

Hong Kong Sheng Kung Hui



# SAFEGUARDING HANDBOOK

Handling and Disclosure of Misconduct  
Release of Information

# CONTENTS

PURPOSE OF HANDBOOK.....	2
BEST PRACTICES.....	2
(D) HANDLING AND DISCLOSURE OF MISCONDUCT .....	7
Receipt of a Complaint.....	7
Investigation Stage.....	9
Completion of Investigation .....	13
Outcomes on Findings.....	14
External Investigations .....	18
Recovery and Rehabilitation .....	18
Mediation .....	18
Procedures Applicable to Complaints of Sexual Misconduct of Criminal Nature Only .....	19
Children Victims.....	20
Appeal .....	21
Flow Chart in Handling Alleged Misconduct .....	22
(E) RELEASE OF INFORMATION RELATED TO INCIDENT OF MISCONDUCT .....	23
Handling of Information.....	23
Annex A: Contacts .....	25
Annex B: Guidelines for responding to a person disclosing abuse.....	26

## PURPOSE OF HANDBOOK

The Safeguarding Policy ("the Policy") was adopted by the Standing Committee of the General Synod of Hong Kong Sheng Kung Hui on April 21, 2021.

Pursuant to the requirements in paragraph 7.2 of this Policy, the Province, each Diocese and Parish shall implement operational procedures for:

- (a) screening and recruitment of staff and volunteers
- (b) induction and training of staff and volunteers
- (c) safeguarding practices
- (d) handling disclosure of misconduct
- (e) release of information related to incidents of misconduct according to this Policy

In order to make it easier for church members and stakeholders to understand the requirements of this Policy, this handbook summarized the key operational procedures of the Policy, for each Diocese and Parish to consider and adopt.

This handbook is only a guideline; reference should be made to the Policy when dealing with individual cases.

## BEST PRACTICES

The Policy listed out the best practices in clause 7.6, the contents are summarised as follows:-

### 7.6.1 Promotion and education

The following list of Safeguarding Practices helps people to feel safe in ministry and helps in the early detection of problems before they turn into an incident of misconduct.

Parishes shall make this list of Safeguarding Practices available in their offices and websites and post on their notice boards information about this Policy and the contact details of the Provincial Safeguarding Coordinator, the Vicar and the Parish Safeguarding Officer. This will encourage members to follow good practices and to report any behaviour that is out of line with these good practices.

### 7.6.2 Prevention

#### 7.6.2.1 *Primary level of prevention:* targeting all before any risk or harm

- (a) Ensure all parties, children, adults, frontline staff, management and volunteers are familiar with the details of this Policy and ensure that there is a zero tolerance on misconducts in the church community.

- (b) To ensure all parties understand the definition of risk and harm, channels to seek help and/or to report actual or suspected risk or harm.
- (c) To ensure the accessibility of this Policy and the contact details of the Provincial Safeguarding Coordinator and the Parish Safeguarding Officers.

#### 7.6.2.2 *Secondary level of prevention: risks identified in the congregation*

The church is open to all walks of life, which means that there is the possibility that those with criminal convictions for sexual offences and other forms of abuse and those who may behave in such a way could attend church activities. Where people may pose a risk to others, their position in a congregation will need to be carefully and sensitively assessed to decide whether they pose a present risk to others. The Parish has an important role in contributing to the prevention of risk of abuse and should put in place arrangements to ensure that these risks are minimized. It is not about monitoring individuals but offering support to lead a fulfilled life.

Members of the congregation should be advised to contact the Parish Safeguarding Officer as soon as practicable, but in any event within 24 hours, if he/she has knowledge or information, supported by sound reasons, that any of the following people worship in the church:

1. Anyone who has been convicted of any sexual or violent offence, and/or who has been prohibited from working with children or vulnerable adults by any organizations.
2. Anyone who admits to being an abuser including non-recent abuse.
3. Anyone who is subject to an investigation for suspected abuse, including possession of indecent images of children, and/or is suspended from their usual role.
4. Anyone who may have behaved in such a manner that may pose a risk to other church members, irrespective of whether they have any criminal record.

Category (4) may include a person in relation to whom:

- an allegation of abuse against a child or adult has been investigated, but the matter has not proceeded to court, or the person has been acquitted, or the matter is currently the subject of proceedings in the criminal or civil courts
- a complaint or grievance has been received alleging inappropriate behaviour, which is not criminal

- there have been concerns about the person's alleged abusive behaviour to another person

If the Parish Safeguarding Officer is made aware, whether being informed or by any other source, of any person in the above categories ("the concerned person") who is intending to participate or is participating in any activity at a parish church, he/she will notify the Vicar immediately.

The Parish Safeguarding Officer will determine the appropriate action to be taken to best safeguard the Parish and its congregation, based on the particular facts and circumstances of each case. He/She will undertake a risk assessment and the formation of a risk management plan, including formulating an agreement with the concerned person to regulate his/her behaviour known as a Safeguarding Agreement.

This will involve the concerned person and the Vicar and the Parish Safeguarding Officer and such other person as the Vicar may deem suitable depending on the case.

