leads the development of effective safeguarding arrangements.
- 2.7.7 None of these individuals or services has a defined role in the responding to escalation of concerns or complaints and within the culture of the Catholic Church it would be unusual and difficult for the lead safeguarding bishop to comment on the decisions within another diocese without a clear remit for doing so.
- 2.7.8 Auditors were left with the feeling that there was little option for escalating cases higher than the Archbishop should disagreements arise and no clear structure through which to action this anyway – despite the complaints process existing on paper. This lack of a place to take concerns higher when necessary compounds the lack of impartiality in process in policy.
- 2.7.9 Finally, it is revealing the extent *contributors* have used the audit process to raise serious concerns about how safeguarding in the Archdiocese is conducted – see the case work section on responding to allegations. As stated in the introduction, although more people came forward to contribute to the audit than expected, the *contributors* was a relatively small group (n=30). However, despite their different perspectives, there were common experiences of raising concerns about how safeguarding issues were being handled. Examples of escalations about case work seen as part of the audit

were marked by the lack of recourse to a formal complaints process. This does not indicate a culture where providing feedback and the learning from complaints or whistleblowing is viewed as constructive and actively welcomed by the Archdiocese – see section on culture.

2.7.10 The function of IRG in terms of whistleblowing is also as yet underdeveloped – an issue to be discussed in the Overview Report.

**Questions for the Archdiocese to consider:**

- How can the Archdiocese promote escalation of complaints outside the Archdiocese itself when necessary while the potential of a national solution is explored?
- Is it the role of the Archdiocese to raise the issue at the Bishops' Conference in order to explore if a national solution could be agreed?
- What are the best means of demonstrating how the Archdiocese encourages people to raise concerns or problems with the safeguarding service or responses through feedback, complaints and whistleblowing?
- What can the Archdiocese do to increase levels of confidence that anyone raising concerns about how safeguarding issues have been managed will be listened to and treated fairly?

## 2.8 CASE WORK

### *Introduction*

2.8.1 In order to manage concerns well and respond to allegations there must be a system in place which clearly defines escalation for seeking advice regarding concerns and reports of abuse. There should be effective and clear recording of issues and incidents which are kept securely and are compliant with General Data Protection Regulations (GDPR) 2018. Integral to managing concerns well is the requirement work jointly with statutory agencies and to debrief and reflect on any areas of weakness in order to improve practice.

2.8.2 The auditors looked at a range of casework material that was identified by the Archdiocese as related to safeguarding. These included general enquiries dealt with by the DSA. The auditors focused on recording systems, quality of response to allegations, information sharing, risk assessments and safeguarding agreements.

2.8.3 For this section description and analysis are presented together for each subsection.

### **Recording systems**

#### *Description and analysis*

2.8.4 The DSA reported that that, historically, they had been poorly organised, but that the safeguarding office was working to ensure the paperwork was



complete and in order. The newly formatted files seen by the auditors were better structured and in chronological order. The files were in the format used by an Anglican diocese which was commended in its SCIE audit for the way in which its files were kept. They are divided into sections for correspondence, reports, minutes, DRAMT recommendations, telephone calls and notes of meetings. They include a front summary sheet which helped to navigate the files. The files are kept locked away in line with GDPR.

2.8.5 Paper filing systems are inadequate for more complex case management without the ability to track information over time and across different locations or cross-referring abusers and victims. The Archdiocese paper files are no exception. There is no way of linking contacts, particularly for enquiries which may come back at a later date. There are risks in a system that relies on the knowledge of staff to make connections on the basis from memory.

2.8.6 The auditors were informed during fieldwork that, following the audit, the Archdiocese of St Andrews and Edinburgh had planned to implement a database recently developed elsewhere and to be adopted across all eight dioceses for the Safer Recruitment process. The auditors understanding is that the Conference of Bishops has agreed to roll out this database. In addition, the Archdiocese had commissioned further work to develop the database into a case management system which was about to be installed and trialled.

**Questions for the Archdiocese to consider:**

- What assistance can the Archdiocese draw on to identify a case management system to best suit their needs and building on the newly introduced database?
- Has the appropriate urgency been given to this task?
- Should the Archdiocese retrospectively add case summary sheets to historical files to assist with tracking and cross referring?

**Quality of response to concerns, allegations and information sharing**

*Description and analysis*

2.8.7 From the case files audited, there was a clear distinction about how cases were handled and managed for parish members and for the clergy. Processes were followed clearly for the cases of allegations about parish members, volunteers or registered sex offenders moving into a particular parish. The role of the DRAMT in providing advice was also clear, although there was little information about how cases were managed on daily basis and reviewed regularly (see DRAMT section).

2.8.8 There was evidence of a better and more transparent approach to members of the community when allegations had been disclosed more recently. Responses from the Archdiocesan office via the DSA were reported to be more immediate and transparent, and where required, the office had reported

allegations onto the appropriate agencies and offered individuals further support. The auditors were confident in the processes as set out in *In God's Image* and in the Archdiocese's ability to manage new allegations from the community appropriately and sensitively. It was also clear that since the appointment of the DSA, all concerns or allegations brought to her attention followed a clear procedure; the DSA alerts Police Scotland and the DRAMT and, in some cases, there were further police investigations. There is a challenge, however, of managing concerns or allegations about individuals that the police or the Crown Office decide not to pursue further. The long-term support for survivors of newly referred allegations is yet to be tested though.

