

The Bishops' Conference of Scotland

Implementation Plan  
of the Recommendations of  
The McLellan Commission

22<sup>nd</sup> November 2015

The Implementation Plan of the recommendations from the McLellan Commission will be overseen by the Strategic Management Group on behalf of the Bishops' Conference of Scotland. The Strategic Management Group comprises the General Secretary and Assistant General Secretary of the Bishops' Conference of Scotland, the National Safeguarding Co-ordinator of the Scottish Catholic Safeguarding Service, the Chair of the Conference of Religious Scotland Safeguarding Commission and the Safeguarding Representative of the Conference of Religious Scotland Safeguarding Commission. The Group will be responsible for ensuring that throughout the process the Paramountcy Principle is observed and that Survivors and an Independent Element are involved. The Group may associate with itself particular experts or any relevant person when dealing with a specific issue. The Group will report in the first instance to Bishop Toal who has responsibility for these matters in the Bishops' Conference.

The ultimate goal is the rewriting of the Safeguarding Manual for the Catholic Church in Scotland. The Strategic Management Group will be responsible for this by drawing together the work of the separate groups and completing those elements in the Manual not covered by any specific group (Appendix 1).

As each task is being undertaken the Bishops will discuss the matter at the Conference and then a team will be established which will be made up of people qualified and experienced in that specific area along with those working in Safeguarding in the Church in Scotland and others who may be appropriate. The National Safeguarding Co-ordinator of the Scottish Catholic Safeguarding Service will be the principal advisor to each group.

The Strategic Management Group will oversee the work of each group and will receive their reports which will be passed onto the Independent Element, once this is established, for comment before submission to the Bishops' Conference for the final decision. Survivors will also be asked to comment prior to the Bishops' decision on any particular report and on the final draft of the renewed Safeguarding Manual.

The following plan allocates all the recommendations of the McLellan Commission to one of 6 groups, each with a specific task, and the remainder to the Strategic Management Group. These recommendations will be the basis upon which each group will work in addressing the topic for inclusion in the renewed Manual.

As each group is established it will be published on the website of the Bishops' Conference and anyone will be able to make suggestions relevant to that group using a dedicated email address.

## The Implementation Plan

<b>Task A: To manage the implementation of the McLellan Commission's recommendations on behalf of the Bishops' Conference of Scotland</b>
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Team: The Strategic Management Group
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Timescale: January 2016 – December 2017
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Recommendations to be considered:
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<b>1. Support for the survivors of abuse must be an absolute priority for the Catholic Church in Scotland in the field of safeguarding</b>
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1.ii What is said by the Church in relation to safeguarding must always be followed by actions
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1.iii The Church must reach out to survivors, including those whose whereabouts or identity is unknown, and support them. Many survivors have offered to help the Church in this process as 'experts by experience', and the Church should consider this offer
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1.vix The Catholic Church should develop a partnership with organisations in Scotland which provide advocacy services. This will ensure independence of these services
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1.xii The Church should establish a clear policy with regard to meeting any costs relating to counselling of survivors
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<b>2. The "Awareness and Safety" manual should be completely revised or rewritten</b>
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2.i Survivors should be involved in this process
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2.ii The paramountcy principle should be clearly highlighted in the "Awareness and Safety" manual
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2.vii Any rewriting of the "Awareness and Safety" manual should incorporate the importance of adults, as well as children, throughout the document
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2.viii Safeguarding policies need to recognise that anyone can be at risk at certain times and in certain circumstances
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<b>3. There must be some external scrutiny and independence in the safeguarding policies and practices of the Catholic Church in Scotland</b>
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<b>4. Effectiveness and improvement must be measured at every level of safeguarding in the Church</b>
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<b>5. A consistent approach to safeguarding is essential: consistent across different parts of Scotland and consistent across different parts of the Church</b>
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<b>6. Justice must be done, and justice must be seen to be done, for those who have been abused and for those against whom allegations of abuse are made</b>
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6.vi The Church might begin to explore the possibilities of restorative justice

**7. The priority of undertaking regular high-quality training and continuous professional development in safeguarding must be understood and accepted by all those involved in safeguarding at every level**

**8. The Catholic Church in Scotland must set out a theology of safeguarding which is coherent and compelling**

**Task B: To set out a theology of safeguarding which is coherent and compelling**

Team: A sub-committee of the Commission for Doctrine of the Bishops' Conference of Scotland composed of relevant theological, scriptural and liturgical experts.

Timescale: January – September 2016

Recommendations to be considered:

8.i 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.

8.ii Prayers for the safeguarding task of the Church should illuminate the whole worship life of the Church.

