INDEPENDENT REVIEW OF CATHOLIC SAFEGUARDING STANDARDS AGENCY AUDIT PROCESS

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1. Introduction

1.1 The Catholic Safeguarding Standards Agency (CSSA) has developed an audit process which has been piloted with 7 Dioceses. CSSA wish to evaluate the process to inform decision making about future audit arrangements.

1.2 It was agreed that there would be two elements to the review process:

(i). The extent to which the audit process that has been piloted in 7 Dioceses has effectively evaluated safeguarding arrangements and reached reasonable judgements;

(ii). Any changes that CSSA could make to its quality assurance arrangements to increase its overall effectiveness

2. Contextual information

2.1 The audit and review department were established in response to the following recommendation made in the Elliot Review:

"The Review Panel recommends that the CSSA should develop an audit and review department, served by its own dedicated staff that have appropriate expertise in this area, and that they should provide an audit and review service that is independent of the Church body being reviewed, using an agreed methodology with an intention to place the findings and recommendations in the public domain."

The Elliot Review went onto recommend a suggested audit and review methodology for the provision of the independent reviews that would be part of the audit and review service provided by CSSA. A copy of the proposed methodology can be found at **Appendix 1**

2.2 The Elliot report also stated the CSSA itself should be subject to review and held accountable for its performance and practice; with two key elements kept under constant review. These are:

(i). the accessibility of the services that CSSA provides;

(ii). the quality of those services

3. Methodology of review

3.1 An Independent Safeguarding Consultant was commissioned to complete the review. The review was conducted by:

(i). a desktop review of the CSSA audit and review framework including appendices

(ii). a 1:1 meeting with the CSSA Safeguarding Quality Assurance Manager

(iii). a desktop review of 1 anonymised audit reports and Diocesan self-assessment (a further 2 audit reports and self-assessments remain outstanding; however a decision was made to proceed with providing a report given the findings of the review to date)

(iv). a desktop review of 2 case audits (this represents a 40% sample of the total audits received)

3.2 It is recognised a limitation to the review process is that no feedback has been sought from the pilot areas regarding their experiences of the audit process. However, it is understood that Dioceses have had an opportunity to share their experiences through a national meeting and further that this report will also be shared with Diocese coordinators at a national meeting.

4. Current model: Strengths

4.1 The audit process used during the pilot phase is set out in the 'Audit and Review Framework for Diocese and larger religious orders' document. The process includes a self-assessment by the church body, along with supporting evidence, case auditing (10 – 20% sample of overall caseload of the church body), focus groups, review of local documents and online surveys.

4.2 The framework is designed to measure the quality of practice and compliance against the agreed the Safeguarding standards with the aim of improving safeguarding delivery. Adopting a standards approach positively sets out expectations and also provides a consistent framework against which safeguarding practice can be evaluated.

4.3 Guidance on the supporting information that can be used to evidence compliance is considered enabling, and should support continuous improvement as church bodies can "see" what they need to do to improve compliance. CSSA is able to adapt key lines of enquiry which is likely to serve church bodies well although for the baseline pilot audits, it is recognised by their very nature, that such adaptations are less likely to have taken place. Further, church bodies have an opportunity to feedback/address any factual inaccuracies in draft report(s) and the audit process also allows for representations made for reasons of factual accuracy, fairness or reasonableness to be considered.

4.4 The approach used to construct audit reports is strengths and evidence based. Strengths and areas for development are identified when evaluating compliance with the standards and the evaluation is conducted by evaluating compliance with descriptors set out in the maturity matrix thus bringing transparency. Reports reviewed are considered to be constructive in tone and where relevant opportunities to share good practice with other church bodies are identified.

4.5 The self-assessment was used to good effect and no new/significant findings were identified by CSSA in its audit. This indicates the value of self-assessment and the role it can, and should, play in church bodies evidencing compliance with standard 8 (Quality Assurance and Continuous Improvement). Finally, the commitment to publish an Executive Summary (findings and recommendations dataset of future reports is to be welcomed and indicates a commitment to openness and transparency which will in turn promote public confidence.