- 2.8.9 It was in these circumstances that the auditors were less confident about the treatment of clerics against whom concerns had been raised or allegations made. When allegations are made against clergy, the decision whether or not to suspend the person while investigations are progressed, need to be carefully thought through on a case-by-case basis. Suspension in these circumstances is a neutral act and implies no assumption of guilt. At the same time, relevant contractual terms and policies need to be complied with and unnecessary damage to the reputations of those involved needs to be minimised if not avoided. An important element of the circumstances of all cases alike is the wide lack of trust in churches to investigate their own, particularly senior clergy. This gives significant weight to the need to achieve as much transparency as possible, increasing with the seniority of those involved. Cases seen by the auditors indicate that there was not appropriate use in all circumstances of the DRAMT to make these considerations. They also indicated that more consideration of the needs for, and benefits of, transparency in considerations. This will lessen risks that the Archdiocese is seen as lacking in parity in how it responds to members of clergy against whom there have been allegations, or that they inadvertently raise concerns about whether something is being covered up.
- 2.8.10 An important concern to emerge was the response to individuals who had challenged decisions made by senior clergy either about themselves or on behalf of others. From the extent of oral and written submissions and the case files, it is clear that senior clergy respond quickly to concerns raised and meetings are requested in attempts to establish facts. These meetings were often described by senior clerics at the time as informal or exploratory, however, the tone of conversations and meetings was often overwhelming for individuals against whom concerns were raised or allegations were made.
- 2.8.11 Two contributors reported that they had attended meetings alone and were left with feelings of being interrogated and investigated without opportunities for appropriate legal or pastoral support. They described the experiences in strong terms and felt the experience had impacted significantly on their emotional wellbeing and mental health as well as their trust in the Archdiocese. From written material submitted to the auditors and the case files, the auditors could understand the strength of these feelings. Follow-up letters and accounts of meetings seen by the auditors did not always adequately speak to the complexity of situations or take a strength - and relationship - based approach as a means of seeking constructive resolutions,

especially where people had raised issues of legitimate concern about how responses to safeguarding concerns were being handled. Due to the constraints of the audit process, however, the auditors were not able to clarify these specific concerns with the Archdiocese, either to confirm the context or the contributors' interpretation of the processes.

- 2.8.12 Another observation from written and oral submissions supported by the case file audit from the last five years was that some individuals had raised issues about the need for fair treatment of all involved in inquiries or investigations about safeguarding. The response from senior clergy often focused on defending some, but not all, individuals concerned rather than addressing the concerns about process. This has had the impact of increasing perceptions that a few individuals in the organisation are being protected at the expense of an individual's right to raise concerns about the equal treatment of all.
- 2.8.13 Many *contributors* spoke or wrote about secrecy and a lack of transparency, and this was also reflected in some of the papers and documents in the case files. The auditors saw one example of the use of non-disclosure agreements requiring individuals to deny both the details of a situation and that there was a 'situation' in the first place. The auditors are told that the Archdiocese understands why non-disclosure agreements are no longer to be used, however there does not appear to have been efforts to resolve situations already covered by them.
- 2.8.14 There was strong feeling from *contributors* that the process of discipline, suspension or laicisation was not equitable across the Archdiocese and that clerics were treated differently depending on their perceived support of the Archdiocese or their theological stance. This could not be verified, but there were concerns of differential treatment and that some individuals were afforded greater protection than others. Also see section culture.
- 2.8.15 The auditors identified from the case examples a number of contributory factors to these weaknesses in the quality of response to concerns and allegations. At times, the adherence to legal procedures were felt by some to be prioritised over a compassionate response. Auditors reflected that it is important to maintain a balance of challenge and support in both informal and formal safeguarding processes, but that the Archdiocese has used a process of high challenge without sufficient support. This may have inadvertently had a detrimental effect and heightened division. A culture of high support may now be required.
- 2.8.16 Further, the auditors identified an inconsistent process for handling and managing concerns or allegations, particularly when the Police have no formal role because the criminal threshold is not met, or the individual does not want to press charges. All recognised that confidentiality should be afforded to all including the person against whom the concerns or allegations are made. There is a fine line to tread between made clear that maintaining confidentiality and when this is interpreted as secrecy. The combination of the need for confidentiality and the internal management of concerns or

allegations has brought the conflicts of interest into sharp relief.

2.8.17 In this context, clarity of roles and responsibilities, and any delegated authority between the Archbishop, the DRAMT and the DSA is absolutely essential. In any diocese, the Bishop has the responsibility for his parish priests in terms of their professional roles and pastoral needs. It is also the Bishop who is, in *In God's Image*, ultimately responsible for the outcome of any internal disciplinary inquiries or investigations into individuals. This approach does not allow for external scrutiny and exposes all parties to actual and perceived conflicts of interest, which can cloud the issues at the heart of the concerns or allegations. This is an issue affecting all dioceses.

**Questions for the Archdiocese to consider:**

- What action is required to ensure that the treatment of clerics about whom concerns or allegations are raised is equitable and seen to be equitable?
- What action will support a consistently constructive response where people raise concerns about how responses to safeguarding concerns are being handled?
- What can the Archdiocese do to improve actual transparency and perceptions of transparency in decision-making in response to concerns or allegations against clergy, regardless of role or status?
- How can the Archdiocese provide balance between high challenge in order to bring about much needed changes in safeguarding with high support to those who require it?
- Is there scope for the Archdiocese to pursue a restorative approach to key cases that have raised contributors' concerns, which were also identified from the case file audit?
- See Questions in the DRAMT section.
- Has there been consideration within the Archdiocese or in the Bishops' Conference of the Archbishop delegating decision-making authority to the DRAMT and/or DSA as opposed to giving them advisory power only? What would the implications related to canon law be?

**Risk assessments and contracts or covenants of care**

*Introduction*

2.8.18 *In God's Image* states that: Every Catholic in Scotland has the obligation and the right to attend the public celebration of the Liturgy on Sundays and holy days of obligation. Where a registered sex offender (RSO) expresses a wish to participate in a religious service in a parish, an assessment of potential risk of harm must be made by the statutory authorities. Police Scotland has agreed with each diocese in Scotland an *Information Sharing Protocol* which is governed by the system known as the Multi Agency Public Protection Arrangements (MAPPA) which the police service, local authority, prison service, health service and others are statutorily obliged to operate on a multi-agency basis, with the objective of protecting the public from the risks that

may be posed by sex offenders.