If a person is assessed as posing a risk to children or adults, the Parish Safeguarding Officer will support the parish to formulate suitable preventive measures to minimize the risks, with due care to balance the interest between the concerned person and the congregation, which may include the following:

- Form a small group of people to offer pastoral support, friendship and to watch over the concerned person.
- Maintain the highest levels of confidentiality unless there is a breach of the agreement and it is necessary to inform others to protect children or vulnerable adults.
- Agree with the concerned person that he/she should worship elsewhere than the parish that the protected person and his/her family members are worshipping.
- Ensure the concerned person is never offered any official role in the church or position of responsibility where he/she may be trusted by others, for example that of church warden, worship leader or any in which a child or vulnerable adult may, as a result, place trust in that person.
- Consider whether, with the concerned person's agreement and that of any statutory authorities involved, the congregation should be informed.
- Ask the concerned person to sign a Safeguarding Agreement, setting out the parameters of his/her behaviour in the church setting.

Where it is considered appropriate to set a Safeguarding Agreement, the Safeguarding Agreement may include the following elements:

- Attend designated services or meetings only.
- Sit apart from children and/or vulnerable adults.
- Stay away from areas of the building where children or vulnerable adults meet.
- Attend a house group where there are no children or vulnerable adults.
- Decline hospitality where there are children or vulnerable adults.
- Never be alone with children or vulnerable adults.
- Never work or be part of a mixed group with children or vulnerable adults.
- Take no role in the church which gives him or her status or authority as others may deem that person to be trustworthy.

The Vicar shall be involved in or otherwise supervise (or delegate a suitable person to supervise) the drawing up of the Safeguarding Agreement with the concerned person.

The Safeguarding Agreement will be monitored and reviewed at least annually.

Should the concerned person refuse to sign the agreement, the Parish Safeguarding Officer will advise the Vicar and formulate a course of action to reduce the risks to other church members, including preventing the concerned person from participating in church activities.

Any breach of the agreement should be shared with the Parish Safeguarding Officer immediately, who will liaise with the statutory authorities, if required. It should be remembered that it is not possible to prevent a parishioner from attending divine service, unless this is a condition included in a court order or in his/her licence conditions upon release from prison (although, of course, he/she could voluntarily agree not to attend certain services). If a concerned person wishes to attend any service, as part of the safeguarding arrangement (and this could be contained in his/her ongoing Safeguarding Agreement), it is possible for the Vicar to direct a person where to sit, put measures in place to closely supervise him/her (e.g. accompany the individual) and remove that person if he/she causes a disturbance. It is also possible to refuse access to other church activities (e.g. social activities such as tea/coffee after the service and choir and bell ringing activities). If a "disturbance" that may pose a danger to another person is anticipated to be imminent, the police must be notified.

7.6.2.3 *Tertiary level of prevention:* To ensure prompt intervention when harm caused by a misconduct is observed or reported, the incident should be reported to the proper authorities, which include the Vicar, the Parish Safeguarding Officer or leader of the ministry involved. An Incident Team should be formed and meet as soon as practicable to assess the situation and take appropriate action, including the following:

- (a) The Incident Team handling the case should keep clear written records (using Form D) and the data of such report, be it self-report, report by others and identifications by staff.
- (b) In emergency or necessary circumstances such as refusal of cooperation or aggression and threat of violence, the police must be involved promptly to prevent further harm done. Referral to district police station may avoid unnecessary media involvement except in emergency in which case 999 is preferable.

## (D) HANDLING AND DISCLOSURE OF MISCONDUCT

Important points to note in all cases:

1. Priority of immediate SAFETY. Ensure that all involved are safe. (8.2.2)
2. Advise the alleged victim to REPORT TO THE POLICE as soon as possible if the incident involved is CRIMINAL in nature, or the safety of the person involved is threatened. (8.2.4)
3. Keep all reports CONFIDENTIAL unless the incident involved is criminal in nature, or the safety of the person involved is threatened. (8.2.5)

Persons to receive complaints - Designated Personnel (8.2.1)

Allegation against	Designated personnel to receive complaints
Provincial Chancellor or the Provincial Safeguarding Coordinator	Archbishop
Archbishop	Provincial Chancellor or the Provincial Safeguarding Coordinator ("Coordinator")
Bishop	Archbishop or the House of Bishops
A priest or a deacon	Diocesan Bishop of such Diocese that the priest or deacon belongs to
Parish Safeguarding Officer	Vicar
Parish staff, volunteer, or member	Parish Safeguarding Officer ("Officer") or Vicar

RECEIPT OF A COMPLAINT	Policy Ref	Responsible person	Resources
Make name and contact details of the Provincial Safeguarding Coordinator, the Vicar and the Parish Safeguarding Officer accessible publicly such as posting on notice boards and websites for easy reporting.	8.1.1	- Vicar - Officer	Contact details
If any of the officers or clergy named in the following procedures is the person suspected of committing the misconduct, appoint a deputy to take their place in the procedures. The supervisor of the concerned officer or clergy is to supervise the deputy.	8.1.2	- Vicar or designated personnel	
Suspend the alleged from any further ministry involvement until he/she is exonerated, for the best interest of the victim and other children/vulnerable adults. The presumption of innocence should still apply, and therefore no further disciplinary action should be taken until the complaint is proved.	8.1.3	- Vicar	



