# **Appendix 7 – Template Letter of instruction for independent risk assessment**

This should be drawn up by the DSA in consultation with the diocesan registrar. Additional, specialist safeguarding legal advice may also be sought as required.

Dear *Name of assessor/agency*

**Risk Assessment in respect of *Name***

The *name of* *Bishop* would like to commission *independent assessor/organisation* to undertake a risk assessment of *Name*. Thank you for agreeing to undertake this assessment.

**The Respondent and their Representatives**

Insert names and contact details of all relevant parties in this case which may include:

* The respondent
* Legal representatives for the respondent
* Link Person for the respondent
* The DSA and other Diocesan contacts such as the Bishop
* Contact details for other statutory agencies linked to the case such as Police, Probation, Children’s Services etc.

**The Nature of the Instructions**

You are being instructed by *insert name of Bishop* to provide an independent expert opinion regarding the risk posed, if any, by *Name of respondent.*

It is expected that you will have a meeting(s) with the respondent. It is however essential both to your role as an independent expert and to the party’s perception of your independent status, that if you do have informal discussions, or correspondence with any of the professionals or lay parties involved in the case, you should make a note of all such discussions. You should disclose the fact you have had them when you write your report, and explain what influence, if any, such discussions have had upon your thinking and your conclusions.

**Contact with Others**

You may wish to contact the solicitor/legal representative of the respondent or other professionals involved in the case. Please feel free to do so. However, if in your contact with these professionals you discuss any matter of relevance, please inform *name of Bishop* promptly and let *name of Bishop* have copies of any reports or information given to you. Please keep a careful record of all pertinent discussions with other experts or parties.

**The Background**

Insert a brief paragraph explaining the background of the case including the nature of any allegations and decisions made thus far.

The following documentation is attached:

* Terms of Reference Document dated xxx, which includes information about *N*, and a full chronology of the circumstances leading to this assessment;
* The Safeguarding (Clergy Risk Assessment) Regulations 2016, regulation 4 sets out the procedure for carrying out the assessment and regulation 5 onwards contains detail on the content of the assessment and the processes which will be followed upon receipt of the draft and final assessment reports;
* Documentation from Police or other relevant body regarding investigation, including witness statements etc.;
* Minutes of Allegations Management meetings or other relevant documentation from statutory services.

***Please note the permissions for information sharing given by statutory agencies in relation to the subject are for the purposes of this assessment only.*** All the information provided here is confidential and should not be disclosed to any person or body outside of this process, unless safeguarding matters arise which require an urgent referral to a statutory agency. If so, you should notify *name of Bishop* as soon as possible.

**Risk assessment report format**

You are requested to consider and provide your opinion on the nature and likely extent of the risk and your recommendations on how to address or manage that risk. With this in mind the Risk Assessment Report should include[[1]](#footnote-1):

* the personal history of the respondent (including a summary of their personal relationships, family background, education/employment history, substance misuse, physical and mental health factors, lifestyle, perception of self-identity and their relationships with others and any other attitudinal or behavioural factors which can contribute to an analysis or explanation of the allegation);
* the respondent’s vocation for their role;
* the respondent’s sexual history (if relevant);
* the forensic history of the respondent’s offending behaviour, previous allegations etc.;
* a clear statement about any dispute between the facts as found and the respondent’s version of events - setting out the matter, nature and extent of the dispute, (please note you cannot make a finding of any fact which is in dispute);
* the assessor’s views on the credibility of allegations where there is a dispute whilst making no finding of fact;
* the respondent’s attitude to the victim/survivor(s), including evidence of empathy;
* the respondent’s attitude to the diocese in developing a Safeguarding Agreement;
* the methodology or framework used to assess the level of risk of the respondent abusing in the future;
* the assessor’s opinion on the nature and likely extent of the risk;
* guidance on an appropriate Safeguarding Agreement, to include the assessor’s recommendations on how to address or manage the risks identified.

Use a different order if this is most helpful to you.

**Confidentiality**

Reports should always be sent by special delivery, marked confidential for the attention of the addressee, inside an unmarked envelope. Reports should not be transmitted electronically unless the email is secure.

**Academic references**

We ask that academic references should not be included in your risk assessment. If you are relying upon a particular piece of research or theory, then you should explain that in the report. In our experience when academic references have been used, a contradictory piece of research or theory has been put forward and this has not been helpful.

**Your Fees**

Your fees will be met solely by *name of Bishop.* Please ensure that the total account shows details of your hourly charges for preparation and traveling time (if relevant) and the number of hours spent. Please enclose copies of all receipts for any travelling and other expenses.

**Factual Issues**

Under the regulations (5(2)), where a risk assessment has involved consideration of a matter where certain facts are in dispute, the assessment must set out the matter and the nature and extent of the dispute but must not make a finding on any fact which is in dispute. Where appropriate it would be of assistance if you can express your opinion on the credibility of allegations where there is a dispute whilst making no finding of fact.

**The timetable**

The *name of Bishop* requests that your report is completed by *insert date.*

(This date should have been agreed prior to the issue of this letter of instruction).

*Name of Bishop* would be grateful if you would confirm in writing that you will accept this commission and the expected date of completion is acceptable.

Yours sincerely

1. See regulation 5 of the Safeguarding (Clergy Risk Assessment) Regulations 2016 [↑](#footnote-ref-1)