

The Third Order Society of Saint Francis [TSSF]



Practising Franciscan Safeguarding (European Province)

Update: April 2023

This policy is aligned with The National Whole Church policy of the Church of England and therefore, directs attention to this policy provision and practice at – ‘Promoting a Safer Church’ click on the link:-

<https://www.churchofengland.org/sites/default/files/2017-12/PromotingSaferChurchWeb.pdf>
also Safeguarding Religious Communities – Church of England

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1. Introduction

Our life together, locally, and internationally, is pledged to “spread a spirit of love and harmony among all people” making community and communion visible and so to “reflect that openness to all which was characteristic of Jesus” [see: Note 1. The Principles of the Third Order]

Trust and vulnerability are precious foundations of this radical vision of gospel life.

When such trust is broken and abused the violation and damage is immense and often lifelong. The public exposure of cases of abuse, including sexual abuse, in the Church and other institutions, has generated the practice and priority of ‘safeguarding’. This is now the developed and proper response to the risk of abuse. Franciscans, along with others, are committed to safeguarding because of the vision of human community in the image the ‘Body of Christ’.

The Third Order is a religious community and is also a registered charity. We are required to demonstrate ‘public benefit’ [see Note 2] and be accountable as an organisation which practices the safeguarding of those at risk of abuse. To this end, and as a part of the Church of England, we are committed to the ‘whole Church’ policy principle of the Church of England. As a religious community our policy and practice is guided by the Church of

England Guidance: 'Safeguarding in Religious Communities' [see resources list below] and those of the different and devolved nations of the UK.

This policy and provision address the reality that abuse has occurred within the Third Order. The policy applies across the European Province of the Third Order, including the United Kingdom, the Diocese of Europe and Ireland.

Our principles set before us, in The Second Aim, a commitment creating a foundation for safeguarding in calling us to embrace that "spirit of chastity which sees others as belonging to God and not as a means of self-fulfilment" [see Note 1] This safeguarding policy and practice aim:

- to protect any who may become vulnerable to being used as 'means of self-fulfilment' by another.
- and, to ensure that our concern for 'love and harmony' is not at the cost of those who have been harmed.

2. Key Issues

The Third Order, as a religious community, cherishes the trust and vulnerability which are precious foundations within its vision and charism. Managing risk is therefore vital to its gospel life. A key understanding in this task is that a 'safeguarding risk' cannot be contained or limited by organisational borders. Someone who is trusted in one organisation is likely to be given the same trust wherever they choose to operate. The risk of abuse therefore travels whichever kind of abuse is concerned. For example, a Tertiary given a Profession Cross attracts trust wherever they engage with others. For this reason, no separation should be attempted which might assert that an offender was not operating as a member of the Third Order at the time of an offence. The same portability factor operates for a priest. It is for this reason that information and responsibility need to be shared across organisations in the task of managing risk and in safeguarding.

Abuse, of all kinds, is most likely when vulnerability meets power. This can happen both within and outside a community and organisation. [see 'Safeguarding Religious Communities', section 4, see resources below]

2a. Spiritual Abuse.

This is not a new phenomenon; however, it is now being recognised as an area of abuse which warrants particular attention for religious communities and organisations. The misuse of prayer, scripture, and relationships in these groups, is likened to Domestic Abuse, which as in most abuse, recognises a shift in the balance of power in a relationship and that which becomes coercive and controlling. The impact of this and its manifestation can have devastating effect on victims and can be long lasting.

3. In Safe Company – caring for one another

As Professed Tertiaries our pledge is to give ourselves "in company with our sisters and brothers" [Note 3]so accepting that trust and vulnerability are the precious foundations of this radical vision of gospel life. Making this pledge commits us to creating a culture of informed vigilance but this should not make us vigilantes.

In pursuit of these commitments The European Province of the Third Order will maintain a Safeguarding Team. Appointed by Chapter, this Team will include a Designated Safeguarding Person (DSP) as well a Chapter Lead. Across the Area's there is now a requirement for the appointment of an Area Safeguarding Advocate.

A key element in safeguarding practice is 'safe recruitment' and appointment to office. This implies the need for safeguarding certificates to be obtained by those formally entrusted with an office and responsibility within the life of the Order. This process is undertaken nationally by the Disclosure and Barring Service [DBS] to be arranged by the Tertiaries Local Parish/Diocese, overseen by the Provincial Safeguarding Team. DBS checks are to be carried out on an individual basis when a discussion has determined the need/level and validity of the application.

The Minister Provincial will have oversight of safeguarding provision and ensure a Chapter review of this Policy every three years.

The Minister Provincial will keep the Bishop Protector informed. It is not the role of the Bishop Protector to manage safeguarding but does require knowledge of and requirement that safeguarding polices and arrangements are in place.

4. Acting in Safeguarding – Safeguarding allegations

When attention is drawn to behaviour that may constitute abuse it is vital to be ready to respond in a prepared and informed fashion.

These occasions may arise if we witness such behaviour.

Action or intervention must be taken to protect a potential victim. If the person is at significant risk of harm, or it appears that a crime is being committed this should be reported to the police and social services, and action taken to protect a potential victim.

Advice must be taken immediately reporting to the Provincial Safeguarding Officer, and certainly within 24 hours via safe@tssf.org.uk

Such an occasion may arise if we are told about or receive a disclosure from a potential victim.