RECEIPT OF A COMPLAINT	Policy Ref	Responsible person	Resources
Provide pastoral support to suspended staff or volunteer. The Incident Team should act swiftly to gather the facts to ascertain whether there is a real case or a misunderstanding to avoid prolonged unexplained suspension.	8.1.4	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Incident Team</li> </ul>	
<p>Inform the Parish Safeguarding Officer as soon as possible (unless the complaint is against the Parish Safeguarding Officer, in which case the complaint should be made to the Vicar).</p> <p>Inform Vicar.</p>	8.2	<ul style="list-style-type: none"> <li>- Observant or recipient of the complaint</li> <li>- Vicar</li> <li>- Officer</li> <li>-</li> </ul>	Contact details
<p>Report to and consult the Provincial Safeguarding Coordinator promptly.</p> <p>Assign an Incident Team to conduct the investigation.</p> <p>Promptly acknowledge receipt of the complaint to the complainant that an investigation has begun.</p>	8.2.1.2	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> <li>- Coordinator</li> <li>- Incident Team</li> </ul>	Flow chart

## INVESTIGATION STAGE

Immediately after receiving a complaint, the Provincial Safeguarding Coordinator should assign an Incident Team to conduct an investigation. While conducting an investigation, the Incident Team should: (8.2.4)

- take all complaints seriously and impartially;
- render adequate support to all parties involved throughout the process of investigation and case handling,;
- strike a proper balance between protecting the victim and respecting the rights of the person against whom an allegation is made;
- bear in mind that the rights of the person against whom the allegation is made are important;
- give due weight to the rights of the person against whom the allegation is made, once the immediate safety and protection of the victim have been assured, but the welfare of the victim must come first.

Complaints should be handled thus:

INVESTIGATION STAGE	Policy Ref	Responsible person	Resources
Priority of immediate safety. Ensure that all involved are safe.	8.2.2	- Observant - Recipient of complaint	Annex B
Minimize number of person present to listen to the reporting and number of times that the alleged victim needs to repeat the incident for reporting purposes.	8.2.2	- Vicar - Officer - Incident team	
Advise the alleged victim to report it to the police as soon as possible if the incident involved is criminal in nature, or the safety of the person involved is threatened  Take all complaints seriously and impartially.  Provide adequate support to all parties involved.  Follow the guidelines for responding to a person disclosing abuse at Annex B.	8.2.3 8.2.4	- Vicar - Officer  - Incident Team  - Vicar - Officer	Annex B
Keep all allegations and the identities and personal particulars of all parties concerned strictly confidential, and only those directly involved should be given information as	8.2.5	- All involved	

INVESTIGATION STAGE	Policy Ref	Responsible person	Resources
<p>deemed necessary, on a “need to know basis”. This confidentiality is imperative for the safety and protection of the victim(s) and the respondent.</p>			
<p>Conduct initial investigation (within 72 hours)</p> <ul style="list-style-type: none"> <li>- meet all relevant parties (if necessary and feasible),</li> <li>- keep notes of all conversations</li> <li>- complete the “Initial Report of Suspected Incident of Misconduct” Form D</li> <li>- information supplied in the form is limited to that known at the time a report is received, and there may be blanks or missing information.</li> </ul>	8.2.6	- Incident Team	“Initial Report of Suspected Incident of Misconduct” (Form D)
<p>The complainant and the victim to sign the Initial Report to indicate their agreement with the accuracy of the report and a Confidentiality Agreement (Form F).</p> <p>Advise the complainant and the victim that the salient points of the Initial Report (apart from the identities and personal details of the victim and /or informant) may be disclosed by the Incident Team to the person complained of in order to allow that person to be aware of the complaint and the chance to answer to the complaint during the investigation.</p>	8.2.7	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> <li>- Complainant and victim</li> <li>- Incident Team</li> </ul>	Initial report  Confidentiality Agreement (Form F)
<p>Submit Initial Report to the Coordinator and the Vicar. The Incident Team should contact the respondent and inform him/her that he/she is the subject of an investigation under this Policy. Unless the incident involved is of a serious or criminal nature, the Coordinator and the Vicar should keep the report in strict confidence.</p> <p>In some circumstances, the Incident Team may notify the respondent of the complaint prior to the completion of the Initial Report. For example, if it is known that rumours are spreading about the complaint, or the Incident</p>	8.2.8	<ul style="list-style-type: none"> <li>- Incident Team</li> <li>- Coordinator</li> <li>- Vicar</li> </ul>	