8.iii The theology of safeguarding must be set out in a way that will speak to those at risk, to children, to those who have been harmed, to the marginalised and to those who live in fear

**Task C: To consider the arrangement of the Safeguarding Service of the Catholic Church in Scotland and the relationship between the various elements**

Team: The Bishops of Scotland with the support of the Strategic Management Group

Timescale: January – June 2016

Recommendations to be considered:

2.vi The “Awareness and Safety” manual should include reference to the qualifications, training, selection terms and conditions of diocesan advisers, and a fully professional structure should be introduced

5.i The Bishops' Conference of Scotland should have the authority to lay down policies, procedures and practices which must be followed to the letter in every diocese

5.ii The harmonious arrangement existing at present between the diocesan structures and Religious Congregations must be established on a formal footing, which will not simply depend on good relationships

5.iii The one religious congregation which has not voluntarily agreed to abide by the policies and practices of the “Awareness and Safety” manual must agree to adhere to these principles

5.iv The National Safeguarding Coordinator should have the power and authority to ensure compliance, consistency and improvements

5.v Consideration should be given to the creation of the post of Depute National Safeguarding Coordinator or a small team with clearly defined responsibilities and lines of accountability

**Task D: To recommend how external scrutiny and independence in the safeguarding policies and practices of the Catholic Church in Scotland can be established**

Team: The Strategic Management Group

Timescale: January – June 2016

Recommendations to be considered:

3.i Consideration must be given to finding the right way to introduce an independent element into the process by which the Church seeks to meet the needs of survivors

3.ii An external element is an essential part of monitoring and scrutiny of the effectiveness of the Safeguarding Service

3.iii Careful thought should be given to examining different models of independence before decisions about elements of independence are taken

**Task E: To describe the procedures to be followed when an accusation is made**

Team: A team of experts in civil and canon law, safeguarding procedures and other appropriate individuals

Timescale: September 2016 – March 2017

Recommendations to be considered:

1.iv The Church needs to be transparent and open in safeguarding and, in doing this, needs to give members of the Church and wider society every confidence that its structures are robust and consistent

1.v Communication with survivors must be improved in terms of survivors being able to make informed choices about where, when and if they wish to worship and attend services

1.vi Every step must be taken to ensure that the experience of the survivor is told as clearly as possible. In all situations, particularly in relation to children, access to an advocacy service is important and should be offered as a matter of course

1.viii Survivors should always be encouraged to bring a companion when meeting Church representatives to talk about their experiences and what is to be done. This invitation should always be made

1.xi The Church should devise ways of making sure that listening is made as safe as possible for survivors

2.iii The “Awareness and Safety” manual should be clear about arrangements for priests against whom an allegation is made and also be clear about the responsibilities of the Bishop or Religious Superior

2.v Compliance with all legal requirements should be more clearly referenced in the “Awareness and Safety” manual

6.i The Church should introduce formal processes, underpinned by canon law, for addressing the protection of children: not just from those convicted “beyond reasonable doubt” of abuse, but also from those against whom there is sufficient evidence “on the balance of probabilities” to sustain an allegation of inappropriate or unacceptable behaviour

6.ii For the avoidance of doubt, the Catholic Church in Scotland should take legal advice as to the standards of proof applicable to internal disciplinary processes, outwith the formal criminal justice system, when they are dealing with cases involving a member of the clergy of the Catholic Church in Scotland who is alleged to have abused a child or vulnerable adult

6.iii The Catholic Church in Scotland should ensure that its internal systems of child and adult protection continue to reflect the best practice guidance within the public sphere

6.iv More than one person should be involved in responding to an allegation, and the same person should not deal with both the survivor and any cleric or employee facing a disciplinary charge

6.v The Church should adopt a whistleblowing policy in relation to safeguarding. This policy should apply not only to employees, but to all holders of offices and volunteers within the Church and should be monitored

6.vii The Church should enter into careful discussions with Police Scotland about what is appropriate in reaching out to survivors, especially when a criminal case is being pursued. New guidelines arising from these discussions should be published and made available to survivors

**Task F: To design the Training procedures for the Safeguarding Manual**

Team: A group comprising experts in the design and use of Training procedures

Timescale: March – September 2017

Recommendations to be considered:

1.x Training in listening to survivors must be at the centre of training of safeguarding staff. Involvement of survivors in this training should be sought

7.i Full and regular training in safeguarding should be provided to all priests, particularly those whose training at seminary was a long time ago

7.ii There must be specific training in safeguarding for Bishops and for leaders of Religious Orders

7.iii Training at all levels should persistently and unmistakably prohibit language and opinions which give any credibility to blaming the victim for the effects of abuse

7.iv A commitment to ongoing professional development for all those involved in safeguarding should be made

7.v There needs to be education of priests and parishioners about the necessity for “precautionary” removal from ministry during an investigation, which must not be assumed to imply blame

7.vi Complacency in relation to safeguarding must be eradicated, and parishioners should always be aware of how to report concerns

**Task G: To design the Quality Assurance and Monitoring procedures for the Safeguarding Manual**

Team: A group comprising experts in the design and use of Quality Assurance and Monitoring procedures

Timescale: March – September 2017

Recommendations to be considered:

2.iv The “Awareness and Safety” manual should detail minimum expectations for quality assurance of safeguarding practices; it should highlight the need to follow up on training and it should make reference to people with additional support needs

2.ix There should be more robust evaluation and self-monitoring of safeguarding policy implementation

4.ii Action must be taken to deal with non-compliance with compulsory requirements

4.iii Monitoring and scrutiny must be developed in a way designed to lead to improvement

5.vi Ways should be found to measure the effectiveness of the National Safeguarding service; ensure its improvement; and record the demands on it

Appendix 1

