

DBFs (Diocesan Boards of Finance): Explanatory Note

New House of Bishops' guidance on reporting safeguarding Serious Incidents to the Charity Commission and guidance on reporting other Serious Incidents to the Charity Commission

All DBFs are charities and their trustees (DBF directors) are required to report any Serious Incidents, both safeguarding and non-safeguarding, to the Charity Commission.

Why the new guidance?

Following recent high-profile safeguarding-related incidents in the charity sector, the Charity Commission updated its guidance on Serious Incident Reporting in October 2018, with a particular focus on the reporting of SAFEGUARDING Serious Incidents. The Church has worked with the Charity Commission to agree bespoke guidance for DBFs on how to identify and report a Serious Incident.

Timing

DBFs are already required to report any Serious Incidents to the Charity Commission. However, from 1st January 2019, they should do so in accordance with the new arrangements set out in this guidance.

1. REPORTING SAFEGUARDING SERIOUS INCIDENTS

What is a Safeguarding Serious Incident?

A safeguarding Serious Incident that needs to be reported to the Charity Commission is an actual or alleged safeguarding incident, which results in or risks significant harm either (a) to your DBF's beneficiaries, office holders, employees, volunteers or to others who come into contact with your DBF through its activities, or (b) to your DBF's reputation.

Will it change how the DBF deals with safeguarding?

No, the House of Bishops' safeguarding policy and guidance must still be followed. The guidance that applies to safeguarding concerns or allegations against church officers is "*Responding to, Assessing and Managing Safeguarding concerns or allegations against church officers*". This explains the requirement to report any safeguarding concerns or allegations to the DSA within 24 hours, who will liaise with statutory agencies, as required.

Will it change how a DBF reports safeguarding Serious Incidents to the Charity Commission?

Yes, DBFs will now report safeguarding Serious Incidents to the Charity Commission at rsi@charitycommission.gsi.gov.uk using the templates provided in the guidance. The new system for reporting safeguarding Serious Incidents will enable the Church to monitor, at national level, the safeguarding Serious Incidents that occur. This is because copies of all safeguarding Serious Incident reports submitted to the Charity Commission will also be sent to the National Safeguarding Team at rsi.nst@churchofengland.org.

What actions must be taken under this guidance?

When you report a safeguarding concern or allegation to the Diocesan Safeguarding Adviser (DSA), consideration will also be given as to whether the incident needs to be reported to the Charity Commission and, if so, whether it must be reported immediately (if a live risk or likely to gain media attention) or as part of the DBF's 'bulk reporting' every six months. There are templates for both types of reporting attached.

Who makes the report to the Charity Commission?

Preparation of the report should be by the DSA. ALL DBFs need to pass a resolution to delegate the responsibility for submission of Safeguarding Serious Incident reports to their Diocesan Secretary. There is further information on this in the guidance and a template example of a delegation resolution is attached.

What is the status of this guidance?

The guidance (including its Annexes) forms part of the House of Bishops' Safeguarding Policy and Guidance and must be complied with. Failure to comply with it could also lead to an investigation by the Charity Commission.

2. REPORTING OTHER SERIOUS INCIDENTS

What are other types of Serious Incident?

Non-safeguarding Serious Incidents are actual or alleged adverse incidents, which results in or risks loss of the DBF's money or assets, damage to its property or harm to its work or reputation.

How do we report other types of Serious Incident to the Charity Commission?

DBFs should report any Serious Incidents that do not relate to safeguarding to the Charity Commission at rsi@charitycommission.gsi.gov.uk, using the template form in the bespoke non-safeguarding guidance attached.

3. WHAT DO YOU NEED TO DO?

- Pass delegation resolutions to delegate the responsibility for preparing and submitting Safeguarding Serious Incident reports AND non-safeguarding Serious Incident reports to the Charity Commission in accordance with the relevant Guidance (see template example delegation resolutions attached).
- Make sure that all senior DBF employees are aware of the new guidance and procedures, so that they can inform their teams accordingly.

Annexes: Further information

- *Guidance for DBFs, PCCs and Religious Communities on identifying and reporting Safeguarding Serious Incidents*
- *Practical Guidance on how to make a Safeguarding Serious Incident Report*
- *Guidance for DBFs on identifying and reporting non-safeguarding Serious Incidents.*
- *Template Delegation for the DBF trustees*