INVESTIGATION STAGE	Policy Ref	Responsible person	Resources
Team is aware that the respondent has knowledge about the complaint, or some interim actions in light of the allegations are required to be taken.			
Upon receipt of the Initial Report, the Coordinator informs the Diocesan Bishop. If the incident is serious, the matter should be reported to the police or the relevant Government authorities.	8.2.9	<ul style="list-style-type: none"> <li>- Coordinator</li> <li>- Diocesan Bishop</li> </ul>	
<p>Unless the incident involved is of a serious or criminal nature, and the Incident Team is advised to keep the report in strict confidence from the respondent, the Incident Team should give the respondent a copy of this Policy and the Initial Report (personal information of the victim should be redacted).</p> <p>Explain to him/her the complaint process and limitations on confidentiality.</p> <p>Ask the respondent to sign a Confidentiality Agreement.</p> <p>Advise the respondent of his/her right to seek independent legal advice.</p>	8.2.10	<ul style="list-style-type: none"> <li>- Incident Team</li> <li>- Vicar</li> <li>- Officer</li> </ul>	Confidentiality Agreement (Form F)
<p>Advise the respondent names of Incident Team members.</p> <p>The respondent has at least 21 days to respond to the allegations in writing.</p>	8.2.11	<ul style="list-style-type: none"> <li>- Incident Team</li> </ul>	
Interview witnesses. Review documentation relevant to the complaint or incident.	8.2.12	<ul style="list-style-type: none"> <li>- Incident Team</li> </ul>	
<p>Meetings with complainant and respondent</p> <p>Meet with the respondent within 2 weeks after the respondent has submitted his/her written reply to the complaint, or within 2 weeks after the expiry of the time given to the respondent to submit such written reply.</p>	8.2.13	<ul style="list-style-type: none"> <li>- Incident Team</li> </ul>	

INVESTIGATION STAGE	Policy Ref	Responsible person	Resources
<p>In all cases, the respondent will have the opportunity to reply to the specific allegations raised against him/her, and all materials to be relied on by the Incident Team (in so far as it does not prejudice the interests of the alleged victim) must be provided to the respondent for his/her consideration before he/she gives his/her reply.</p>			
<p>Interview conducted with a child or a vulnerable adult must be in the presence of his/her parent/guardian or an adult in whom the child or the vulnerable adult trusts.</p>	8.2.14	- Incident team	
<p>The complainant and respondent shall each have the right to request a separate meeting with the Incident Team during the period of investigation prior to the Incident Team's decision.</p>	8.2.15	- Incident Team	
<p>If the respondent declines to reply to the complaint at all:</p> <ul style="list-style-type: none"> <li>- remind the respondent that the benefit of any doubt may fall in favour of the alleged victim, particularly in the case of a child or vulnerable adult,</li> <li>- complete the investigation without the respondent's response.</li> </ul>	8.2.16	- Incident Team	
<p>At any stage of the investigation, the Incident Team can always consider to consult, report, or refer a complaint to the police or any of the appropriate organizations as set out in Annex A. The police should be informed in one of the following situations:</p> <ol style="list-style-type: none"> <li>1. the emergency or safety of the victim is a concern;</li> <li>2. a crime is suspected to have been committed; or</li> <li>3. a child is believed to be at risk but the parent or guardian is uncooperative.</li> </ol>	8.2.17	- Incident Team	Annex A

COMPLETION OF INVESTIGATION	Policy Ref	Responsible person	Resources
<p>Final investigation report</p> <p>Submit Final Investigation Report (Form E ) to the Vicar / the person who received the complaint.</p> <p>Decide on what action to take and complete the last part of the Final Investigation Report within reasonable time, and consult the Provincial Safeguarding Coordinator in this regard.</p> <p>Submit Final Investigation Report (Form E) to the Provincial Safeguarding Coordinator as soon as possible.</p> <p>Inform the complainant, the alleged victim and the respondent in writing about the outcome of the investigation and his decision as soon as possible but in any event within 14 days.</p> <p>Provincial Safeguarding Coordinator shall consider whether a mediation should be held. If so, the procedures under the sub-heading “mediation” in the Policy should be adopted.</p>	8.2.18	<ul style="list-style-type: none"> <li>- The Incident Team</li> <li>- Vicar <sup>1</sup></li> <li>- Coordinator</li> <li>- Vicar <sup>1</sup></li> <li>- Coordinator</li> </ul>	Final Investigation Report in Form E

---

<sup>1</sup> Or the person who received the complaint in circumstances covered by paragraph 8.2.1.1, as the case may be.

## OUTCOMES ON FINDINGS

Depending on the findings reached by the Incident Team after the investigation, the possible outcomes are: (8.2.19)

- (i) confirmed misconduct;
- (ii) inappropriate behaviour;
- (iii) false accusation;
- (iv) allegation not amounting to misconduct or abuse; and
- (v) unclear outcome.

OUTCOMES ON FINDINGS	Policy Ref	Responsible person	Resources
<p>Confirmed misconduct</p> <p>Decide on the action to be taken. Consult the Provincial Safeguarding Coordinator in this regard. Bear in mind paragraph 4.5 of this Policy when he decides on the action to be taken, depending on the seriousness of the misconduct and all the circumstances of the case, which shall include but not limited to</p> <ul style="list-style-type: none"> <li>- termination of the respondent's employment contract,</li> <li>- termination of the respondent's involvement in ministry,</li> <li>- removal from leadership responsibility,</li> <li>- restriction of the respondent's ministry activities,</li> <li>- counselling in the appropriate area,</li> <li>- mentoring by an experienced and mature person, boundaries set up regarding activities, etc.</li> </ul> <p>If appropriate, the respondent may also be deemed ineligible for service with ministries involving children or vulnerable adults in the HKSKH again</p> <p>Mitigating circumstances may allow more lenient disciplinary action than termination, or, if the involvement in ministry is terminated, later reapplication and restoration to service may be permitted, depending on the severity of the incident and of the situation. However, if the victim is a child or vulnerable adult, the</p>	8.2.20	<ul style="list-style-type: none"> <li>- Vicar<sup>1</sup></li> <li>- Coordinator</li> </ul>	

<sup>1</sup> Or the person who received the complaint in circumstances covered by paragraph 8.2.1.1, as the case may be.