2.8.19 It further specifies that: When a convicted Registered Sex Offender expresses a wish to worship in a Catholic Church in Scotland, the relevant personnel from Offender Management or Criminal Justice will discuss with the DSA if appropriate safe arrangements can be made. Each request for such a contract must be considered by the DRAMT who will make an informed recommendation about the best place to worship, how and when. Currently, there is knowledge and experience of the criminal justice system within the DRAMT.

2.8.20 Each contract should be reviewed every six months. Contacts between the statutory authorities, the Diocesan Safeguarding Adviser and Parish Priest must be maintained if there are any changes in circumstances either for the RSO or in the parish. The Parish Safeguarding Coordinator must also be made aware that a sex offender is attending Church and has signed a contract.

2.8.21 IGI does not specify what is put in place for priests who are also RSOs.

2.8.22 Good practice (not specified in IGI) is that such RSO contracts should be underpinned by a risk assessment that details the risks posed by a worshipper, the measures in place to manage those risks, and therefore the reasons for the Safeguarding Agreement. Having a clear rationale for any restrictions helps people enforce the agreements with the level of diligence appropriate Safeguarding Agreements. Clarity about the risks that a safeguarding agreement is intended to address, also allows for a robust reviewing process, which allows safeguarding agreements to be strengthened where needed, or indeed terminated if appropriate.

#### *Description and analysis*

2.8.23 An effective contract requires an understanding of assessing and managing risk. There is a standard proforma for the contract which is added to as circumstances dictate. The auditors reviewed two contracts and noted good practice on the part of the DRAMT in risk assessment and safety measures specified. The auditors highlighted the need for diligent attention to the language used so as to avoid the impression reputational management takes precedence over the protection of survivors or others potentially at risk.

2.8.24 *Participants* felt that the contracts could be punitive and, for some RSOs, the review could be annual rather than every six months. There was also a view that the focus of the contract was narrow and did not consider wider pastoral care needs of an individual including allowing how individuals could be supported.

2.8.25 A wider issue was also raised concerning the expectations of pastoral support offered to those against whom an allegation had been made. Standard 5 of *In God's Image* outlines that the individual offering support should be supported in this role through clear procedures and spiritual direction as well as guided in the support offered and concerns noted. Those working in this role should

also be offered training and the role reviewed every three months. The experience of those in this role is that no guidance exists, there is no process for review and there is a lack of appropriate support and spiritual guidance for those undertaking potentially complex and difficult tasks. This is noted again in the training section.

**Questions for the Archdiocese to consider:**

- Is there a need to clarify the language of contracts and covenants of care?
- Is there an effective system for monitoring and reviewing both contracts and covenants of care?
- How might clearer guidance be provided for the provision of effective pastoral support?
- To what extent, can the wider social and emotional needs and support for individual be part of the covenant or contract to address the perception that contracts can be too punitive?

## 2.9 SUPPORTING SURVIVORS

### *Introduction*

2.9.1 The emotional impact when allegations are made was clear in the Archdiocese. Greater acknowledgment by the Church of the impact of sexual abuse and damage to communities, public apologies to survivors and clearer assurances of a fair and transparent process in responding to allegations of abuse (for both those who disclose and against whom the allegation is made) will help progress the needed healing process.

2.9.2 Standard 4 of *In God's Image* relates to providing care and support for survivors: 'We provide a compassionate response to survivors of abuse when they disclose their experiences and we offer them support, advice, care and compassion'. An important part of the audit was to seek the views of survivors, as well as those working in the Archdiocese.

### *Description and analysis*

2.9.3 Support for survivors of abuse has been woven into this audit in each section. An important part of the audit was to seek the views of survivors, as well as those working in the Archdiocese to gather views on how new arrangements are working. There are some more general points which auditors heard that warrant further mention.

2.9.4 Several survivors and their representatives came forward having heard about the audit. There were mixed messages from the *contributors* about the experience of coming forward. One individual felt very supported and that the access to counselling and support had been responsive to the needs of survivors, worked at the pace of the survivor in terms of accessing the support available and was not time-limited. The impact for this person had been life-

changing. This reflected some of the more recent practice.

- 2.9.5 Others, however, felt less well supported; there was a sense that in the past the Church wanted them to 'go away'. Although the Archdiocese has improved in its way of responding to survivors, some contributors (not survivors) still felt that they were pressurised into appearing at meetings, that there was little narrative on what the Archdiocese was exploring, and that they had no one to escalate their concerns to regarding process.
- 2.9.6 *Contributors* also discussed occasions where concerns about the intimidation or bullying behaviour of a member of clergy or of a religious order had been raised, but the responses from the local and national office had, for some, been insufficient and lacked due process. Individuals were asked to provide information without sufficient reassurances in relation to confidentiality and clear processes for managing concerns.
- 2.9.7 In particular, the resignation of Keith O'Brien from the Archdiocese and the decision taken by the Holy See that he should leave Scotland meant that he had not had to account for his actions through either canonical or civil procedures. This has left individuals without the necessary closure to allow the process of healing to begin. It is not unexpected that survivors were sceptical about changes more broadly but were cautiously optimistic about changes being made locally within parishes due to training and reporting procedures.
- 2.9.8 The Vicar General for Safeguarding was confident that that parish priests would know to refer the individual to the DSA without delay, but acknowledged that while work is within the pastoral support offered by priests, the complexities of making a disclosure was unlikely to be understood consistently. Some priests have the skills to support individuals because of their own experience, education or previous professional backgrounds, but this was not consistent across the Archdiocese. From all, it is clear that parish priests need support and training in dealing with the impact of disclosures of abuse on the individual, themselves and the parish. Disclosing abuse is only one part of the process but is at a key stage where people need understanding, support and to be believed.
- 2.9.9 The emotional impact when allegations are made was clear and greater acknowledgment by the Church of the impact of sexual abuse and damage to communities, public apologies to survivors and clearer assurances of a fair and transparent process in responding to allegations of abuse (for both those who disclose and against whom the allegation is made) will help progress the needed healing process.
- 2.9.10 Several ideas and reflections were shared with the auditors about changes or improvements looking ahead. Key was an overhaul of the safeguarding system which was felt to have been developed reactively in response to events as a necessary organisational defence rather than proactively from the perspectives of healing, informed by all those involved. Some referred to this

as ontological change or transformation. Other suggestions included:

- Accountability to independent, civil authorities and remove the process for the management of allegations from within the Catholic Church altogether
- Space for ongoing safe discussion and challenge within a context of healing with humanity and humility
- Much greater communication and transparency
- A need for senior members of the Archdiocese to understand the depth of concerns of those within its parishes including concerns of clericalism
- Develop respectful collaboration, communication and co-working between the clerics and laity
- Train priests in supporting those who have suffered trauma.

