

Reporting of Serious Incidents to the Charity Commission

1. Background

- 1.1 The members of the PCC, as charity trustees, are responsible for reporting ALL serious incidents to the Charity Commission in a timely manner. The trustees delegate the reporting of serious incidents in accordance with these Resolutions.
- 1.2 The Charity Commission has approved specific Church of England guidance for PCCs to use when reporting serious incidents to it ("PCC Guidance"). The PCC Guidance separates serious incidents into two types: safeguarding serious incidents and all other serious incidents. Safeguarding serious incidents are reported in a different way from how all other serious incidents are reported and so there are separate delegations for reporting safeguarding and non-safeguarding serious incidents.
- 1.3 If a safeguarding incident occurs within the PCC, the PCC's Safeguarding Officer (PCCSO) must inform the Diocesan Safeguarding Adviser (DSA)¹ and respond to and manage the incident in accordance with the relevant House of Bishops' Safeguarding Policy and Guidance.²
- 1.4 Where a non-safeguarding incident is identified, the Vicar should be informed immediately. The Vicar is responsible for taking such immediate steps or actions as may be required to secure and protect the PCC's property, assets and reputation, in accordance with any internal policies or procedures.

2. DELEGATION of responsibility to report SAFEGUARDING Serious Incidents

- 2.1 In order to facilitate the confidential and timely reporting of any safeguarding serious incidents to the Charity Commission, the responsibility for any decisions relating to the reporting of safeguarding serious incidents is delegated to the Vicar and Churchwardens, in consultation with the Safeguarding Officer. All references to the Trustee Group in this delegation are references to this smaller group of trustees.
- 2.2 The following responsibilities are delegated to the PCC's Safeguarding Officer
 - a) Responsibility for contacting the DSA, if they consider a safeguarding serious incident may have occurred and providing the DSA with any information required.
 - b) Responsibility for liaising with the DSA and reporting back to the Trustee Group on the management and reporting of the safeguarding serious incident by the DSA on behalf of the PCC's trustees, including:
 - (i) if the DSA considers that the incident does NOT need to be reported to the Charity Commission, why this is the case, for agreement by the Trustee Group and then informing the DSA of such agreement;
 - (i) whether the incident will be individually reported or included in the next bulk report;

¹ Jez Hurst safeguarding@stalbans.anglican.org

² <https://www.churchofengland.org/safeguarding/policy-and-practice-guidance>

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- (ii) providing the Trustee Group, or PCC's trustees (as appropriate) with a copy of any safeguarding serious incident report submitted to the Charity Commission by the DSA on behalf of the PCC.

2.3 The following responsibilities are delegated to the Diocesan Safeguarding Adviser:

- a) The DSA is responsible for deciding whether a safeguarding incident is sufficiently "serious" to be reported to the Charity Commission and, if so, whether it should be reported individually or included in the next bulk report.
- b) The DSA is responsible for reporting back to the PCCSO on whether the incident is sufficiently "serious" to be reported to the Charity Commission and, if so, whether the incident is to be individually reported or included in the next bulk report. If an incident does NOT need to be reported to the Charity Commission, the DSA should provide the PCCSO with an explanation of this decision, so the PCCSO can report back to the Trustee Group for agreement and confirm this agreement to the DSA.
- c) The DSA is responsible for reporting the safeguarding serious incident to the Charity Commission, using its online form, on behalf of the trustees.
- d) The DSA is responsible for sending copies of any serious incident reports submitted to the Charity Commission on behalf of the PCC's trustees to the National Safeguarding Team and the PCCSO.

3. DELEGATION of responsibility to report all OTHER Serious Incidents

3.1 In order to facilitate the confidential and timely reporting of any serious incidents, the responsibility for the reporting of serious incidents is delegated to the Vicar and Churchwardens. All references to the Trustee Group in this delegation are references to this smaller group of trustees.

3.2 The following responsibilities relating to the reporting of NON-SAFEGUARDING serious incidents are delegated to Vicar and Churchwardens.

- a) Responsibility for deciding whether, in accordance with the PCC Guidance, the incident is sufficiently serious to require reporting to the Charity Commission.
- b) Responsibility for informing the Trustee Group of the incident and the steps being taken to address it and whether it needs to be reported to the Charity Commission.
- c) If a decision is taken that an incident does NOT need to be reported to the Charity Commission, the reasons for this decision should be agreed with the Trustee Group and recorded in writing by the Vicar.
- d) Responsibility for reporting the serious incident using the Charity Commission's online form.
- e) Responsibility for providing the Trustee Group (or the trustees where appropriate) with a copy of any serious incident report submitted to the Charity Commission.