OUTCOMES ON FINDINGS	Policy Ref	Responsible person	Resources
<p>new assignment should not be related to children or vulnerable adults in any event.</p> <p>Put in place an appropriate action plan , to provide accountability, mentoring, and counselling to overcome both the behaviour and its causes.</p> <p>Coordinator to inform all Parish Safeguarding Officers and Vicars accordingly so that all necessary precautionary measures can be taken for the protection of their congregations.</p> <p>If the confirmed misconduct is committed by an ordained person, without prejudice to the above, the Diocesan Bishop concerned may take further action, and may refer the matter to the Provincial Review Board for adjudication as described by the Canons of HKSKH.</p>	8.2.20	<ul style="list-style-type: none"> <li>- Vicar</li>   <li>- Coordinator</li>   <li>- Diocesan Bishop</li> </ul>	
<p>Inappropriate behaviour</p> <p>If the subject behaviours are not covered by this Policy, but do constitute behaviours that are harmful to children or vulnerable adults, an outcome of inappropriate behaviour will be reached.</p> <p>A non-compliance of the Safeguarding Practices under this Policy will be considered strong evidence of inappropriate behaviour.</p> <p>There is a distinction between one-time inappropriate behaviour, which needs to be addressed to prevent recurrence, and repeated inappropriate behaviour which amounts to abuse and may be considered a misconduct.</p>	8.2.21	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Coordinator</li> </ul>	
<p>False accusation</p> <p>If it is found that the accusations are false and not made in good faith, the respondent may return to ministry.</p>	8.2.22	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> </ul>	



OUTCOMES ON FINDINGS	Policy Ref	Responsible person	Resources
<p>The church will acknowledge in writing to the respondent for the distress caused by the unfounded accusation, assist the respondent to clear his/her name, and to provide further counselling service if necessary.</p> <p>Any kind of false accusation not made in good faith can cause severe harm to the community and should be discouraged. Appropriate counselling and/or disciplinary measures will be provided by the Vicar of the Parish to the accuser if it is considered that the accusation was not made in good faith. The severity of disciplinary measures may be decided on the basis of all circumstances including whether the accuser is willing to apologize to the respondent.</p>			
<p>Allegation not amounting to misconduct or abuse</p> <p>If the Incident Team takes the view that the allegation of fact, even if proved, does not amount to any misconduct or abuse as defined in this Policy, then there is no need to take any action against the respondent.</p> <p>The Provincial Safeguarding Coordinator (or the person who received the complaint in circumstances covered by paragraph 8.2.1.1, as the case may be) may consider arranging a mediation with the agreement of the respondent and the alleged victim if deemed appropriate to clear misunderstanding and mend the relationship.</p> <p>However, the Provincial Safeguarding Coordinator (or the aforesaid person, as the case may be) has to be very careful when he/she deals with the alleged victim who may truly believe that he/she has been abused.</p> <p>In such circumstances, counselling service should be provided, if necessary.</p>	8.2.23	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Coordinator</li> </ul>	

OUTCOMES ON FINDINGS	Policy Ref	Responsible person	Resources
<p>The Provincial Safeguarding Coordinator (or the aforesaid person, as the case may be) should also pay close attention to the emotion of the alleged victim and work closely with the family of the alleged victim so as to ensure that any adverse impact on the psychological health on the part of the alleged victim which is caused by the rejection of the complaint will be taken care of on a timely basis.</p>			
<p>Unclear outcome</p> <p>If it is not possible to determine for certain what had happened (e.g. because of lack of evidence), the complainant and the respondent should be informed that the investigation is terminated for this reason, but may be revived if there should be new information coming into light.</p> <p>In the meantime, a safety action plan will be put in place for the respondent and the alleged victim. This may include but not limited to:</p> <ul style="list-style-type: none"> <li>- ongoing close supervision by the Vicar (or the person who received the complaint in circumstances covered by paragraph 8.2.1.1, as the case may be)</li> <li>- restrict respondent's ministry to children and vulnerable adults where there is strong suspicion of misconduct or abuse despite the lack of evidence</li> <li>- provide counselling or mentoring to help respondent to deal with feelings of unfairness, anger, bitterness, etc,</li> <li>- provide counselling for the alleged victim</li> <li>- ensuring the alleged victim is in a safe environment</li> <li>- train children on practices for keeping safe</li> <li>- train volunteers and staff regarding child safety</li> </ul>	8.2.24	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Coordinator</li> </ul>	