#### **Questions for the Archdiocese to consider:**

- How can the Archdiocese work with survivors who have had a positive experience of support provided by or via the Archdiocese, to capture and share good practice?
- How can the Archdiocese better implement the counselling service without adding further trauma re links with the Church for the survivor?
- Is there parity between the support provided to the survivor and the support provided to the accused clergy? If not, how can this best be implemented?
- How can the Church better support survivors so that they feel able to come forward at the earliest possible time?
- How can the Archdiocese ensure that the response to all is equitable, proportionate and fair?
- How can the Archdiocese look to repair some of the damage that some survivors who came forward in the past feel has been done?

## **2.10 SAFE RECRUITMENT OF CLERGY, LAY OFFICERS AND VOLUNTEERS**

### *Introduction*

2.10.1 Standard 2 of *In God's Image* states that: 'Vetting the appointment of clergy, religious, lay employees and volunteers set out in *In God's Image* states that: 'When admitting men to seminary, appointing clergy and religious and recruiting lay employees and volunteers, we require PVG checks on their suitability for working with vulnerable groups.' (2018 p15).

### *Description*

2.10.2 Safe Recruitment within the Archdiocese is managed by the Safeguarding Officer. The process is in place to ensure that those working or volunteering with children are fit and proper to do so, have two referees willing to support their character and experience, have no criminal convictions relating to



children and have completed the necessary safeguarding training.

2.10.3 There are currently 2,500 volunteers working across the Archdiocese. Prior to the introduction of *In God's Image*, training was not mandatory, but its publication has clarified the importance of training. The Safeguarding Officer was aware of some volunteers who had started their roles but had not yet completed the training and trainers were targeting these volunteers first to ensure compliance. Those volunteers who did not undertake training would be asked to step down, but there is no formal timescale for this.

2.10.4 All staff and volunteers complete an application form which are sent to the Safeguarding Officer directly or via the Parish Safeguarding Coordinators. Details from the application forms are recorded on the Diocesan spreadsheet (soon to be replaced with a new database). References are then sought from two referees, details recorded, and the spreadsheet updated. At the same time, a Protection of Vulnerable Groups (PVG) application is made to check criminal history and the individual is asked to complete a self-disclosure form.

2.10.5 Once the information has been received, the individual is invited to attend training at level 1. Only when these elements have been received and the training is complete is the individual provided with a written confirmation from the DSA advising that they have been approved to start in their role.

#### *Analysis*

2.10.6 The auditors were impressed with how the policies for Safe Recruitment are being applied in practice within the Archdiocese of St Andrews and Edinburgh. The recording of Safe Recruitment is comprehensive, and the new database is intuitive and is able to provide several reports to support the work of the Safeguarding Officer and the Archdiocese. The auditors felt from the evidence see that the process in place for Safe Recruitment is in line with guidance and represents a reliable facet of the safeguarding set up and arrangements. Approval letters remain pending for those who have not provided any one component of the Safe Recruitment process including completion of training.

2.10.7 The auditors did not identify any vulnerabilities in the management of the safe recruitment process, however, there remains a concern that some volunteers, who started in their post prior to training becoming mandatory had still not completed Level 1 training.

#### **Questions for the Archdiocese to consider:**

- Is greater clarity needed about the link/role of the ASAG in the operation and oversight of Safer Recruitment?
- Is enough known about what, if anything, is making it difficult for parishes enforcing the requirement practicalities of not allowing people to volunteer or take up posts before the Safer Recruitment process is completed?

- Are any consequences imposed by clergy leadership, where parishes are found to be consistently not implementing safer recruitment processes?

## 2.11 TRAINING

### *Introduction*

2.11.1 Safeguarding training is important within the Archdiocese in order to establish a baseline of safeguarding awareness; signs and symptoms, reporting and to instil confidence in recognising and passing on safeguarding issues. Prior to the introduction of *In God's Image*, training was not mandatory before volunteering or taking up a role within the parish. *In God's Image* has clarified the importance of training. The ASAG is ascribed the key role of organising training for parish clergy, safeguarding volunteers and Parish Safeguarding Coordinators (2018).

### *Description*

2.11.2 The focus of training within the Archdiocese was broader than the delivery of training to volunteers and clergy. The DSA attends the annual Anglophone Safeguarding Conference in Rome which shares learning on developing a culture of safeguarding and listening to those who have suffered. The DSA is also in the process of completing an e-learning module on child protection within the church setting designed by the Centre for Child Protection of the Pontifical Gregorian University in Rome. Training is also delivered to visiting clergy, youth leaders and Eucharistic ministers, and due to take place for members of the ASAG.

2.11.3 The 12 trainers span the six deaneries with two new volunteers who will undergo the Training for Trainers. Each delivers Safeguarding Part One Induction Training (previously known as Level 1) and the Parish Safeguarding Coordinator Training Module. A new module – Safeguarding Part Two Training – is to be introduced later in 2019.