5. Current Model: areas for consideration

5.1 The approach currently taken, possibly influenced by the language used in the Elliot report, is to evaluate compliance with the 8 safeguarding standards. A focus on measuring compliance will have an unintended consequence and detract from a focus on the quality and impact of safeguarding practice, which is what matters most. To illustrate, the criteria below, taken from the maturity matrix, do not provide assurance that allegations are reported to statutory authorities under basic, early progress or firm progress judgements yet this is a requirement of statutory guidance and the charity commission.

	Basic – the standard is accepted and the church body is committed to action	Early Progress	Firm progress	Results being achieved	Comprehensive assurance	Exemplary
4.2.1	The Church body has committed to ensure that all allegations are passed on without delay to statutory authorities	A local policy to ensure allegations of abuse are reported to statutory authorities without delay is drafted	A local policy to ensure allegations of abuse are reported to statutory authorities without delay is in place and there is emerging evidence of appropriate reporting in practice	A local policy to ensure allegations of abuse are reported to statutory authorities without delay is embedded and widely understood. It is seen to be systematically implemented in practice	A local policy to ensure allegations of abuse are reported to statutory authorities without delay is regularly reviewed to ensure that it remains current. Mechanisms are in place to ensure compliance with its expectations	A local policy to ensure allegations of abuse are reported to statutory authorities without delay is quality assured, including with feedback from stakeholders, to ensure that it is achieving its purposes in practice

5.2 Further the language used to describe the level of compliance needs to be clearly identify when practice falls below minimum/required practice. The terms basic, early progress and firm progress do not readily convey where statutory and regulatory requirements are not being met. It is understood that 'below basic' is the criteria used to instigate a more detailed safeguarding review, however, this "judgement" does not currently feature in the maturity matrix. Similarly, the casework audit matrix uses the descriptors: insufficient, requires improvement, good and outstanding. In safeguarding inspections led by Ofsted, the requires improvement descriptor is "requires improvement to be good" whereas CSSA case work audit matrix states: "if any area fails to achieve the 'insufficient' grading at a minimum, it will be considered not to meet the basic requirements of compliance and/or safety (inline with CSSA polices and guidance). Any such matters are likely to require action the nature and urgency of which will be discussed between the Auditor and the responsible diocesan representative…."

5.3 A review of the descriptors in the case audit matrix under 'insufficient' and in some cases under 'requires improvement' indicates statutory and regulatory requirement would not be met however, this is not reflected or conveyed the language used. Given that CSSA has a regulatory function it is recommended that a review of the descriptors used in both the maturity matrix and case audit matrix is completed to more clearly define when compliance is falling below minimum/required expectations and/or not meet statutory and regulatory requirements. This change could also help reports to identify compliance actions to be put in place and developmental recommendations to be made by CSSA as set out in the Elliot Report.

5.4 It is considered recommendations should reflect the clear line of accountability for safeguarding established within the Catholic Church in England and Wales (CCEW) and so be made to the Trustees and Bishop, and the ICLSAL leaders and their Trustees.

5.5 In respect of completed case audits, the audit tool utilises closed questions e.g. "are plans (including interim plans) SMART" as opposed to a more evaluative style "To what extent does the plan clearly define the actions to be taken, by whom and when?". Despite the style of questions used there is evidence of audits evaluating practice and exercising judgement e.g. "the risks assessment template ensures that plans created are SMART with a specified review time. They identify each risk, what will be done to mitigate it and what the actions will be, who is responsible for them and when they will be carried out."