## OTHER FOLLOW-UPS

During the investigation process, the Coordinator, the Incident Team, and the Vicar should consider initiating the following procedures based on the actual situation: (8.2.19)

EXTERNAL INVESTIGATION	Policy Ref	Responsible person	Resources
<p>In all instances, the complainant or victim should be made aware that he/she has the right to report the incident to, or seek external assistance from, the police or appropriate organizations.</p> <p>If the complainant or victim reports the incident to the police, the Incident Team should suspend the investigation until the outcome of the police investigation is known. Paragraph 8.1.3 shall still apply.</p>	8.2.25	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Coordinator</li> <li>- Incident Team</li> </ul>	Annex A
RECOVERY AND REHABILITATION	Policy Ref	Responsible person	Resources
<p>In the aftermath of a misconduct incident, the Vicar shall ensure that pastoral care and support are provided to the victim, the respondent and their families, with referral to professional counselling agencies as required.</p>	8.2.26	<ul style="list-style-type: none"> <li>- Vicar</li> </ul>	
MEDIATION	Policy Ref	Responsible person	Resources
<p>As a church, healing within the community which leads to some form of reconciliation should be encouraged. This process requires some thoughtful pastoral assessment and guidance and should be conducted with care and sensitivity.</p> <p>If appropriate in the circumstances, upon the suggestion of the Provincial Safeguarding Coordinator or upon request by any relevant party, mediation may take place upon agreement of the complainant, respondent, Vicar and the Parish Safeguarding Officer.</p> <p>The church may refer the complaint to a trained mediator if both the complainant and</p>	<p>8.2.28</p> <p>8.2.29</p>	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Coordinator</li> <li>- Officer</li> </ul>	

MEDIATION	Policy Ref	Responsible person	Resources
respondent agree to do so. The fee of the mediator, if any, will be paid by the church. The parties are responsible for their own legal expenses, if incurred. The church will also be a party to the mediation, and, if necessary, shall also sign on the settlement agreement			
The mediation process shall take no longer than sixty (60) days from the time the mediation is agreed to be conducted, unless otherwise agreed in writing among the parties.	8.2.30	<ul style="list-style-type: none"> <li>- Mediator</li> <li>- All parties involved</li> </ul>	
<p>The results of the mediation should be reported by the mediator to the Provincial Safeguarding Coordinator.</p> <p>The Vicar shall be informed of the outcome of the mediation to enable him to consider the appropriate pastoral support to the parties and any follow-up measures which are required to protect the congregation at large.</p> <p>If the parties are ready to reach settlement, the Vicar's view should be sought as to the appropriate measures to be taken to facilitate the settlement.</p>	8.2.31	<ul style="list-style-type: none"> <li>- Mediator</li> <li>- Coordinator</li>   <li>- Vicar</li> </ul>	

PROCEDURES APPLICABLE TO COMPLAINTS OF SEXUAL MISCONDUCT OF CRIMINAL NATURE ONLY	Policy Ref	Responsible person	Resources
<p>When there is reasonable cause to believe sexual misconduct of criminal nature has occurred, report to the police immediately and avoid interfering with and delaying a criminal investigation.</p> <p>The church must act in the best interest of the victim and err on the side of caution. Advice can and should be sought from the Provincial Safeguarding Coordinator.</p>	8.3.1	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> <li>- Coordinator</li> </ul>	