2.11.4 All Priests receive Part 1 safeguarding training and are required to attend safeguarding training annually. The Vicar General for Safeguarding attends this training as part of ensuring consistency and quality. A recent event '*Grief to Grace – Reacting to Clerical Sexual Abuse*' had been particularly well attended by parish priests and a similar session held for the laity was also well received.

2.11.5 The Parish Focus Group, which included trainers, advised that the training material created by the National Safeguarding Office is much improved and provides case scenarios regarding allegations, disclosures and other 'real life' issues which is creating better discussions during training events. The Parish Focus Group also discussed a significant culture change in attitudes towards abuse, which the training has assisted with.

### *Analysis*

2.11.6 The auditors were impressed with training records but felt that these could be

strengthened further by identifying a date by which all volunteers in post, who have not undertaken the required training, will be asked to step down. There is a danger that this will drift if a date is not identified. The new database will be able to track volunteers yet to undertake training and on volunteers whose training requires updating.

2.11.7 Future training needs were explored through all interviews and discussions and a clear need identified was working with trauma. Individuals commented on positive changes for the future, but all felt that parish priests needed more support and training to assist helping those who have already suffered trauma.

2.11.8 Another aspect was the expectations of pastoral support offered to those against whom an allegation had been made. Standard 5 of *In God's Image* outlines that the individual offering support should be supported in this role through clear procedures and spiritual direction as well as guided in the support offered and concerns noted. Those working in this role should also be offered training and the role reviewed every three months. The experience of those in this role is that no guidance exists, there is no process for review and there is a lack of appropriate support and spiritual guidance for those undertaking potentially complex and difficult tasks. This is counter to the view of the Archdiocese that all support priests have been provided with a document which sets out the functions, the tasks, the qualities required and the limitations of the role.

**Questions for the Archdiocese to consider:**

- Are there any barriers to setting a date by which all current volunteers in post without training step down from their role?
- Where does responsibility for requiring and overseeing a strategic training plan lie? Is greater clarity needed about the link or role of the ASAG in the operation and oversight of training?
- Is adequate priority being given to the role out of Level 2 training to those who are in posts with the most contact with children and vulnerable adults?
- How is the Archdiocese supporting parish priests working with trauma in individuals and parishes, which is beyond the current remit of the Safeguarding Training?
- Is it clear the mechanism whereby dioceses can influence the work plan of the National Office in terms of developing new training modules, such one for support priests?

## 2.12 HOW THE ARCHDIOCESE PROVIDES SAFEGUARDING SUPPORT TO PARISHES

### *Introduction*

2.12.1 In a centralised diocesan structure of safeguarding, support from the centre is key to safe and reliable safeguarding. Diocesan safeguarding is only as good as its weakest parish.

### *Description*

2.12.2 The DSA and, more recently, the Safeguarding Officer have made themselves more visible and available to the parishes and PSCs and will now meet regularly with PSCs. The annual statement by the Parish Priest or Parish Safeguarding Coordinator about the importance of safeguarding, revised training courses, increases in the number of trainers in recent years and access to the SCSS for updates on national policy developments all contributed to maintain a focus on safeguarding.

2.12.3 Generally, parishes felt that communication with the Archdiocese Safeguarding Office had improved since the appointment of the current DSA. *Participants* reflected that the DSA was more visible to parishes and that Parish Safeguarding Coordinators were clear about the role of the DSA in relation to their work locally and how to contact the DSA. They welcomed the advice and support they received from the DSA.

2.12.4 They reported that staff were more available with opportunities to meet face to face. They particularly welcomed the recent development of planned regular meetings between Parish Safeguarding Coordinators and the newly appointed Safeguarding Officer, whose approach, skills and knowledge were recognised and welcomed.

2.12.5 Some of the *contributors* had had different experiences, and some reflected that the legal background of the DSA had meant that meetings felt overly legalistic and more intimidating than they had expected, but this may reflect the different reasons for contact with the safeguarding office.

### **ANALYSIS**

2.12.6 As noted earlier, the team-working between the Archbishop, Vicar General for Safeguarding with responsibility for safeguarding was positive, as were the developing links with the parishes and, in particular, with the Parish Safeguarding Coordinators (PSCs) and the trainers which was clearly evident. There appeared good lines of communication, mutual respect and a sense of shared purpose. Building mechanisms for the parishes to feed into the Archdiocese will further strengthen the relevance of support provided.

2.12.7 Giving support and advice when it is requested is an essential part of creating safe churches across the Archdiocese. The auditors did not have the chance to explore how successful the Archdiocese is at providing support in situations

where it has not been sought, and even where it is not welcomed.

**Questions for the Archdiocese to consider:**

- Should the Archdiocese consult with local parishes and PSCs to help understand what supports are needed and be most effective?
- Is further work needed to plan how the Archdiocese can best identify and provide where support is needed?

## 2.13 QUALITY ASSURANCE

### *Introduction*

2.13.1 A safe organisation needs constant feedback loops about what is going well and where there are difficulties in relation to safeguarding, and this should drive ongoing cycles of learning and improvement. Robust quality assurance enables an organisation to understand its strengths and weaknesses. Potential sources of data are numerous, including independent scrutiny. Quality assurance needs to be strategic and systematic to support accountability and shed light on how well things are working and where there are gaps or concerns.

2.13.2 There are a range of mechanisms that can support this:

- Professional supervision of the DSA (see DSA section)
- Scrutiny by the ASAG (see ASAG section)
- Independent audit of non-recent cases
- Routine benchmarking the Archdiocese against other dioceses within and outwith Scotland
- Identifying lessons learnt from other dioceses and feeding these into planning the work of the Archdiocese
- Abuse survivor 'customer' feedback
- Routine PSC 'customer' feedback
- Complaints procedure about the safeguarding service (see Complaints section)
- Independent 'lessons learnt' reviews of cases where things seem to have gone wrong or there are concerns that they have

2.13.3 Standard 8 of *In God's Image* sets out an expectation that each diocese will oversee effective planning processes to monitor, review, self-evaluate and report on local Safeguarding practices. Compliance with these Safeguarding standards is to be monitored externally by the Independent Review Group (IRG). In particular, there are expectations that:

- Parishes monitor and review their Safeguarding arrangements and to self-evaluate their Safeguarding practice by completing an annual Audit

and devise a Safeguarding action plan.