5.6 *[This paragraph has been redacted from the published version of this report due to containing potentially identifiable information about individual case audits]*

5.7 The overall grading for each case audit is determined by averaging the gradings for each section of the audit to reach an overall grade. The audit gradings are helpfully set out in an annex to the audit reports: an example is found below:

CASE	INITIAL RESPONSE	ASSESSMENT	PLAN/REVIEW	MANAGEMENT OVERVIEW/DECISION MAKING	PERSON CENTRED PRACTICE	RECORDING	OVERALL
SC1	Good	Good	Good	Requires Improvement	Good	Good	Good
SC2	Requires Improvement	n/a	Requires Improvement	Requires Improvement	Good	Requires Improvement	Requires Improvement
SC3	Good	n/a	n/a	Requires Improvement	Outstanding	Good	Good
SC4	Requires Improvement	Good	Requires Improvement	Insufficient	Good	Insufficient	Requires Improvement
SC5	Requires Improvement	Good	Good	Requires Improvement	Good	Good	Good

5.8 The table allows for a more thematic analysis of the elements of practice e.g. identification of initial response and management of oversight/decision making as areas for development. Recommendations can be made to address these thematic issues as opposed to actions in respect of individual cases as has taken place during the pilot phase. Neither of the elements of practice outlined above were identified in the areas for development or recommendation made in the audit report. Further consideration will given to the evaluation of practice in the next section of the report.

6. Possible changes to quality assurance arrangements

6.1 The proposals for possible change to the current CSSA audit and review framework have been informed by the Elliot report (Section 2). The Elliot report proposed monthly reporting of headline quantitative safeguarding data by each body. This data would in turn be analysed by the CSSA to maintain an overview and target intervention if necessary. The information would also inform quarterly report presented by CSSA to the Conference of Bishops and ICLSAL leaders.

6.2 The Elliot report states that "each review will result in a written report which will include assessment against the standards framework in addition to:

- a statement relating to regulatory compliance;
- a summary of key findings;
- compliance actions to be put in place;
- developmental recommendations.

6.3 This could be interpreted as the review needs to evaluate compliance with all 8 safeguarding standards; however the emphasis on regulatory compliance appears to suggest that reviews should have a greater focus on compliance with statutory and regulatory requirements.

6.4 One of the central tenets of the Elliot Report is the introduction of a quality assurance standard across the Church as a whole (Standard 8) and the Elliot report states that audit and review practice at the local level will be assessed independently by the CSSA to ensure that it meets the expected standard. Helpfully, the Elliot report provides an indicative list of possible evidence that could be used to assess compliance with standard 8:

- Devised a range of mechanisms that track its compliance with the agreed safeguarding standards;
- These may include direct observation of practice to ensure compliance with agreed standards;
- Sought and shared information relating to its performance with the CSSA;
- Regularly monitored and amended its safeguarding implementation plan as circumstances change;
- Share details of its performance with its members, trustees, the CSSA and other stakeholders.

6.5 Further it is recognition by the Elliot Report that Standard 8 links with all other standards as the effective delivery of a high quality safeguarding service must be regularly audited and improvement sought across the other seven standards.

6.6 CSSA estimates that it currently has capacity to conduct 16 audits per year; this estimate does not however take into account any safeguarding reviews, post baseline audit activity or complaints that require CSSA involvement and so in reality it is less likely to be able to complete this volume of audits per year particularly given that the current audit and review framework requires bi-monthly checks in conversations and 6 monthly monitoring visits for church bodies assessed as 'below basic', 'basic', and 'early progress' and 6 monthly check in conversations and 2 x targeted audits for church bodies assessed as 'firm progress' or 'results being achieved'.

6.7 It is considered that the audit and review methodology recommended by the Elliot Report was premised on the fact that accountability for effective safeguarding arrangements and activity rests with the leader and trustees of the church body. This insight provides an opportunity for CSSA to consider the extent to which its current model of audit and review reflects the CBCEW safeguarding accountability model and maximise the opportunities described by standard 8.

6.8 Currently under the maturity matrix a church body is deemed 'results being achieved' if it has an internal audit process to guide the tracking of the level of *compliance* with the organisations own processes.

