



RC DIOCESE OF ARGYLL AND THE ISLES

Diocesan Risk Assessment and Management Team

Introduction

The Diocese of Argyll and the Isles's Diocesan Risk Assessment and Management Team ("DRAMT") is established to give independent advice, support and assistance to the Bishop and Diocesan Safeguarding Adviser regarding safeguarding best practice. The purpose of these Terms of Reference is to outline the function, membership and meeting arrangements for the DRAMT.

Function of the DRAMT:

Members of the Diocesan Risk Assessment and Management Team (DRAMT) are appointed by the bishop to assist him, within the strict limits of the law, in the management of individual cases where allegations have been made against a diocesan cleric, employee or volunteer. This team's advice and recommendations should assist the bishop to come to decisions about how to proceed, in accordance with both civil and canon law, in response to reported allegations and concerns. The DRAMT should comprise a small number of individuals with relevant expertise, including those working in or with experience of working in the legal profession, in canon law, in healthcare, social work and the Police. Its composition should be mixed, in numbers of ordained and lay members, and in their gender. (IGI v2: 6.2.4).

Recruitment to the DRAMT:

The Vicar General will have a permanent position on DRAMT. Other potential members of DRAMT will be invited by the Bishop. Expertise in canon law will be co-opted as required.

Examples of DRAMT case referrals:

1. **Safe Worship Plans:** When a Registered Sex Offender, or other person who poses a risk, expresses a wish to worship in a Catholic Church in Scotland, it may be possible to create a safe context for this with the implementation of a *Safe Worship Plan*. In such cases, DRAMT members will make an informed recommendation about

whether it is possible to manage this risk, and if so, the necessary conditions. Safe Worship Plans will be reviewed at least every six months by DRAMT.

2. **Blemished PVGs:** In the event that an individual's PVG certificate is blemished, the DRAMT must consider the relevance of the conviction(s) in the context of the role applied for. Where the recommendation is to accept the application notwithstanding the conviction(s), the DRAMT must advise the Bishop whether the person should be given full or restricted approval.
3. **Adverse references:** If a prospective volunteer for a regulated role receives an adverse reference, it must be considered by the DRAMT in the context of the role applied for and a recommendation made to the Bishop.
4. **Allegations of abuse:** If an allegation of abuse relating to Church activity or to Church personnel is received, the Church's mandatory reporting policy means that the DSA or Bishop must immediately report the allegation to the police. If the person against whom the allegation is made is a current priest, employee or volunteer, the case will normally be referred to the DRAMT for an interim risk assessment and a recommendation as to how to proceed.
5. **Addressing safeguarding concerns:** A safeguarding concern relating to Church activity or to Church personnel may arise from the observation of the conduct of Church personnel/volunteers, or from worrying signs in the behaviour or appearance of a child or vulnerable adult. Any such concern must be shared with the DSA who can refer it to the DRAMT for their assessment of any safeguarding risk. The DRAMT may conclude that a particular concern is serious enough to merit being reported to the statutory authorities who will consider whether to explore it further. The DRAMT may advise the bishop that the reported concern, while not reaching the threshold to merit further referral is justified. The bishop may require the individual involved to participate in further support or training in order to avoid any repeated concerns.
6. **Listing and Barring:** If the Diocese is informed that a person for whom the Diocese is responsible is being considered for listing and barring, it would normally be necessary to suspend them from their role pending the outcome of that consideration. The DRAMT would be asked to consider any information available and to make a recommendation on the matter.

N.B. The following is the responsibility of the Bishop alone in relation to Listing and Barring and would not normally require advice or recommendations from the DRAMT:

If a person has:

(1) been permanently removed from regulated work by the Church, or would have been so removed had they not left or stepped down of their own accord, and
(2) any of (i) to (v) below apply, the Bishop is legally obliged to refer the person to Disclosure Scotland for consideration for Listing and Barring from regulated work:

(2) (i) they caused harm to someone; (ii) they placed someone at risk of harm; (iii) they engaged in inappropriate conduct involving pornography; (iv) they engaged in inappropriate sexual conduct; (v) they gave someone inappropriate medical

treatment. Ultimately, the legal responsibility is the Bishop's and it is a criminal offence if he fails to do so.

DRAMT Meetings:

1. **Quorum:** A quorum of four members is required for a meeting. If the Bishop chairs the meeting, a minimum of four DRAMT members are required in addition to the Bishop.
2. **Conduct of Meetings:**

DRAMT meetings are usually called by the DSA and take place as often as is required as cases are brought to its attention and as they progress. The content of any meeting must respect the confidentiality of the matters discussed, so far as is reasonably possible.

The Bishop may decide to preside at meetings of the DRAMT, or he may ask to receive its recommendations in writing. If the Bishop does not preside, the DRAMT should elect a lay chairperson (not the DSA). Each meeting begins with a prayer. A flowchart of how cases are considered can be seen in Appendix 1.

The DSA will present each case to the meeting. The chairperson will take the meeting through the areas to be considered for each new case, based on the Chairperson's Guidelines (Appendix 2). If it is agreed that a Risk Assessment is required, the chairperson will take the meeting through the Risk Assessment Template (Appendix 4) The DSA will complete a DRAMT Report (Appendix 3) for each case based on the decisions made at the meeting, the actions required, by whom and when.

Open cases should be reviewed by DRAMT as they progress and at least once a year.

DRAMT referrals will normally be anonymised and are discussed in strict confidence. Each case referred to the DRAMT is discussed during the meeting. The DRAMT's recommendations should be agreed (by a simple majority in the event of any disagreement). The DRAMT recommendation and the reasons for it (along with any dissenting view and the reasons for it) should then be recorded in writing and made available to the Bishop. It is the ultimate responsibility of the Bishop to decide the action he will take in each case.

It is desirable that DRAMT should meet at least four times/year. If this does not happen based on actual cases, it should meet to consider scenarios that DRAMT feel they would benefit from discussing.

Expectations of DRAMT Members:

1. Members must be available to attend meetings as and when the need arises;
2. Strict confidentiality must be observed at all times. The content of any meeting must ensure the anonymity of the individuals discussed, as far as is reasonably possible;
3. Cases must be discussed with sensitivity and justice;
4. Storage and retention of paperwork must be secure. Minutes of meetings must be written and retained securely, in accordance with the Diocesan Data Protection Policy;
5. Relevant training must be attended;
6. All members of DRAMT must declare any real or potential conflicts of interest at the start of each meeting.

Communicating with the Bishop

If the Bishop does not chair the DRAMT, its recommendations should be communicated in the following way:

1. Within 4 days of the DRAMT meeting, the Safeguarding Adviser will record the conclusions of the meeting and the advice to be given to the Bishop in a written document and email this to the DRAMT for confirmation within 3 days. Once confirmed this will be sent to the Bishop. There will be a separate written recommendation for each case considered.
2. If the DRAMT recommendation(s) are accepted, the Bishop will pass them to the Vicar General for Safeguarding who within 14 days of receipt will be responsible for communicating with any parties affected (as appropriate) and putting the recommendations into effect.
3. If the DRAMT recommendations are not accepted by the Bishop, he will return them to the Safeguarding Adviser within 14 days indicating his reasons and the action(s) he proposes to take.

March 2023