- Dioceses regularly monitor and review their Safeguarding arrangements and to self-evaluate their Safeguarding practice by completing an annual audit and devising a Safeguarding action plan

### *Description*

2.13.4 In relation to the parish audits, it was clear from *participants* that there has been considerable activity to improve both the processes to monitor safeguarding and the information requested and to develop a more useful process of auditing. The audits themselves are shifting the focus from quantitative to more qualitative data which is asking parishes for greater reflection on how they can evidence improvements in areas, for example, such as training and quality assurance.

2.13.5 Following this, each parish now has to produce a Parish Safeguarding Plan based on the self-assessment which reflect the audit. The Parish Focus Group fed back that although the audit had been introduced quickly without much consultation, it was more in line with auditing processes within other organisations. What was less clear to people at the parish level at the time of fieldwork is how collated information from the audit informs strategic objectives and future planning for safeguarding, and also how this is fed back to those who contributed. We are informed that the Safeguarding Officer has since fed back to all those who contributed, thanked them for their audit, advised them of the action plan and confirmed that they will receive further information in due course.

2.13.6 The information contained within the 2018 audits has been collated by Deanery into an Evaluation Report and work has been undertaken to identify the issues and areas which need to be addressed. An Action Plan has been produced and will be taken to the ASAG for discussion and agreement. The Action Plan will thereafter be subject to regular reviews by the ASAG. The Evaluation Report of the annual internal audit (together with the action plan) is being considered by the DSA, COO, and VG for Safeguarding.

2.13.7 The auditors also saw one example of the use of independent case review as part of the audit process, but it is not routine to make findings publicly available and non-disclosure agreements have been used with individuals involved as means of actively keeping the existence of and findings of such reviews out of the public domain.

### *Analysis*

2.13.8 To date, quality assurance processes have focused on the parish and diocesan audits in line with *In God's Image*. Efforts to make the parish audit meaningful for all concerned, and as such, part of driving cultural change, is positive.

2.13.9 Developments to formalise how the parish returns are analysed and fed into strategic plans at diocesan level, is also positive. This is needed so as to feed

cycles of learning and improvement and allow benefits to be demonstrated. The content and uses of the audit and monitoring processes need to become part of an ongoing, dynamic discussion.

- 2.13.10 The usefulness of this activity is reduced by a number of factors. Parishes involved in the process are not asked for their views about what they need to know more about and what information would be useful to gather. Nor are those who have experienced safeguarding processes in the Archdiocese asked to contribute to the audit. The Archdiocese indicate that this is common to all dioceses.
- 2.13.11 Bringing in independence through this SCIE audit is also a positive development. The auditors would like to see quality assurance now progress to include a wider range of feedback data sought and used – see list above.
- 2.13.12 Learning from such activities whether complaints, routine feedback from those who have experienced a safeguarding response from the Archdiocese or commissions of independent experts to conduct case reviews can have great benefits if shared throughout the Archdiocese. Transparency also helps to foster public confidence and potentially trust. It is therefore self-defeating in this regard not to commit to publishing results on principle, with due regard to personal and sensitive information, findings from any independent commissions. The use of non-disclosure agreements in this context is anathema. The Archdiocese stresses that it has on only one occasion made use of non-disclosure agreement, on legal advice, and that this is not a practice which the Archdiocese would repeat.

**Questions for the Archdiocese to consider:**

- Is there appetite for developing a broader Quality Assurance framework for the Archdiocese?
- What has been done to-date to make public the position of the Archdiocese on the inappropriateness of the use of non-disclosure agreements in relation to safeguarding so it is widely known?
- How can the Archdiocese best learn from local authorities in Scotland who have published redacted Significant Case Reviews or executive summaries of on legal advice, to support a principle of publication of the learning outcomes of independent safeguarding case reviews?
- Where might the Archdiocese usefully turn for support and about standards and options for quality assurance?
- How can the Archdiocese build in the views and perspectives of survivors of clergy and Church-related abuse and others who have experienced the system?
- How can the Archdiocese evidence the effectiveness and impact of change in local communities as set out *In God's Image*?
- How can independent scrutiny be made a routine part of routine quality assurance activity within the Archdiocese?

- Is there more the National Scottish Safeguarding Service could do to support analysis of parish and diocesan audit data including trends over time?

## 2.14 CULTURE

### *Introduction*

- 2.14.1 The most critical aspect of safeguarding relates to the culture within any organisation. In a diocesan context, that can mean, for example, the extent to which priority is placed on safeguarding individuals as opposed to the reputation of the Church, or the ability of all members of the Church to think the unthinkable about friends and colleagues. Any diocese should strive for an open, learning culture where safeguarding is 'everybody's business' and a shared responsibility, albeit supported by experts, and which encourages people to highlight any concerns about how things are working in order that they can be addressed.
- 2.14.2 An open learning culture starts from the assumption that maintaining adequate vigilance is difficult and proactively seeks feedback on how safeguarding is operating and encourages people to highlight any concerns about how things are working in order that they can be addressed.
- 2.14.3 Culture within a diocese is crucial to effective safeguarding as is the priority given to safeguarding children and vulnerable adults over the protection of the reputation of the Church. A safe culture also relies on the knowledge and understanding of all within the diocese to react to allegations and disclosures of abuse even when these might be about those they know and admire. Crucially, a safe culture requires trust in the organisation's leadership and in fair and transparent systems and processes.

### *Description and analysis*

- 2.14.4 Below we have distinguished three aspects of culture in the Archdiocese that impact on safeguarding.