6.9 This means that an audit process is not required under the basic, early progress or firm progress criteria; and an audit process that tracks the *quality* of practice would a comprehensive assurance judgement. Standard 8 also requires church bodies to create a three-year rolling safeguarding implementation plan and produce and make available an annual safeguarding report. As outline earlier, church bodies should also submit safeguarding quantitative data to CSSA. The current audit and review framework could therefore currently serve as a 'substitute' to local quality assurance activity and arrangements; with a risk that the leniency in grading/maturing matrix providing false positives about the effectiveness of local safeguarding arrangements.

6.10 An alternative model to evaluating compliance could be to operate a quality assurance framework that utilises quantitative data, builds on the strengths of the self-assessment tool identified earlier and has a greater focus on the quality of safeguarding practice and risk management. This audit process would become a more streamlined approach and have a stronger focus on regulatory and statutory compliance by focusing on standards 3, 4 and 5 (with a particular focus on risk management). Standard 1 would, by design, be tested out as robust leadership and culture of safeguarding will positively influence practice and result in a commitment to evidence of continuous improvement driven through local quality assurance arrangements (standard 8).

6.11 Rather than providing policies, it is proposed that church bodies would provide to CSSA:-

- Copy of annual self-assessment
- Copy of 3-year safeguarding implementation plan
- Safeguarding assurance reports provided to Trustees (last 12 months)
- Copies of local safeguarding audits and any other quality assurance activity
- Latest version of annual report
- Details of arrangements to learn from victim/survivor experiences and evidence of action taken as a result of victim's feedback
- Details of safeguarding team/resources.

6.12 The above could be considered alongside quantitative performance data submitted to CSSA over the previous 12 months. Data provided could cover training and DBS checks and thus allow a line of sight in respect of other standards but the primary focus of the audit process would be safeguarding practice, risk management and continuous improvement.

6.13 This model would not preclude other standards e.g. standards 2, 6 & 7 from being evaluated either through a future thematic audit (6), survey (2) or peer review (7), once safeguarding practice risk management and continuous improvement have been evaluated in all church bodies. Further, CSSA could retain the right to conduct a more extensive evaluation of safeguarding arrangements in the church body in the event that either the outcome of the safeguarding audit found non-compliance with statutory or regulatory requirements and/or any of the triggers for additional review set out in appendix 9 of the Elliot Report were met.

6.14 The CSSA will wish to consider the opportunities and risks to the timing of introducing revisions to its audit methodology. For example, 7 Dioceses have had the opportunity to undergo an independent audit and if changes are introduced at the end of the pilot phase; the other 15 Dioceses would not have been afforded this opportunity.

6.15 The mitigation to this issue would be that the self-assessment tool, when used well, identifies the strengths and areas for development against each of the 8 standards and responsibility to ensure compliance rests with Bishop, ICLSAL and Trustees.

6.16 The capacity needed to independently audit the remaining Dioceses, plus the demands placed on Diocesan safeguarding teams to participate in safeguarding audits may be better utilised in either evaluating quality and impact of practice and/or implementing the local safeguarding plan.

6.17 A more streamlined audit process would allow CSSA to audit a larger sample of cases and therefore have a greater line of sight to how the church body was meeting regulatory and statutory requirements as well as the experiences of victim/survivors and respondents. Feedback from the church bodies who have participated in the pilot may also assist the CSSA to determine the timing of any changes to its audit model.

7. Conclusion

7.1 The review has evaluated the audit and review framework that has been piloted with 7 Dioceses and found that it has adopted a standards approach which is considered good practice; further it is informed by a self-assessment completed by the church body. Further, there is flexibility in determining key lines of enquiry and the provision to conduct a review if audit findings or other information indicates greater scrutiny and/or assurance is required. Finally, a strength-based approach is adopted and descriptors are used to inform judgements reach in respect of compliance with safeguarding standards.