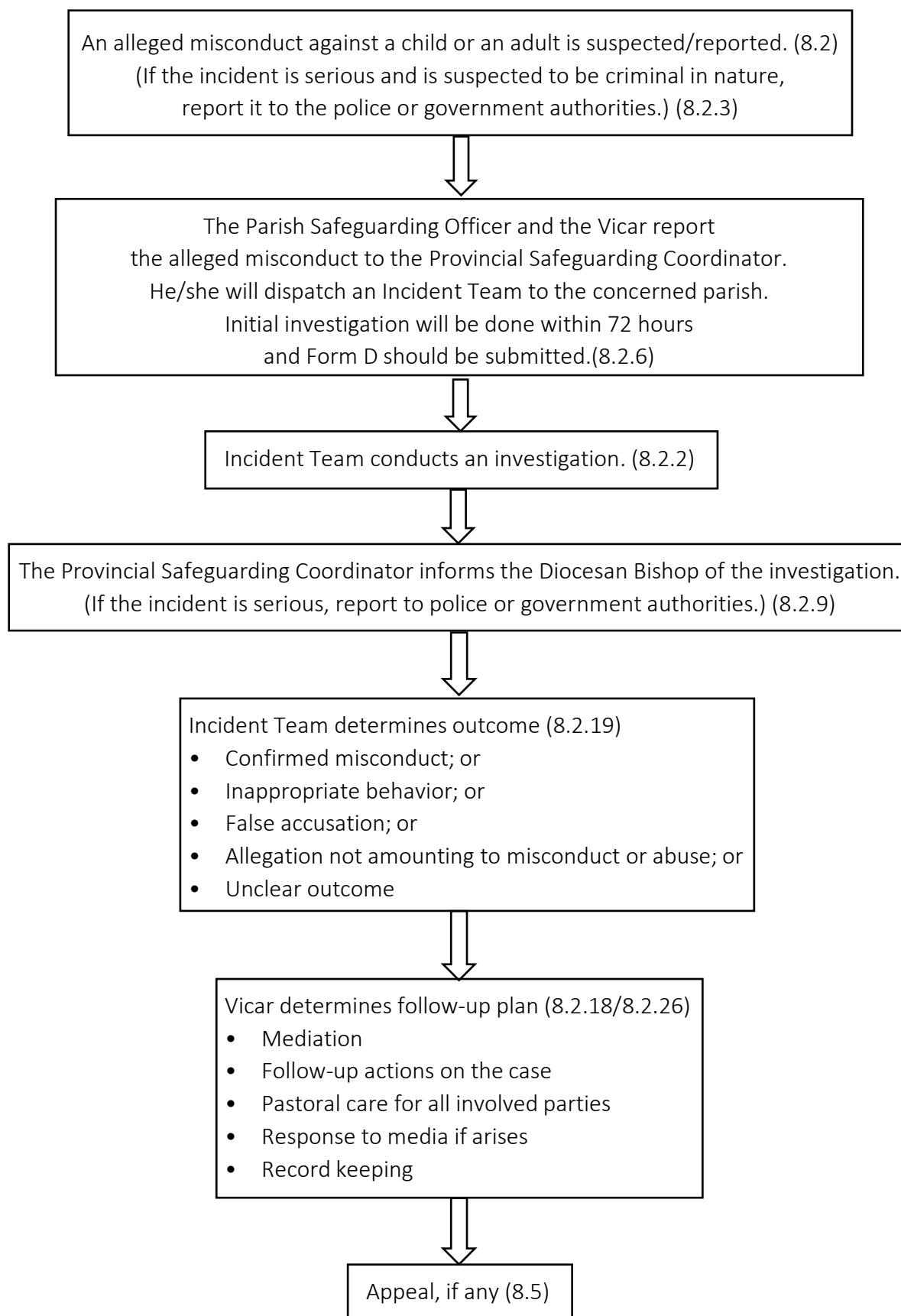
<p>Continue to monitor the situation and provide pastoral support for the victim and his/her family, even if the alleged victim is not at risk.</p> <p>If at any time it is considered that the victim is at risk, Child Protection Services of the Social Welfare Department or the police or any other relevant organizations should be called and advice sought from them.</p>	8.3.2	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> </ul>	
---	-------	--	--

CHILDREN VICTIMS	Policy Ref	Responsible person	Resources
<p>Ask a staff member, trained volunteer or other responsible adult to join in the listening to the child's account. Any adult listening to the child's account must be aware of the duty of confidentiality. After an initial understanding of the child's account, the child's parent should be informed unless he/she is a suspect.</p> <ul style="list-style-type: none"> <li>• Keep calm, listen, and avoid expressing shock or outrage.</li> <li>• Let the child know that they are believed, and assure them that it is not their fault.</li> <li>• Regard must be given to the age, maturity, and understanding of a child.</li> <li>• Avoid planting ideas (or using leading questions) that could taint the child's recollection and account.</li> <li>• A written verbatim record of the conversation should be made as far as possible. The following points should be borne in mind: <ul style="list-style-type: none"> <li>- Record the details of the concern or allegation.</li> <li>- Where it is not appropriate to take notes at the time (usually it will not be), make a written record as soon as possible afterwards or before the end of the day.</li> <li>- Record the time, date, location, persons present and how the concern or allegation was received, e.g. by telephone, face-to-face conversation, letter, etc.</li> </ul> </li> </ul>	8.4.1	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> <li>- Incident Team</li> </ul>	

CHILDREN VICTIMS	Policy Ref	Responsible person	Resources
<ul style="list-style-type: none"> <li>- The record should include details of information provided to that person as well as the information received.</li> <li>- Always sign and date the record.</li> <li>- Keep it factual.</li> <li>- Pass on a copy to the Provincial Safeguarding Coordinator.</li> <li>- The records should be kept secure and confidential.</li> </ul>			
<p>Under the Church’s safeguarding duty, report to the Child Protection Services or the police as soon as possible in cases where:</p> <ul style="list-style-type: none"> <li>- a parent is abusing their child or</li> <li>- a parent is unable to protect their child from abuse</li> </ul>	8.4.2	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> <li>- Incident Team</li> </ul>	

APPEAL	Policy Ref	Responsible person	Resources
<p>An appeal of the decision of the Incident Team or the Vicar may be made to the Archbishop (the House of Bishops if the Archbishop is the alleged penetrator) within 30 days of such a decision.</p> <p>Lodge a written request with the reasons of the appeal. The Archbishop (or the House of Bishops, as the case may be) may appoint a panel which will review the materials relied on by the Incident Team and re-consider the matter.</p> <p>Pending the appeal, the Vicar shall decide what measures to implement to protect the congregation at large and whether the follow-up actions referred to in paragraphs 8.2.20 and 8.2.21 should be suspended.</p>	8.5	<ul style="list-style-type: none"> <li>- Archbishop</li>   <li>- Appeal panel</li>   <li>- Vicar</li> </ul>	Refer to 8.2.20, 8.2.21

Flow chart in handling alleged misconduct (8.6)



