

'A': Safeguarding Incidents

The PCC of St James, 300 Thornton Road, Thornton, BD13 3AB

Delegation by the PCC Members: Reporting of Serious Incidents to the Charity Commission

Date: 12th March 2019

1. Background

- 1.1 The members of St James 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 and templates 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 Trustee Group: in order to facilitate the confidential and timely reporting of any safeguarding Serious Incident to the Charity Commission, the responsibility for any decisions relating to this is delegated to a small group, eg Incumbent, Parish Safeguarding Officer ('PSO'), Churchwardens ('CWs'). This ensures the PSO is not making any decision alone. A similar group is required for the reporting of non-safeguarding incidents.
- 1.4 If a safeguarding incident occurs, the PSO (or, where there is no employed PSO, the person with responsibility for safeguarding in the PCC) must inform the Diocesan Safeguarding Adviser ('DSA') and respond to and manage the incident in the normal way, in accordance with the relevant House of Bishops' Safeguarding Policy and Guidance.

Date: 12th March 2019

A. DELEGATION of responsibility to report SAFEGUARDING Serious Incidents to the Charity Commission in accordance with the PCC Guidance.

A.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 Incumbent Rev. CH Gwinnett, PSO Mrs Lorraine Lee, Associate Minister Rev. Gloria Hardisty, PCC member Miss Justine Gwinnett. All references to the Trustee Group in this delegation are references to this smaller group of trustees.

A.2 *The following responsibilities are delegated to St James' PCC Safeguarding Officer*

- Responsibility for contacting the DSA, if they consider a safeguarding Serious Incident may have occurred and providing the DSA with any information required.
- 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 and the Diocesan Secretary ('DS'), including:
 - if the DSA and DS consider that the incident does NOT need to be reported to the Charity Commission, why this is the case;
 - whether the incident will be individually reported or included in the next bulk report;
 - approval of a draft report for a high-risk incident (ie, one which will be individually reported);
 - providing the trustees of St James with a copy of any safeguarding Serious Incident reports submitted to the Charity Commission by the DS on behalf of the [PCC].

A.3 *The following responsibilities are delegated to the Diocesan Safeguarding Adviser and the Diocesan Secretary:*

- The DSA is responsible for deciding, in consultation with the DS, 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.
- The DSA is responsible for reporting back to the PSO 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 PSO with an explanation of this decision, so the PSO can report back to the Trustee Group.

- The DSA is responsible for preparing the safeguarding Serious Incident Report. Where the report relates to a high-risk incident (ie, one which is to be individually reported), the DSA is responsible for providing the draft report to the PSO for approval by the Trustee Group.
- The DS is responsible for submitting safeguarding Serious Incident reports to the Charity Commission, on behalf of the [PCC's] trustees.
- The DS is responsible for sending copies of any Serious Incident reports submitted to the Charity Commission to the National Safeguarding Team and the PSO.



Signed:

PCC Chairperson - Rev CH Gwinnett

Date as above

Please return to Church House, either by email to: safeguarding@leeds.anglican.org
or by post, addressed to Gail O'Neill, at Church House, 17-19 York Place, Leeds, LS1 2EX

'B': Non-Safeguarding Incidents

The PCC of St James, 300 Thornton Road, Thornton, BD13 3AB

Date: 12th March 2019

Delegation by the PCC Members: Reporting of Serious Incidents to the Charity Commission

1. Background

- 1.1 The members of the St James 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 and templates for St James to use when reporting Serious Incidents to it ('PCC Guidance'). The St James 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 Trustee Group: in order to facilitate the confidential and timely reporting of any safeguarding Serious Incident to the Charity Commission, the responsibility for any decisions relating to this is delegated to a small group of trustees, namely the Incumbent Rev. CH Gwinnett, PSO Mrs Lorraine Lee, Associate Minister Rev. Gloria Hardisty, PCC member Miss Justine Gwinnett. This ensures the decision is not taken by one person alone. A similar group is required for the reporting of safeguarding serious incidents. (Reporting to the Charity Commission does not supersede the need to inform any diocesan authorities as you have always done).
- 1.4 Where a non-safeguarding incident is identified, Incumbent or PSO should be informed immediately. Incumbent or PSS 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.



Signed:

PCC Chairperson - Rev CH Gwinnett

Date as above

B. DELEGATION of responsibility to report all OTHER Serious Incidents to the Charity Commission in accordance with the PCC Guidance

- B.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 Incumbent Rev. CH Gwinnett, PSO Mrs Lorraine Lee, Associate Minister Rev. Gloria Hardisty, PCC member Miss Justine Gwinnett. All references to the Trustee Group in this delegation are references to this smaller group of trustees.
- B.2 Incumbent or PSO is responsible for deciding whether, in accordance with the PCC Guidance, the incident is sufficiently Serious to require reporting to the Charity Commission. If a decision was 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 PSO.
- B.3 Incumbent or PSO is responsible for preparing and submitting the Serious Incident Report to the Charity Commission. Where the report relates to a high-risk incident, the draft report should be provided to the Trustee Group for approval.
- B.4 PSO is responsible for providing St James trustees with a copy of any Serious Incident report submitted to the Charity Commission.