7.2 The review has found that the focus of the audits is on evaluating compliance with standards and as such the audits primarily evaluate the degree of maturity in action being taken to meet standards as opposed to the effectiveness and impact of the standards. This is compounded by the judgements used and in particular the absence of a judgement that a standard is “not met”. This is considered a risk for CSSA as it could result in a lack of compliance with statutory or regulatory requirements not being effectively identified and/or reported.

7.3 The review has identified opportunities for a more evaluative and focused approach to audit and proposes CSSA considers a more streamlined approach with a greater focus on safeguarding practice and risk management. This would reflect and reinforce the line of accountability for safeguarding in CCEW and facilitate the embedding of a quality assurance approach at a local level as intended by standard 8.

7.4 CSSA will need to determine whether all Dioceses should be afforded the opportunity to undergo a baseline audit. In the event, that a decision is made to complete baseline audits for the remaining 15 Dioceses, changes are required to the grade descriptors for maturity matrix and consideration should be given to ensuring consistency in case file auditing including the identification of any gaps in compliance with statutory or regulatory requirements.

8. Recommendations

Recommendation 1

CSSA to revise the maturity matrix (and case file) to include a grade and descriptors that will enable performance that is below the minimum standard to be identified and reported.

Recommendation 2

CSSA audit reports to explicitly record whether statutory and regulatory requirements are met and identify any compliance actions required.

Recommendation 3

CSSA to introduce a system whereby church bodies routinely report safeguarding quantitative performance data; this will enable a stronger line of sight to safeguarding practice in church bodies.

Recommendation 4

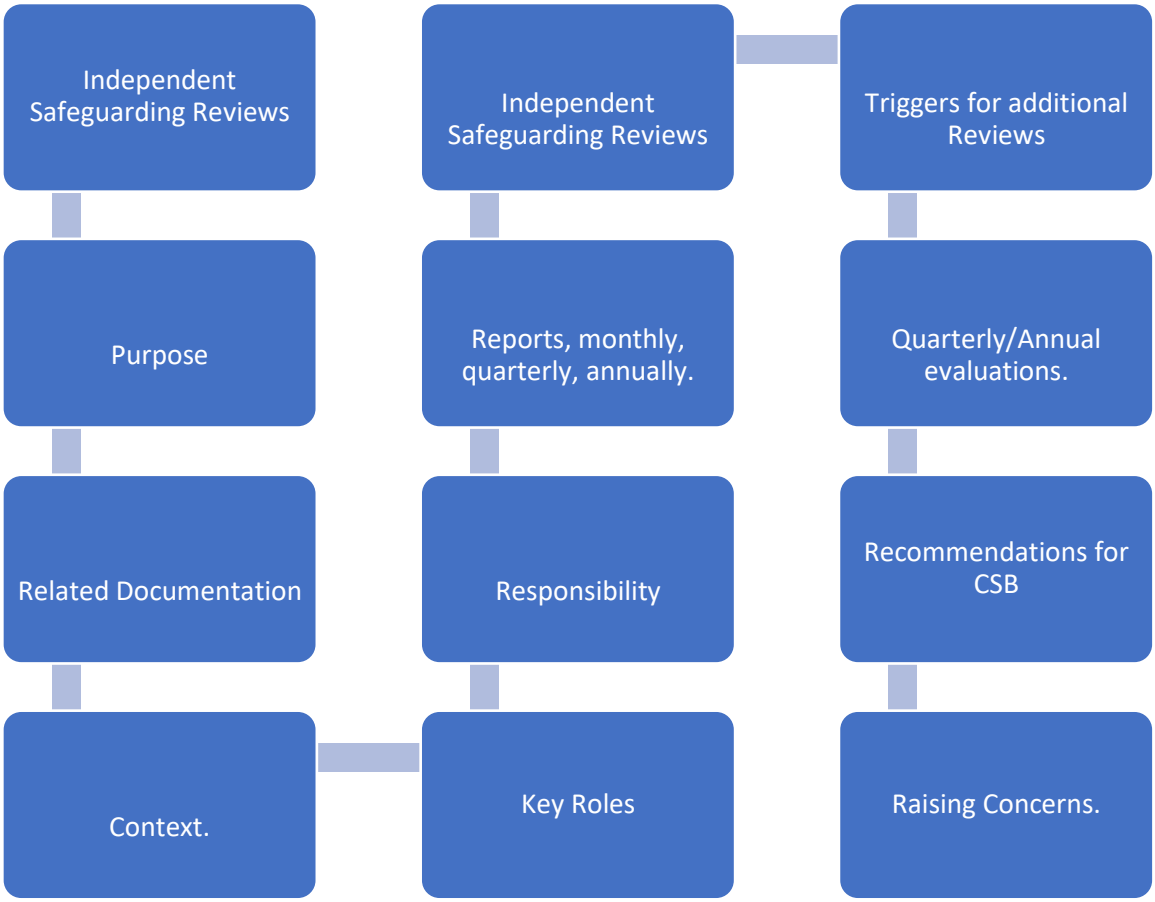
CSSA to amend its audit framework:

a) To become more evaluative of safeguarding practice and risk management and
b) To build on the local quality assurance arrangements put in place by church bodies as required by Standard 8.

Appendix 1

Elliot Review Proposed Audit and Review Methodology

A suggested approach for Independent Safeguarding Reviews at the level of the diocese or an ICLSAL member.



Purpose

The purpose of an independent safeguarding review conducted by a dedicated department within the Catholic Safeguarding Standards Agency (CSSA), is to assist the CSSA with its functions of facilitating continuous improvement in safeguarding for the Catholic Church in England and Wales (CCEW). The reviews will do this by:

- being independent of the local Church bodies and separated from the policy and advisory arms of the CSSA, and thus having credibility,
- rebuilding trust and confidence in the CCEW by the introduction of independent scrutiny of safeguarding with the CCEW,
- contributing to the Church's commitment to continual improvement and excellence in safeguarding practice and management,
- placing findings and recommendations in the public domain to ensure transparency.

Related Documentation

- *The Safeguarding Standards to be agreed for the Church.* This document is of crucial importance for the Independent Reviews as it provides the compliance framework for the reviewers and Church bodies.
- The *Code of Conduct for Independent Safeguarding Review*[1] document.
- Apostolic Letter issued *motu proprio* by the Supreme Pontiff Francis, *Vos Estis Lux Mundi*.
- *The submission of a request for recognitio of a general decree.*[2][3] (This initiative has not yet been decided upon by the relevant dicastery, and as a result has no canonical effect at present.)
- The current iteration of *Working together to safeguard children.*
- The current iteration of *the Care Act and the Social Services and Wellbeing (Wales) Act.*
- Local Safeguarding Partnership Arrangements.

Context

The CCEW takes its responsibility for safeguarding very seriously. Following a review of safeguarding practice in 2019-20 the infrastructure and operational arrangements for safeguarding and protecting people across all Catholic organisations in England and Wales will be altered. It is proposed that the CSSA will be established and all Church bodies will be encouraged to sign up to be part of the new approach through a contractual agreement. A system of Independent Reviews will be introduced to ensure compliance with this new infrastructure and operational arrangement. This will introduce clear lines of accountability for safeguarding within the CCEW.

Key Roles

- The Bishops
- The Bishops' Conference of England and Wales
- Provincials, Major Superiors, and Abbots
- Diocesan Trustees and those within ICLSAL
- CEO of CSSA
- Safeguarding dedicated leads and staff

Responsibility

The CEO of the CSSA is accountable for monitoring adherence to safeguarding standards across the Catholic Church in England and Wales and this oversight is executed and reported in the following ways:

- Reports to the Bishops' Conference of England and Wales, quarterly.
- Independent Safeguarding Reviews: Dioceses, ICLSAL.
- Bishop/ICLSAL leader to own improvement and to the CEO of CSSA to support and monitor improvement.
- CEO is accountable for supporting the Church body to plan to address recommendations from the reviews.

