

PCCs (Parochial Church Councils): 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 PCCs are charities and their trustees (PCC members) 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 PCCs on how to identify and report a Serious Incident. The Charity Commission has confirmed that it expects **ALL** PCCs to report Serious Incidents, including 'excepted' PCCs which are not registered with the Charity Commission as their annual income is under £100,000.

Timing

PCCs 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 PCC's beneficiaries (parishioners), office holders, employees, volunteers or to others who come into contact with your PCC through its activities, or (b) to your PCC's reputation.

Will it change how a PCC 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*", which is summarised for Parishes in the "*Parish Safeguarding Handbook section 7*". 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 PCC reports safeguarding Serious Incidents to the Charity Commission?

Yes. PCCs will now report safeguarding Serious Incidents to the Charity Commission through their DBF. 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.

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 diocese's 'bulk reporting' every six months. There are templates for both types of reporting attached.

Who is responsible at parish level?

The person nominated as responsible by the PCC (who will usually be the safeguarding officer where there is one) is responsible for informing the DSA that a Safeguarding Serious Incident may have occurred and then reporting back to the PCC.

Who makes the report to the Charity Commission?

ALL PCCs need to pass a resolution to delegate the responsibility for preparing safeguarding Serious Incident reports to the DSA and for submitting them 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 accordingly 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 result in or risk loss of the PCC'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?

PCCs 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?

- If you do not have a Parish Safeguarding Officer, select a suitable Parish officer to report to the DSA. This would normally be the Incumbent and/or the PCC's safeguarding lead.
- Select a suitable Parish officer to prepare and submit non-safeguarding Serious Incident reports to the Charity Commission.
- 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 key Parish officers are aware of the new guidance and procedures.

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 PCCs on identifying and reporting non-safeguarding Serious Incidents*
- *Template Delegations for the PCC trustees*