### **Safeguarding as a priority and everybody's business**

- 2.14.5 There is a sense of a shared understanding of priority given to safeguarding in local parishes, deaneries and the Archdiocese, supported by improvements in communication with safeguarding office, clear expectations and procedures for reporting allegations and greater focus on the importance to PVG checks and training.
- 2.14.6 Parish representatives were positive about the shift in understanding of safeguarding and the role of the Church and could identify the groups which *In God's Image* intends to protect. There was a confidence and understanding of parish representatives and their enthusiasm for safeguarding.
- 2.14.7 All the *participants* were clear on the procedures within *In God's Image* for safeguarding and welcomed the clarity of 'Listen, Respond, Repeat, Refer' which was thought to be a simple statement for all to remember. The Parish



Focus Group advised that the Church would immediately pass any concerns to the police and children's social work for safeguarding decisions to be made.

- 2.14.8 The annual statement read at Mass, training, need for PVG checks, experiences of laity in their own professional environments and changes in attitudes within wider society had all contributed to a greater understanding about abuse and the priority given to safeguarding. *Participants* were clear that those who needed to be were aware of the process for seeking advice or for reporting concerns, incidents or allegations against either the clergy or laity.
- 2.14.9 The standards set out within *In God's Image* including the instruction that an annual statement was to be Mass and displayed within the Churches had increased the importance given locally to safeguarding. The *participants group*, including the Parish Focus Group, reported that safeguarding was now a much greater priority for the diocese than in previous years. The parishes commented on a sense of clear authority which had not been as evident previously and which had provided a strong sense of confidence on safeguarding within the parishes.
- 2.14.10 All this indicated the start of a culture where safeguarding is a priority and seen as everybody's business.
- 2.14.11 This confidence, however, was distinct to the views and feelings of those who had experienced the process. Significant concerns were raised consistently from a wide range of different perspectives about the process for reaching decisions and the response when such decisions are challenged.
- 2.14.12 It is these concerns and observations which are explored below in terms aspects of culture that are of relevance to safeguarding.

### **Collaboration and co-responsibility for safeguarding between laity and clergy**

- 2.14.13 This increasing confidence evident among parish representatives as part of the audit, was not shared by all.
- 2.14.14 In 2017 it was decided to reorganise the Archdiocesan Curia and, specifically, the Pastoral Resources Team. This re-organisation was not welcomed by all and some contributors reported feeling that the contribution from lay people in the Archdiocese was less valued as a result. They also felt that the reorganisation had led to a loss of experience in relation to pastoral care and therefore the links between pastoral care and safeguarding. The limitations of the audit procedure mean that the auditors were not able to validate the accuracy or otherwise of these perspectives. However, the auditors feel it is important to note such perspectives because they indicate unresolved conflict that has implications for working together in the Archdiocese.

### **Sub-groups**

- 2.14.15 A culture in which everyone has accepted that the unthinkable can and

does occur and is prepared for the fact that discovery of someone who has abused will typically be a terrible shock and betrayal to friends of the perpetrator, is essential to creating safer places. This is especially important where there are sub-groups bound together by common beliefs and types of worship. Strong sub-group cultures tend to increase the risk that people will protect rather than expose an abusive colleague.

2.14.16 As mentioned earlier, among contributors to the audit there was a widely shared view that individuals within the Archdiocese against whom allegations or concerns were treated differently. Some suggested that this had been influenced by wider relationships across the Archdiocese and differences in theological approaches.

2.14.17 The veracity of these views was not tested within the constraints of the audit. They raise an important wider point relevant to any sub-group. The Archdiocese contains many sub-groups. Transparency of process, and means of identifying and avoiding conflicts of interest become extra critical in a diocesan context where there are any active sub-groups – see sections on DRAMT and Case work.

### **Openness, transparency and trust**

2.14.18 As discussed, the case work section, the increasing confidence evident among parish representatives as part of the audit, was not shared by all. *Contributors* were also clear about the processes, but this group had significant misgivings in their trust of the system. The views of the *contributors* were more variable than of participants. It was felt that while safeguarding within the Archdiocese was given greater priority, some did not fully trust the process. Another consistent message was the way in which several complex and difficult situations had been handled in recent years. A significant number reflected that the principles of protection, openness, transparency and fairness required to underpin trusted safeguarding procedures were not yet in place. Loyalties to protecting the Church, to some individuals within it and to avoiding scandal was thought by the group to remain a priority rather than looking after your neighbour as emphasised by the McLellan Commission (2015)<sup>2</sup>.

2.14.19 As we have stated in the case work section, the auditors were left less confident about the treatment of clerics against whom concerns had been raised or allegations made. Information about the situations and the reasons for decisions taken were often opaque and not communicated to those involved; a feeling of frustration with senior leaders and the safeguarding office was commonly heard by the auditors. There was strong feeling from *contributors* that the process of discipline, suspension or laicisation was not equitable across the Archdiocese and that clerics were treated differently depending on their perceived support of the Archdiocese or their theological

---

<sup>2</sup> McLellan Report was published as a review of the current safeguarding policies, procedures and practice within the Catholic Church in Scotland in August 2015.

stance.

2.14.20 Confidentiality is important in these situations, but the need for privacy and confidentiality was often thought to be the public reason given to close down discussions or difficult conversations. The balance between sharing information and confidentiality is difficult to achieve; some may perceive that discussions verge on 'gossip', but at times some discussion is needed to allow individuals and organisations to clarify issues to move forward and this has not been effective within the Archdiocese leading to the suspicion and mistrust heard by the auditors.

2.14.21 Effective safeguarding requires a culture of transparency and fairness to underpin respect and trust in the process. In the Archdiocese of St Andrews and Edinburgh, trust is not shared consistently across all parishes and all members of the Archdiocese. The views of the *contributors*, which includes the written submission, may not necessarily represent wider views, however, they do illustrate that there remains a need for the Church and Archdiocese of St Andrews and Edinburgh to provide active, open leadership about how to move forward, particularly following the resignation of Keith O'Brien. Acts like using restorative approaches to address concerns about any past use of non-disclosure agreements in relation to safeguarding allegations, committing publicly not to recourse to non-disclosure agreements and committing to publication of any independent case reviews (see Quality Assurance section), will go a long way to providing the basis for trust to build. This is key to cultivating a conducive culture for timely and effective safeguarding practice to thrive.