Diocesan responsibility is exercised by the trustees and bishop. Religious congregational responsibility is exercised by the ICLSAL leader and their trustees in line with their respective constitutions.

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[1] This document will be the fruit of this workstream.

[2] GENERAL DECREE PARTICULAR LAWS FOR SAFEGUARDING CHILDREN, YOUNG PEOPLE AND ADULTS AT RISK IN THE CATHOLIC CHURCH IN ENGLAND AND WALES.

Reports (monthly/quarterly)

- There is a requirement for each Church body to submit headline quantitative safeguarding data each month. This data is analysed by the CSSA to maintain an overview and target intervention if necessary.
- This information, together with information generated as outlined below, is also used by the CEO to report quarterly to the Conference of Bishops and ICLSAL leaders.

Independent Safeguarding Reviews (in accordance with a *Code of Conduct for Independent Safeguarding Review* document. This document has not yet been written but is planned to be produced before the final submission for the Review).

The review is conducted on and off site, for the following aims:

- Exercise oversight in relation to safeguarding on behalf of the Bishops of England and Wales and ICLSAL leaders.
- identify and share effective practice.
- identify points for development.
- Check that the relevant statutory, and regulatory requirements are met.
- Fulfil requirements set down by the Charity Commission.

At the beginning of each calendar year a schedule for the reviews should be published citing when each Church body will receive their Independent Safeguarding Review during the coming year.

Prior to the Independent Review

Twelve weeks prior to each review, a request is sent to the Church body subject to the review to: confirm the details of the reviewer(s) and finalise arrangements for the review, request that a self-evaluation form be completed and returned no later than four weeks before the review along with an outline timetable for the visit. The Independent Reviewers consider the arrangements offered and suggest any changes required and/or confirm the given arrangements.

The Independent Reviewers study the self-evaluation form returned and formulate specific lines of inquiry. They familiarise themselves with any relevant documentation relating specifically to the Church body and evaluate the associated website.

On-Site Review

- The review will be conducted in accordance with the *Code of Conduct for Independent Safeguarding Reviews* document.

Reporting

Each review will result in a written report, which will include assessment against the standards framework in addition to:

- a statement relating to regulatory compliance.
- paragraph summarising key findings.
- compliance actions to be put in place
- developmental recommendations for the subject of the Review.

Time for Review

The number of days on site will be planned on the size and membership of the Church body. In addition, days for preparation and days for report writing will be added.

Follow Up to Review

Local level responsibility for follow up rests with:

- the Trustees and Bishop,
- the ICLSAL leader.
- the CSSA to support any planned developments within the Church body.

Triggers for Additional Review

- Any evidence-based concern expressed by CEO.
- Serious incident or complaint linked to safeguarding.
- Serious whistleblowing or an HR concern.
- Other matter identified by the Church body resulting in a request for a bespoke review.

Quarterly/Annual Evaluations

The outcomes from the safeguarding reviews are collated by the Independent Review Team using the Standards Framework and reported on to further support and improve practice on a quarterly and annual basis. When a review has been undertaken and the findings shared, these can be collated to identify any themes that emerge that may provide focus for how practice can be improved upon.

Recommendations for CSSA

Independent Review reports may make recommendations for the CSSA to consider that are beyond the scope of local level to respond to them e.g. a policy recommendation. Learning from the review of an individual Church body may have a relevance to the wider Church and may result in new policy or guidance.

Raising Concerns

Any concerns that reach a threshold for reporting to statutory bodies such as the Charity Commission, will be progressed from the Independent Review team to the CEO of CSSA, then to the Board, and then onward from there.

Frequency of Audits

Regarding the frequency of audits, there are a number of determinants. Firstly, there are resource implications. Secondly, there is the question of what is actually needed. As a guide it is suggested that audits could take place every other year and that this would be sufficient to achieve learning. At this stage, however, we have concentrated on the detail of the audit process itself rather than the frequency.