- Action must be taken:

Check that the person disclosing is not in any immediate danger and needs to be referred to hospital/Police/Social Care. Do not wait to action this. Consider the mental capacity of the person to make decisions for themselves ask if in doubt. Remember a relative may be the abuser.

First in listening with great care and attention. This always means making it safe for the other person to describe their experience, to listen and take note. (Validate their concern and disclosure and that you will take it seriously) Do not respond with questions.

Do not embark on any kind of checking, investigating, or assessing. (Do not promise confidentiality)

Contact the Provincial Safeguarding Officer to report your concern and the disclosure as soon as possible, within twenty-four hours. safe@tssf.org.uk Write down only what you heard, recording the time and date.

The Provincial Safeguarding Officer now to be known as **The Designated Safeguarding Person (DSP)** will act in response and offer advice and support. There will be a decision about what further action is appropriate to establish any need for formal processes to be undertaken.

4 Safeguarding Allegations – ACTION

Immediately, and within 24 hours, contact the Third Order Safeguarding – DSP, either. By email: safe@tssf.org.uk or Telephone 07791532461

Carol Robertson is now Lead for Safeguarding -Chapter. From April 2023.

When formal investigations are put in hand it will be normal for any process with Third Order Enquirers or Postulants to be suspended. It will also be normal for other agencies in a 'need to know' position to be advised, for example, a Diocesan authority.

4.1 Any information received concerning arrest, charging, or conviction of people involved in TSSF must be forwarded to a Diocesan Safeguarding Officer, regardless of the nature of the offence.

The Provincial Safeguarding Officer will make an initial assessment as the basis for appropriate action. All abuse or safeguarding in any way connected with TSSF, whether an emergency or not, current, or historical, must be reported to the Provincial Safeguarding Officer (**now Designated Safeguarding Person-DSP**) as soon as possible, normally within 24 hours as follows:

4.2 The DSP will in all cases keep a written record of what has been said and done in responding to a disclosure or concern about abuse. This record will be kept in a safe place, and a copy will also be sent to the Chapter Lead.

4.3 TSSF will fully cooperate with statutory agencies (usually Social Services and the Police) during any investigation which they make into allegations concerning the Third Order.

4.4 SSF and the Provincial Safeguarding Team will work to offer informed pastoral care to those who are victims of abuse. Arrangements will be put in hand for appropriate care for Tertiaries who are the subject of allegations and convictions of abuse.

Area Teams should act in ways supported and advised by the Provincial Safeguarding Team and will be encouraged in this work.

Keeping contact with those serving custodial sentences should include collaboration with the Provincial Safeguarding Team. When contacts with those in prison are appropriate it is vital to include the prison chaplain.

5. Working with Offenders – practice and agreements

5.1 In cases where an Investigation leads to formal process and judicial proceedings resulting in a conviction there may be a sentence, custodial or community. The response of the Third Order will have full regard to legal findings, court judgements and sentencing. In cases that involve clergy the requirements of the Clergy Discipline Measure and the policy of the Diocese involved will be adhered to by the Third Order.

5.2 If the person convicted is an Enquirer or Postulant that process will be discontinued. In the case of a Novice, the Noviciate will normally be terminated and the Novice Released from Vows. If there is a subsequent request to join the Order there may be a presumption that this would, unnecessarily, create a new and extended safeguarding risk.

5.3 In the case of Professed Tertiaries, while a sentence, custodial or other, is being served arrangements will be made for support and pastoral care, usually from among the Area Team. [see 4.4. above] Tertiaries shall not hold any Office in the Order during this time. It is important that the Designated Safeguarding person (DSP) is involved in all such arrangements.

5.4 If after a sentence is completed a Professed member of the Third Order continues in Vows, it is the duty of the Order to act on continuing restrictions and requirements of the judicial process as well as with the outcomes of any Safeguarding Risk Assessment. Such a process will be guided by TSSF or appropriate lead organisation with the advice of and in collaboration with the appropriate Diocesan Safeguarding Officer. The Third Order should act to secure proper participation within all such arrangements that affect the Order and its members.

An offender will be required to sign a Safeguarding Agreement that may follow from such an assessment. Failure to sign a Safeguarding Agreement may result in Release from Vows in the Order.

5.6 It may be that a Risk Assessment process leads to a conclusion that the risk of further offences cannot be reasonably managed within TSSF and then the Tertiary may be Released from Vows.

5.7 In establishing safeguarding practice in work with offenders the primary responsibilities of the Order are in striving for the safeguarding of victims and potential victims, as well as the care of offenders.

5.8 An offender in any role of trust in one organisation may extend risk through their membership in another organisation, for example TSSF. In all of these matters the relationships and communication between relevant organisations is crucial. For example, between the Third Order, a Church, Diocese or a school or other setting. It is vital to give attention to all parties on a 'need to know' basis. Trust and vulnerability are precious foundations of the radical gospel life to which we are called.

Notes:

Note 1. Quoted from The Second Aim, The Principles of the Third Order.

Note 2. 'Public benefit' see 'advancement-of-religion-for-the-public-benefit.pdf' Charity Commission

Note 3. Renewal of Pledge by Professed Tertiaries, the TSSF Manual Resources List

Safeguarding Religious Communities – Church of England

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'Promoting a Safer Church' www.churchofengland.org/media/3896819/cofe-policystatement.pdf

Mandy Hughes DSP (Europe)

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