#### **Questions for the Archdiocese to consider**

- What measures should be considered by the safeguarding team to build confidence in the leadership and management of safeguarding processes and address the concerns raised?
- How can the Archdiocese help sustain the process of changes and the improvements to parish and Archdiocesan processes?
- How best to welcome dissenting voices and use the challenge provided constructively?
- What are the options for inviting survivors and others with experience of safeguarding processes to support the development of safeguarding in the Archdiocese?
- See questions in Quality Assurance section about non-disclosure and publication.

## 3 CONCLUSION

- 3.1.1 Progress has been made in difficult circumstances in terms of the management of the Archdiocese under the previous Archbishop, the wider ramifications of court cases against priests in other areas in Scotland and the continuing media attention on the Catholic Church within Scotland and internationally.
- 3.1.2 The improvements made by the Archdiocese in relation to safeguarding in St Andrews and Edinburgh includes clearer and more transparent structures and processes, good working relationships with external agencies, new training, better record keeping and improving links between the Archdiocese, Deaneries and the parishes. The DSA has actively worked to establish the structures as laid out in *In God's Image*. These improvements and the work of the safeguarding office need to be owned by the Archdiocese to ensure that the changes continue to be embedded, and that safeguarding remains a priority. A clear strategic level plan would assist with this and could include the concepts of a more restorative approach in order to better support, as well as challenge, on safeguarding.
- 3.1.3 While there are clear improvements in the processes, there has not been the same progress in achieving a rebuilding of trust and relationships to allow a safe safeguarding culture to flourish. All identified that a priority had been given to safeguarding. Some reflected that this is set by the strong leadership of the Archbishop; they expressed confidence in dealing with all concerns and allegations whether against a member of the parish, volunteer or priest. There appear to be very different experiences of those who are clear and confident about the processes in theory and those who have experienced the process in a variety of ways. Those who have experienced the process may be in the minority and the views expressed here may not reflect the views of all, but what is clear is that there is more work needed to repair and build trust in safeguarding processes. A more supportive approach from leaders to understand and empathise with the view of survivors of any abuse as well as acknowledgment for priests who support them is needed otherwise the divide between those who seek to challenge, for the good, any aspect of the Church and those who lead it will increase.
- 3.1.4 The vision of external scrutiny and independence in safeguarding policies and practices as set out in recommendation 3 of the McLellan Commission has yet to be fully realised and without some external scrutiny, concerns about conflicts of interest, and the protection of certain individuals for whatever reason will continue and possibly remain unchallenged. There does not appear to be a process or mechanism by which those who have experienced the safeguarding process, whether as a survivor of abuse or against whom an allegation has been made, can inform how practice can be developed.
- 3.1.5 The issues raised in this report are likely to affect other dioceses; for example, while the responsibility for safeguarding remains with the Bishop as set out in *In God's Image*, without external scrutiny or independence it is likely that all

will be challenged by conflicts of interest. Issues such as the assessment and management of risk, covenants of care and contracts and the relationship with the Scottish Catholic Safeguarding Service are also likely to require a national response.

- 3.1.6 Each diocese, however, is responsible for its leadership and how it guides all in learning from the past and allowing for healing. These are easy words to say but demands all involved to be brave to allow for difficult conversations to help build trust and relationships. Processes and procedures will only be effective in a culture of openness, trust, transparency where all are treated in a manner which is fair and just.

## 4 APPENDICES

### 4.1 REVIEW PROCESS

#### DATA COLLECTION

##### *Information provided to auditors*

- *In God's Image*
- The McLellan Commission Report
- A self-assessment of Safeguarding
- ASAG minutes
- PVG database information
- Safe recruitment forms
- Guidance notes for Parish audit completion
- 2016 and 2017 Parish safeguarding audits
- Safeguarding report form
- Counselling support information leaflet
- Bishops' conference 'Safeguarding in the Catholic Church'
- Diocesan context
- Access to the website
- Invitation to survivors
- Social Media Policy 2013
- Whistleblowing Policy
- Complaints Policy
- Training Report
- Flowcharts for all safeguarding processes
- RSO Management Procedures
- Copies of Parish Newsletters
- Safeguarding Statement
- Organisational Chart
- Job Descriptions for all safeguarding staff
- Information Sharing Protocol with Police Scotland

##### *Participation of members of the Archdiocese*

- Archbishop of St Andrews & Edinburgh
- Vicar General for Safeguarding (Safeguarding) of St Andrews & Edinburgh
- Designated Safeguarding Advisor
- Chief Operating Officer
- Safeguarding Officer
- Safeguarding Administrator
- ASAG member
- DRAMT member

- Parish representatives including Parish Safeguarding Coordinators and trainers
- Survivors of abuse and their representatives.

#### *The audit: records / files*

- A number of selected case files.
- A past contract
- Examples of enquiries handled within the Archdiocese from 2014

#### *Limitations of audit*

It is possible that some survivors of abuse who have no further contact with the Church and who have not approached survivor support organisations would not have been made aware of the audit. We also recognise that those with strongly negative or positive views are more likely to come forward than those with broadly neutral views.

#### *References*

Bishop's Conference of Scotland (2018) *In God's Image. Safeguarding in the Catholic Church in Scotland*. Airdrie: Bishops' Conference of Scotland.

The McLellan Commission (2015) *A review of the current safeguarding policies, procedures and practice within the Catholic Church in Scotland*. Edinburgh: APS Group. [[www.mclellancommission.co.uk](http://www.mclellancommission.co.uk)]

Wachtel, Ted. "**Defining Restorative**". International Institute for Restorative Practices 2012