## (E) RELEASE OF INFORMATION RELATED TO INCIDENT OF MISCONDUCT

HANDLING OF INFORMATION	Policy Ref	Responsible person	Resources
<p>Handling of materials created or received during the investigation process. The following guidelines must be followed:</p> <ol style="list-style-type: none"> <li>1. At all times, all materials received or created must be kept by the Parish Safeguarding Officer concerned in a cabinet with lock.</li> <li>2. If the documents are in digital form, they must be saved in the Parish Safeguarding Officer's computer in his/her office. To avoid accidental leakage, soft copies of such documents should never be sent to his/her other electronic devices.</li> <li>3. The Provincial Safeguarding Coordinator, Parish Safeguarding Officers and Incident Team members are reminded that they must not leave the documents, whether in physical form or otherwise, unattended, while they are not working on them.</li> <li>4. The materials received or created must not be disclosed to any third party unless the Provincial Safeguarding Coordinator takes the view that there is a very legitimate reason for such a third party to be given access to such materials, such as disclosing to legal advisors for the purpose of seeking legal advice or required to be disclosed to relevant authority by a court order.<sup>1</sup> <ol style="list-style-type: none"> <li>a. Before any disclosure to such a third party, legal advice should be sought as to whether the consent of the alleged victim and/or the alleged perpetrator must be obtained.</li> </ol> </li> </ol>	8.2.27	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> <li>- Coordinator</li> </ul>	

<sup>1</sup> The Archbishop, the Bishops, the Provincial Safeguarding Coordinator and the Parish Safeguarding Officers are not considered "third party" here.



HANDLING OF INFORMATION	Policy Ref	Responsible person	Resources
<p>b. If the alleged victim is a child or a mentally incapacitated person, the consent of his/her parent or guardian must be obtained, unless such parent or guardian is the suspected wrongdoer.</p> <p>5. After the case is closed for whatever reason (whether the allegation is proved and whether the respondent is punished), all documents and material gathered during the investigation and a soft copy of all the documents/materials created/received shall be sent to the Provincial Safeguarding Coordinator within 14 days for record.</p> <p>6. Since it is not uncommon for an alleged victim to make a report to the police in relation to an incident a very long time thereafter, it is important for all the relevant materials/documents obtained/received/created during the investigation process to be stored properly until both the alleged victim and the alleged perpetrator have passed away.</p> <p>7. It should be noted that pursuant to section 58 of the Personal Data (Privacy) Ordinance (Cap. 486, Laws of Hong Kong), personal data held for the purpose of detection of crime is exempt from the data protection principle concerning access of such data. Hence, if the police requests for such data for investigation purpose, the Provincial Safeguarding Coordinator and the Parish Safeguarding Officer concerned are at liberty to disclose such data.</p>	8.2.27	<ul style="list-style-type: none"> <li>- Vicar</li> <li>- Officer</li> <li>- Coordinator</li> </ul>	

## ANNEX A: CONTACTS

### Government, Statutory and Non-Governmental Organizations

Emergency Call	999
Social Welfare Department Hotline	2343 2255
Equal Opportunities Commission	2511 8211
Against Child Abuse	2755 1122
End Child Sexual Abuse Foundation	2889 9933
Rain Lily	2375 5322
Tung Wah Group of hospitals CEASE Crisis Centre	18281
Caritas Specialised Treatment and Prevention Project Against Sexual Violence	3104 1331
Caritas Project for Adult Survivors of Childhood Trauma	2649 9900
Harmony House	
24-Hour Woman Hotline	2522 0434
Man Hotline	2295 1386
Children Hotline	2751 8822

### Services Associated with Hong Kong Sheng Kung Hui

St James' Settlement	2574 5201
Hong Kong Sheng Kung Hui Counselling Service	2713 9174
St John's Cathedral Counselling Service	2525 7207 / 2525 7208

*A fuller contact list is obtainable from the Provincial Safeguarding Coordinator or the Parish Safeguarding Officer.*

## ANNEX B: GUIDELINES FOR RESPONDING TO A PERSON DISCLOSING ABUSE

### Respond

#### *Do:*

- listen.
- take what is said seriously.
- only use open questions (open questions begin with words like: who, what, when, where and how. Open questions cannot be answered with a “yes” or “no”).
- remain calm.
- take into account the person’s age and level of understanding.
- check, if face to face, whether they mind you taking notes while they talk so you can make sure you capture the information accurately. At the end you can check with them that you have understood everything correctly.
- offer reassurance that disclosing is the right thing to do.
- check what the person hopes to happen as a result of the disclosure.
- tell the child or adult what you are going to do next.

#### *Do not:*

- make promises that cannot be kept (e.g. that you won’t share the information).
- make assumptions or offer alternative explanations.
- do a physical or medical examination.
- challenge or show doubt of the person’s story.

### Record

- Make some very brief notes at the time, if appropriate, and write them up in detail as soon as possible.
- Do not destroy your original notes in case they are required by the authorities.
- Record the date, time, place and actual words used, including any swear words or slang.
- Record facts and observable things, not your interpretations or assumptions.
- Do not speculate or jump to conclusions.